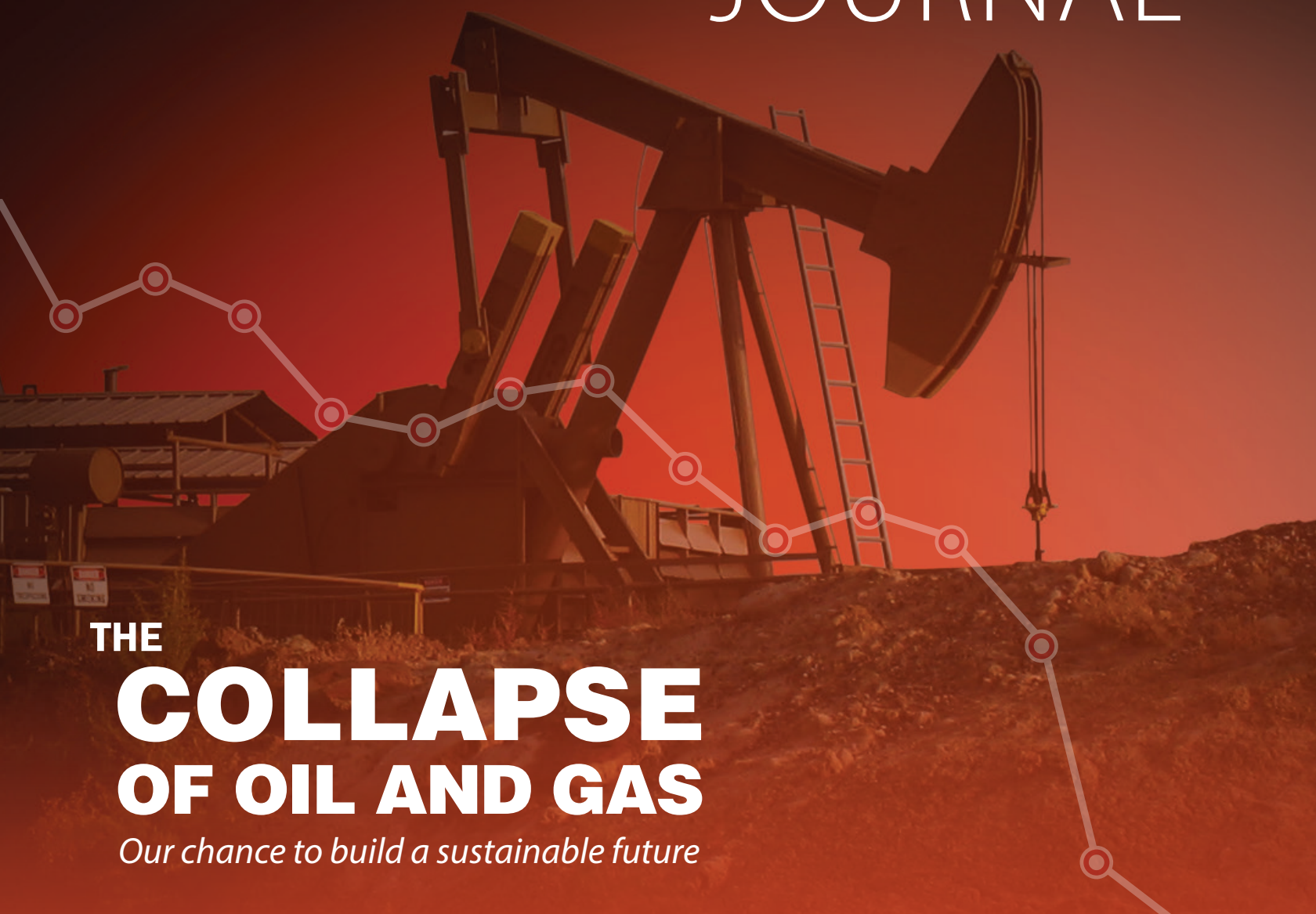


# EARTHWORKS JOURNAL



## THE **COLLAPSE OF OIL AND GAS**

*Our chance to build a sustainable future*



Community Solutions  
Avoiding Climate Chaos  
Closing Waste Loopholes  
Fighting for an Electric Future





EARTHWORKS

Dedicated to protecting communities and the environment from the adverse impacts of mineral and energy development while promoting sustainable solutions.

