

AIR OF SUSPICION

Unlikely rebels defeat gritty plant

Residents of a small Ocala neighborhood organized a lobbying campaign to get tighter regulation of a charcoal plant -- and got surprising results.

BY CARA BUCKLEY

OCALA - Second of a two-part series.

The revolution began quietly in Ruth and Leroy Reed's living room behind sealed windows and closed doors.

The efforts would grow over the next several months into a coalition, then a lobbying campaign. The goal of the group, unlikely revolutionaries all, was to eliminate the reason for the sealed windows and shut doors.

The people who gathered in the Reeds' living room on a chilly night in February 2003 were fed up with what they described as thick smoke and soot that poured forth regularly from the nearby Royal Oak charcoal plant.

Soot from the plant, a block north of the Reeds' two-story house in Ocala's Bunche Heights neighborhood, got everywhere, they said, slipping under windowsills and -- they feared -- drifting into lungs. For three decades, the neighborhood endured Royal Oak's gritty plumes, and some had begun to fear that it was harming their health.

The Neighborhood Citizens of Northwest Ocala began holding garage sales and car washes -- but they couldn't cobble together enough for a lawyer. Without one, they figured, they wouldn't get far.

Over the years, people from Bunche Heights had complained to the City Council and to the county health department about the charcoal plant -- without results. The plant was regulated by the Florida Department of Environmental Protection, and FDEP's inspectors consistently reported that it was meeting air-quality standards.

THE AFTERBURNER

On paper, the plant looked good. Beginning in 1998, Royal Oak had claimed in state permit applications that it had an afterburner -- a piece of equipment capable of virtually eliminating most emissions. In Missouri, where a charcoal plant identical to the Ocala factory had installed an afterburner in the late 1990s, the plant's smoke was never visible -- nor did flames ever shoot from its smokestacks, said Peter Yronwode of the Missouri Department of Environmental Resources.

But in Bunche Heights, thick smoke poured out from the plant as often as twice a week, residents say. Tongues of fire leaped at night, photos show, from its twin stacks.

Finally, a contact at the local legal aid agency introduced the neighborhood group to a driven young lawyer for WildLaw, a nonprofit environmental law group.

Lawyer Jeanne Zokovitch, the granddaughter of a Russian immigrant who mined coal in Pennsylvania before he died of black lung, pored through FDEP's records. Those records almost invariably found Royal Oak in compliance.

Then she went to Bunche Heights and found the neighborhood layered in fine soot. The regulatory record, she realized, didn't come close to matching the community's experience.

At Zokovitch's direction, the coalition tried to enlist more neighbors. Many balked. Some felt they had no right to complain since Royal Oak had arrived before they did. One couple, retired from Ocala city government, worried their benefits would be cut if they joined the fight.

But the coalition rallied. Members badgered politicians for months. In summer 2005, the City Council agreed to hold a town meeting to hear their complaints.

Ruth Reed, a retired schoolteacher who became the coalition's president, rehearsed her speech for hours. She was petrified. Then 64, she had never spoken in public.

As she stood at the lectern before the council, her legs shook and her heart thumped against her ribs.

But the council listened.

"I had no idea about the level of exhaust," Councilman Kyle Kay later recalled. "If this kind of activity was occurring in a more affluent area of town, it wouldn't be 24 hours before something was done about it."

On Aug. 22, Ocala's City Council passed a resolution supporting the coalition.

Three weeks later, the Florida Department of Environmental Protection paid a fateful visit to Royal Oak.

LOTS OF PROBLEMS

This time, the inspector found a slew of problems. The plant was releasing nine times more methanol, a toxin linked to dizziness and headaches, than it was permitted to. Its smoke that day was black and impenetrable, unlawfully so.

The inspector tried to look at Royal Oak's afterburner, which was supposed to be helping to control emissions.

But she couldn't find one. Neither could the factory's workers. There was no afterburner to inspect.

Royal Oak did not respond to The Miami Herald's repeated requests for comments. Jeff Prather, an FDEP spokesman, said Royal Oak told regulators its two smokestacks acted as afterburners. The agency doesn't share that view, he said.

The FDEP's results were made public on Nov. 29. In the end, the inspection found nine "possible violations of laws." The next day, Royal Oak announced it would close its Ocala plant by March.

Ruth Reed was home when a reporter for The Ocala Star Banner called with the news. She dropped the phone, then picked it back up.

"Are you for sure?" she screamed in delight.

Then she and Leroy realized the coalition was in a race against time.

If the community wanted to find out what toxins, if any, Royal Oak had been putting in the air over the past 30 years, tests had to be run before the factory shut down.

But negotiations between FDEP, the city and the coalition foundered. No one could agree on where to do the testing or who should be held responsible if the testing equipment was damaged. Time was slipping away.

The Neighborhood Citizens of Northwest Ocala couldn't afford its own air monitors, so it funded a less expensive "wipe test." A clean cloth was drawn across the hood of a car parked near Royal Oak and sent for chemical analysis at an independent lab.

Eighteen toxins were present, the lab found, some a hundredfold greater than detectable levels, and most linked to acute respiratory distress. Seven were known carcinogens.

OTHER SOURCES

But FDEP dismissed the results. Prather noted that similar toxins come from diesel fumes and campfires. Toxins found in the test, he said, could have come from anywhere.

(An expert, Dr. Damian Shea, who heads the Toxicology Department at North Carolina State University, told The Miami Herald that the results showed a significant amount of particles from combustion in the air. But he could not draw more precise conclusions because he had not conducted the test himself, he said.)

Early in January, Ocala's federally funded "brownfields" program offered to perform a free environmental test to check for contamination on the plant's site. Royal Oak turned them down.

Then late in February, Ruth Reed got a phone call. "Go outside," a neighbor said. "Look at the factory."

A crane was tearing down one of Royal Oak's smokestacks, piece by piece.

The second stack was dismantled the next day. The chance to test the air was lost.