**MAIN OFFICE**

1612 K Street NW, Suite 904  
Washington, D.C. 20006 • 202.887.1872  
earthworks.org • info@earthworks.org  
EIN/Tax ID #52-1557765 • Combined Federal Campaign #41290

**FIELD OFFICES**

California, Colorado, Maine, Minnesota, Maryland, Montana, New Mexico, New York, Pennsylvania, Texas, West Virginia

**BOARD**

Robin Broad / Casey Camp-Horinek  
Kenneth Colburn / Gene Collins / Gloria Flora  
Anthony Ingraffea, Ph.D., P.E., *Vice Chair*  
Jennifer Krill / Jennifer McDowell  
Mark Squillace, J.D., *Secretary/Treasurer*  
Wilma Subra, *Chair* / Patricia Weber

**STAFF**

Quentin Anderson, *Gulf Coast Energy Campaigner*  
Bruce Baizel, *Energy Program Director*  
Raphael Breit, *Community Empowerment Project Coordinator*  
Ethan Buckner, *Energy Campaigner*  
Ann Corbett, *Philanthropy Director*  
Phil Dickieson, *Donor Communications Manager*  
Raquel Dominguez, *Policy Associate*  
Pete Dronkers, *Southwest Circuit Rider*  
Nathalie Eddy, *Colorado and New Mexico Field Advocate*  
Josh Eisenfeld, *Corporate Accountability Communications Campaigner*  
Miguel Escoto, *West Texas Field Associate*  
Bonnie Gestring, *Northwest Program Director*  
Lori Glover, *Permian Energy Campaigner*  
Traci Hickson, *Foundation Relations Manager*  
Benjamin Hitchcock, *Making Clean Energy Clean, Just and Equitable Coordinator*  
Paul Jolly, *Philanthropy Manager*  
Andrew Klooster, *Colorado Organizer*  
Jennifer Krill, *Executive Director*  
Leann Leiter, *Ohio and Pennsylvania Field Advocate*  
Jack McDonald, *Texas Field Analyst*  
Chris Millis, *Finance and Operations Associate*  
Aaron Mintzes, *Senior Policy Counsel*  
Ellen Moore, *International Mining Campaign Manager*  
Jan Morrill, *International Mining Campaigner*  
Lorraine Osinski, *Finance and Operations Director*  
Lauren Pagel, *Policy Director*  
Tyler Rivlin, *Community Empowerment Project Assistant*  
Payal Sampat, *Mining Program Director*  
Alan Septoff, *Strategic Communications Director*  
Sophie Shemas, *Digital Engagement Coordinator*  
Nadia Steinzor, *Community Empowerment Project Manager*  
Melissa Troutman, *Research and Policy Analyst*  
Justin Wasser, *Energy Communications Manager*  
Sharon Wilson, *Senior Field Advocate*  
Anaïs Peterson, *Stop the Buildout Fellow*

Editor – Phil Dickieson • Design by CreativeGeckos.com



# → CONTENTS

- 3 Protecting Communities from Mine Waste
- 4 The Collapse of the Oil and Gas Industry
- 5 An Industry in Free Fall
- 5 Solutions for Communities Living with Oil and Gas
- 6 Our Clean, Just and Equitable Future
- 6 A New Way to Give this Holiday Season
- 7 Protecting Caribou and Public Land in Alaska
- 7 Closing Toxic Waste Loopholes in New York
- 8 Earthworks in the News
- 8 Fighting for an Electric Future

## Expanding the Earthworks Team

Andrew Klooster

*Colorado Organizer—Denver, Colorado*

Andrew joined Earthworks in July and focuses on elevating frontline community voices in Colorado to ensure that the state and local governments prioritize public health and the environment over resource extraction. Previously he worked for the Doan Brook Watershed Partnership in Ohio, connecting diverse communities to urban ecology and park spaces. —***“I am looking forward to supporting communities in their fight for clean neighborhoods and a clean energy future.”***



ANDREW KLOOSTER

Lori Glover

*Permian Energy Campaigner—Tierra Amarilla, New Mexico*

Lori joined Earthworks in August and works with grassroots groups and nonprofit organizations to protect the Permian Basin and Gulf Coast communities from oil and gas expansion. Previously she formed two community groups as well as the Two Rivers Camp in West Texas to resist the Trans Pecos Pipeline, and campaigned against air pollution from oil and gas emissions. —***“I am thrilled to be able to empower and amplify the voices of diverse communities impacted by oil and gas infrastructure in the Texas Permian.”***



LORI GLOVER

Miguel Escoto

*West Texas Field Associate—El Paso, Texas*

Miguel joined Earthworks in July and assists Sharon Wilson’s field work in the Permian Basin and engages in community outreach in West Texas. He has worked as a legal assistant for a Permian-focused environmental law firm, and has organized with grassroots groups in the border community of El Paso, Texas / Ciudad Juarez, Mexico, addressing the intersection of environmental, immigration, and racial injustices. —***“It’s an honor to support communities’ struggle for climate justice in this region.”***



MIGUEL ESCOTO

# When it comes to mine tailings dams, communities say: **Safety First**

By Jan Morrill

In January 2019, a waste dam at an iron ore mine in Brumadinho, Brazil, failed, killing nearly 300 people and flooding the Parapeba River. Sadly, this was not an isolated incident. Waste produced during the mining process is known as tailings, and these tailings are often stored in aging dams around the world. Severe tailings dam failures are occurring more frequently and with greater consequences. Thousands of communities in the shadow of tailings dams live in a state of perpetual anxiety—will they fall victim to a dam collapse?

This June, Earthworks and 150 scientists, environmentalists, frontline communities, and human rights organizations released

a set of 16 guidelines for responsible mine waste management, called Safety First. These guidelines require mining companies to put people and the environment over profits. Safety First outlines rigorous safety controls, as well as requirements for community consent and corporate accountability.

Safety First was released with broad support. From Spain to Colombia, local communities, organizations and investors have already taken up the new standard. First to push for safer mining practices. We continue to use Safety First to support communities struggling to protect themselves from dangerous mining practices and unsafe tailings storage facilities.



Photo: IBAMA from Brazil

## Living Next to Danger

The neighborhood of Macacos in Belo Horizonte, Brazil understands the danger of tailings dams far too well. The Mar Azul mining complex, owned by Brazilian mining giant Vale, looms over the community and includes seven tailings dams, one of which is located only 50 meters from homes. In the middle of the night on February 16, 2019, residents awoke to sirens alerting them to evacuate because the dam was in danger of collapsing. While it did not collapse that evening, the dam now has a level 3 emergency certification, meaning it could collapse at any time.

People from Macacos remember the tragic tailings dams failures in nearby Mariana and Brumadinho, where nearly 300 people lost their lives. They also remember the 2001 tailings dam failure at the Mar Azul mine that killed five people. When the sirens went off, people thought, "it's happening again." Some members of the community have been relocated to other areas, while others who have permission to return are afraid to do so.

**Residents of Macacos are demanding Vale take the steps necessary to protect them, their houses and their community. However, as one resident told Earthworks, "[Vale] make[s] promises and promises but nothing actually happens." The mining industry needs to rein in dangerous practices to protect communities like Macacos from disasters.**



Photo: Rogério Alves/TV Senado

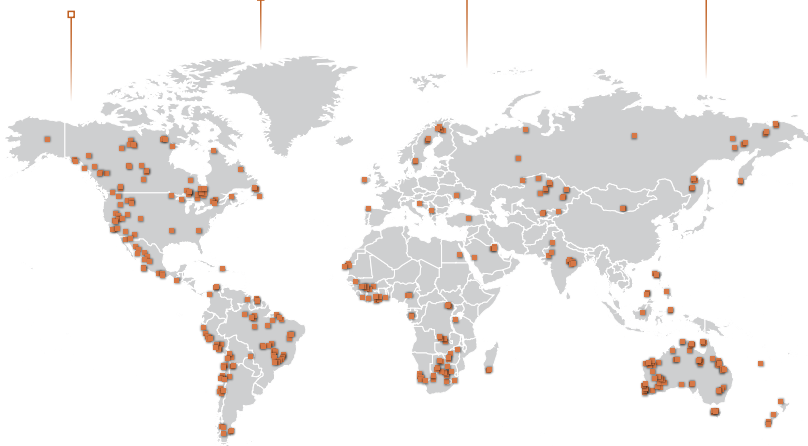
The 2015 collapse of the tailings dam at the Samarco mine, owned by Vale and BHP, created a flash flood of tailings that covered the town of Bento Rodrigues, Brazil.

**364** Known tailings failures since 1915, including 71 since 2010

**2,995** Known deaths, including 482 since 2010

**4,000 km** Waterways damaged, including over 2,100 km since 2010

**275 billion** Liters of tailings waste spilled, including over 100 billion liters since 2010



Thousands of mine waste sites globally (represented on the map above) put communities at risk, even for decades after a mine closes. Exposing the danger now helps protect future generations from disaster.

# The collapse of the oil and gas industry

By Phil Dickieson

## Fossil fuels are killing us and the planet.

We've seen with our own eyes the destructive toll that fossil fuels like oil, coal and natural gas are taking on our environment. We know that we need to transition away from oil and gas and toward a renewable future. The only question that remains is—how do we transition the right way?

In order to limit climate change to 1.5 degrees, it's impossible to keep producing and consuming fossil fuels. Climate change concerns and the rise of renewable energy technology were already accelerating the decline of the fossil fuel industry—even before the COVID-19 public health crisis. Since COVID-19's arrival and the economic damage that resulted, the fossil fuel industry has been in free fall.

While the end of our addiction to dirty, dangerous fossil fuels may be in sight, the major economic transition from fossil fuels to clean renewable energy will be a bumpy road. By coming together to manage the decline of this still-Goliath industry, we can ease the burden on workers, communities, and our climate.

### A managed transition away from fossil fuels must:

- Increase environmental oversight of industry rather than succumb to the fossil fuel companies' wishes for more exemptions from regulation.
- Cut carbon pollution in half by 2030 and eliminate it by 2050 by eliminating methane pollution from active oil and gas operations and plugging (sealing up) abandoned wells.
- End permitting of new oil and gas extraction and infrastructure, which would also reduce harm to frontline communities.
- Retrain workers to clean up the fossil fuel mess and work in the renewable industry, saving jobs and creating lots of new ones.

Dropping fossil fuels is the first step towards a clean, sustainable, and just energy future. And while we dump fossil fuels and make way for a better future, we can lift communities out of poverty, prevent climate catastrophe, and improve public health. Read more about how we can transition to a renewable energy future on page 6!

---

**Earthworks showed the world just how bad fossil fuels are. While we transition to a clean, renewable energy future, we must not let the oil and gas industry do even more damage in its dying days.**

# An Industry IN FREEFALL

Big Oil's fabled past is over. In the US, more than 200 oil and gas companies have gone under since 2014. The sector's stock market performance is the worst among all of Standard & Poor's sectors. Dow Jones has delisted ExxonMobil. Even before COVID-19, the oil and gas industry was teetering on the edge of failure. For years, the only way companies could generate cash was by fracking more wells, generating more debt, requiring more wells, and so on.

The *Wall Street Journal* reported in December 2019 that banks were questioning the industry's future. At last year's price of less than \$50 per barrel, many companies couldn't pay their bills. For a brief moment in July, the price of oil was "negative."

When the COVID-19 crisis hit, the oil and gas industry's trade association, the American Petroleum Institute (API), asked the Trump administration for relief from environmental oversight. They argued that regulations put in place to protect our climate, health, and safety were simply too much to bear during the COVID-19 health and economic crisis, and would drive oil and gas companies out of business. Unbelievably, Trump's Environmental Protection Agency (EPA) gave the industry a blanket waiver from environmental compliance for the duration of the COVID-19 pandemic, meaning industry is now subject to *even less* regulation and oversight.



Read More  
[earthworks.org/shale](https://earthworks.org/shale)



# SOLUTIONS

For communities living with  
oil and gas development

**NEW MEXICO**—After betting on high oil and gas prices and more extraction, the state is experiencing a budget crisis. Now they have no funds to adequately enforce requirements for over 50,000 active oil and gas facilities or to clean up and plug leaking wells. Frontline communities are suffering from health effects from oil and gas air pollution.

**We're pressuring the state government for stronger rules so they can hold companies accountable for their messes.**

**PENNSYLVANIA**—When COVID-19 hit, the state almost immediately declared fracking operations "essential" while their inspections of oil and gas sites decreased dramatically. Oil and gas producers are cutting corners, sending their wastewater to other states, and exposing the public and the environment to the toxic, radioactive mess. **We're exposing the hypocrisy of decreased oversight during a global pandemic, and the risks of air pollution and toxic oil and gas wastewater.**

**TEXAS**—The French-owned company Total is taking advantage of the now-lower cost of operating wells to target Texas for new urban drilling operations. Even though there have been many complaints filed against Total at the Texas Commission on Environmental Quality (TCEQ), little has been done to stop the oil and gas giant. While community outrage had some effect, Total's new drilling and TCEQ's failure to act pose serious threats to north Texas. **We're stepping in to expose how state regulatory bodies are failing to protect communities from this new threat.**

**NATIONWIDE**—Crumbling oil and gas infrastructure threatens communities' health and wellbeing. The Moving Forward Act, which passed in the House of Representatives, would employ oil and gas workers to clean up orphaned wells, instead of creating new oil and gas infrastructure. **We're pushing for this common sense effort to decommission old infrastructure and stop ongoing pollution.**

# OUR FUTURE DEPENDS ON THIS

## Making Clean Energy Clean, Just and Equitable

By Benjamin Hitchcock

As the renewable energy market grows, the demand for minerals and large scale mining will increase dramatically. Before we jump in head first, the potential impacts must be taken fully into account.

We can't let our clean energy come at the cost of dirty mining. Earthworks' *Making Clean Energy Clean, Just and Equitable* campaign seeks to ensure that the cobalt, nickel, lithium, and other minerals required for electric car batteries, wind turbines, and solar panels are responsibly sourced and recycled.

**For our planet and future generations, we must do this right.** Together we can make supply chains transparent, plan for the end-of-life of products, and source from recycled and re-used materials. Finally—only when all other options have been exhausted—should we source minerals from mines; and only from those mines that meet the most stringent standards. Our future *can be* clean, just and equitable.



Photo: Christopher McLeod



Photo: navee/stock.adobe.com

As the demand for minerals for batteries for electric storage increases, communities in countries such as Russia and Papua New Guinea (top photo) face harmful effects from mining pollution.

### CASE STUDY: NICKEL FOR BATTERIES

**RUSSIA**—Norinickel, a nickel mining supplier, was revealed to be emitting deadly sulfur dioxide in cities and Indigenous territories near its operations. Communities near the northern city of Norilsk have already experienced polluted air and water.

**PAPUA NEW GUINEA**—High pressure acid leaching to extract nickel, a process increasingly adopted around the world, is highly toxic, polluting, energy-intensive, and leaves a massive amount of residual material that needs proper disposal. This practice resulted in a spill from a mine waste pipeline at the Ramu mine last year, turning the sea red with toxic waste.

**WORLDWIDE**—Devastating cases of air pollution and damage to freshwater and marine ecosystems due to nickel mining and refining practices have been documented in Canada, Russia, Australia, Philippines, Indonesia, Papua New Guinea and New Caledonia.

## Special tax benefits for donors

### 2020 TAX YEAR ONLY!

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) provides incentives to increase charitable giving **for a limited time only.**

Individual taxpayers who take the standard deduction can claim up to \$300 in deductions for charitable giving on their 2020 taxes.

Caps have been lifted on the percentage of adjusted gross income (AGI) that can be deducted, so taxpayers can give up to 100% of their AGI to charity.

Required minimum distributions on IRAs for those 70½ and older have been suspended. However, donors may still choose to give up to \$100,000 in qualified charitable distributions from their IRAs tax-free. Donations must be made in cash.

### Do you own stock or other assets that have gone up in value?

Donating appreciated assets will enable you to avoid income tax on the increased value. If you are able to itemize deductions, you can also avoid paying capital gains taxes.

### Thinking about your legacy?

Figuring out how to divide assets after end of life is a very personal decision. Including a bequest gift in your will for a nonprofit organization won't affect your current lifestyle and can create a lasting legacy.

### Contact your financial advisor or tax professional for more details.

Contact Ann Corbett for more information about giving to Earthworks:  
acorbett@earthworks.org  
202-887-1872 x106

Learn more at  
[earthworks.org/mcecje](https://earthworks.org/mcecje)



# Protecting caribou and public land in **Alaska**

By Bonnie Gestring

In northwest Alaska, approximately 250,000 Western Arctic caribou travel an astonishing 2,700 miles each year on one of the earth's longest land migrations. The Western Arctic caribou herd is likely the largest in North America, yet these magnificent animals are at risk from a proposed increase in oil, gas and mineral extraction in the region. Any further development threatens important calving grounds and disrupts their migration routes.

We are working to protect the caribou and treasured public lands from the proposed Ambler Road, a 211 mile private industrial access road. The road would start at the Dalton Highway and travel through the Southern Brooks Range, crossing Park Service lands in Gates of the Arctic National Park and Preserve.

The corporation doesn't want to pay for it themselves—they want to use public funds, estimated at a cost of up to 1 billion dollars, with mining companies eventually reimbursing the cost via a toll system. Yet, no actual contracts with any mining companies are in place and none of the companies have even submitted plans for mining operations—only exploration. Communities are broadly opposed to the road because of the enormous public cost, and the harm to the caribou upon which they depend.

Does this industrial road sound like a bad idea? We think so. **We are defending this spectacular place and our nation's greatest caribou herd from this irresponsible project in coordination with our Alaska allies.**



Photo: National Park Service

**The western Arctic caribou herd is likely the largest in North America, yet these magnificent animals are at risk from oil, gas and mineral development in Alaska.**

# Closing toxic oil and gas waste loopholes in **New York**

By Melissa Troutman

The oil and gas industry could soon be held accountable for the polluting waste it creates. Hazardous waste disposal laws now apply to oil and gas waste in New York.

This August, after years of advocacy and public pressure from Earthworks and our partners, New York State set

a national precedent by removing a dangerous exemption for oil and gas waste from state hazardous waste regulations.

Companies are now required to prove that waste is actually non-hazardous before transporting, storing, treating, and disposing it. These regulations, if properly enforced, will reduce the risk

of legacy pollution resulting from improper management, lessen worker exposure to potentially harmful toxics, and protect public health.

Depending on the outcome of the 2020 national election, there may be an opportunity to close the federal hazardous waste loophole. The EPA granted an exemption to the industry in 1988 despite their finding that the industry's waste "contains a wide variety of hazardous constituents." Many oil and gas producing states have adopted this federal policy.

Meanwhile, legislation to close the hazardous waste loophole will soon be introduced in Pennsylvania, and we are working on a similar bill in New Mexico.

**We continue to campaign to close these loopholes in other states to make it harder for oil and gas industry to pollute our planet.**



New York landfills have accepted over 650,000 tons of hazardous waste from fracking operations in Pennsylvania, in spite of a fracking ban in New York.

# Earthworks IN THE NEWS



## Establishing Safe Practices for Large Scale Mines

In an op-ed, Mining Director Payal Sampat called on the mining sector to reduce the risk to communities in wake of the Brumadinho mine waste dam collapse in Brazil, which killed nearly 300 people. She called for significant changes to how the mining industry operates and independent policing of the industry.

“Tailings dam tragedies are a stark reminder of the consequences of allowing a mining company to control its auditors and silence dissent among its workers.” — Payal Sampat quoted in *The Financial Times*



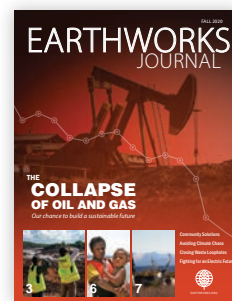
## Failing Oil and Gas Companies Must be Held Accountable

Just because oil and gas companies are going bankrupt, doesn't mean things are suddenly all better. Senior Field Advocate Sharon Wilson told the *New York Times* that companies going bankrupt are flaring and venting more methane than ever into the atmosphere as they bleed cash and fail to maintain their infrastructure.

“Oil and gas companies are hurtling toward bankruptcy, raising fears that wells will be left leaking planet-warming pollutants, with cleanup costs left to taxpayers.” — *The New York Times*



Read more at [earthworks.org/news](http://earthworks.org/news)



ON THE COVER: A gas well in the San Juan Basin in northwest New Mexico.

Photo: Charlene Anderson

JOIN IN THE CONVERSATION AND SPREAD THE WORD



[earthworks.org](http://earthworks.org)



[earthworks](https://twitter.com/earthworks)



YouTube

[earthworksaction](https://www.youtube.com/channel/UC8vK1L1v1v1v1v1v1v1v1v1)

## Fighting for an Electric Future: An Origin Story

**Linda Nicholes is a fighter for a clean renewable energy future. She is a founder of Plug In America, which accelerates our shift to renewable energy transportation.**

In 2005, Linda was proudly leasing of one of the first-ever Toyota RAV4 electric vehicles (EVs). The RAV4 EV promised to disrupt the oil and gas industry as one of the first mass-produced electric vehicles. But Toyota wanted to recall and destroy the EVs after their leases expired, eliminating the possibility of full ownership and essentially forcing EV drivers back into traditional fossil fuel vehicles.

Soon after Linda learned of the impending recall, a fellow electric vehicle enthusiast spotted a transport truck full of Toyota electric RAV4's on the way to be destroyed. Along with a videographer, who captured the drama for the documentary *Who Killed the Electric Car?*, Linda chased the truck 65 miles across four freeways. She later wrote about her experience:

*“That [transport truck] driver must have decided that we were stuck like glue and determined that going to the steel mini-mill where the EVs would be crushed and piled on a giant heap of steaming metal was NOT such a good idea, as, of course, all of this would be recorded on video.”*

Toyota noticed the immense enthusiasm for their electric vehicles. After the dramatic car chase, Toyota invited Linda and fellow activists to purchase their electric cars at the end of their leases. Linda's efforts paved the way for future EVs and show that environmental activism can make a lasting impact!

**Linda is still fighting to bring clean renewable energy transportation to the masses, and Earthworks is ever-grateful to have her as an ally. Thank you Linda for all of your support!**



Photo: Courtesy Linda Nicholes



