



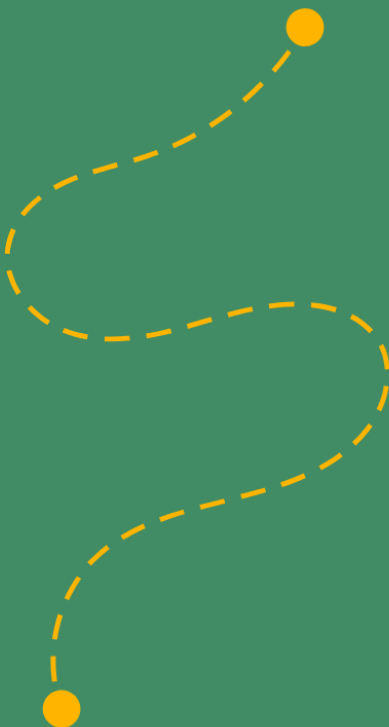
**MIDDLEBURY
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VT LAOB



VT PSD



BARRIERS & PROMISING PATHWAYS TO CENTERING COMMUNITY VOICES

IN VERMONT'S POLICYMAKING & PLANNING EFFORTS

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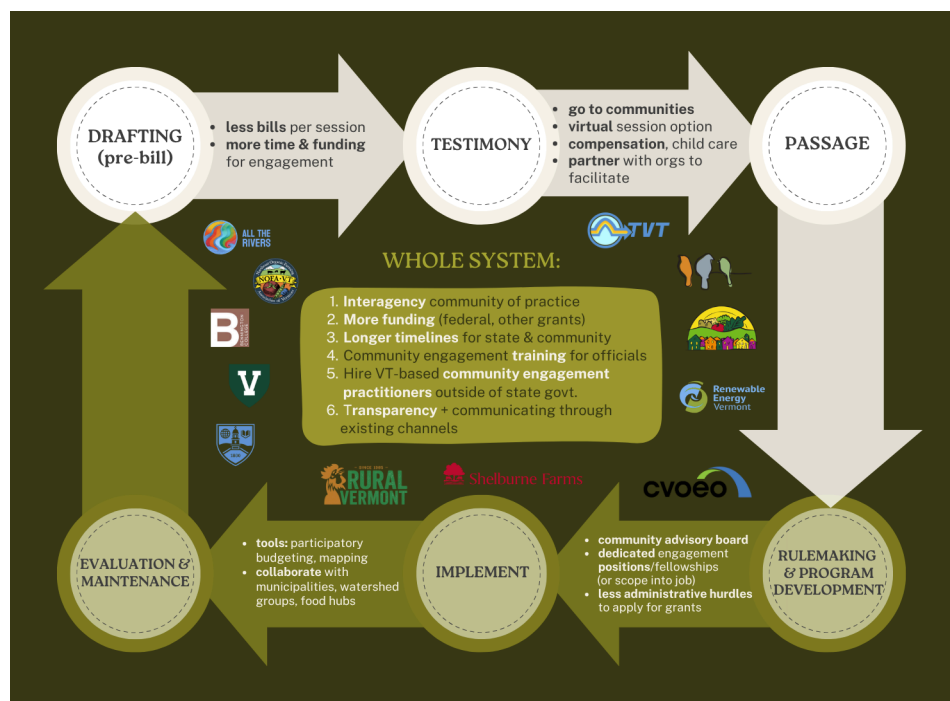
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Abstract

This report assesses community engagement in Vermont state government, focusing on structural barriers and opportunities to strengthen meaningful public participation in policymaking. Conducted in partnership with the Vermont Department of Public Service (PSD) and the Land Access and Opportunity Board (LAOB), the project is inspired by the community engagement commitments in the Environmental Justice law under Act 154¹. Through interviews with Vermont agency officials, case studies of Hawai'i and Oregon, and conversations with community engagement practitioners, the report identifies five key challenges:

1. Lack of or inconsistencies in funding for community engagement work
2. Lack of training in facilitation and community engagement implementation
3. Rushed timelines built into programs mandated by the legislature
4. Difficulty compensating people for sharing their lived experiences
5. Lack of community engagement in scope of job

Rather than prescribing fixed solutions or laying out a particular set of best practices, which have already been laid out by various community organizations and some state agencies, this report offers practical frameworks for building capacity to implement these best practices, seen in the figure below.



¹ [Vermont Environmental Justice Law](#)

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Introduction

Context

As part of our senior capstone for the Environmental Studies Program at Middlebury College, we partnered with the Vermont Department of Public Service (PSD) and the Land Access and Opportunity Board (LAOB) to assess integration of community voices into Vermont policymaking, particularly of historically marginalized communities. This project focused on engagement related to early stages of policy creation rather than engagement that centered around specific state programs.

Our partners

PSD is a state government agency “charged with representing the public interest in energy, telecommunications, water, and wastewater utility matters.” (Department of Public Service 2026).

LAOB was created by official statute “to promote improvements in access to woodlands, farmland, and land and home ownership for Vermonters from historically marginalized or disadvantaged communities who continue to face barriers to land and home ownership.” (VHCB 2026) The independent State Board represents politically and economically marginalized communities, including those who are Low Income, Indigenous, Immigrant, Black and Brown, Psychiatric Survivors, Disabled, and Queer. The LAOB is empowered to advise, work with, review, monitor, recommend, and develop State policies, practices, laws, rules, and programs to promote the improvements described above. Through its board structure and statutorily defined powers and duties, the LAOB promotes and improves community-leadership in state policies and resource allocations.

Though operating with slightly different institutional logics, their work converges around a shared theory of change: that democratizing policymaking processes will lead to more equitable, efficient, and effective policy outcomes. Both organizations ground their work in the belief that meaningful participation is a precondition for developing policies that effectively address community needs. Their strategy follows a chain of changes in which:

1. Agencies build the capacity and tools to engage the public
2. Participation surfaces insights grounded in lived experience
3. Those insights inform which issues to focus on and policy development

4. That policy launches with community support and buy-in

Background

This project builds upon momentum carried from the state’s environmental justice framework established through the Vermont Environmental Justice Law (Act 154 of 2022), which requires agencies to ensure “meaningful participation” from communities that have historically faced disproportionate environmental burdens. Part of this requirement is for agencies to create and adopt a community engagement plan by Summer 2027: an undertaking which this project may help inform.

Through interviewing different state agency officials, talking with third-party community engagement practitioners, and researching other state-level community engagement work, this project seeks to identify key structural barriers to facilitating public participation and propose strategies for overcoming those barriers.

Why Community Engagement?

Policy analysts have increasingly come to recognize how community engagement can be critical to effective policy. First and foremost, such practices can help ensure that state decisions reflect the lived experiences of people most affected by environmental and social challenges (Watson et al. 2023).

When people are meaningfully involved, they may be more likely to trust the process and help shape solutions (Barnes and Schmitz 2016; Moysan and Ródenas-Rigla 2024). Inviting community voices early helps agencies address a host of real, interconnected issues—like housing, transportation, and environmental health—and can lead to more lasting and equitable outcomes (Watson et al. 2023).

Thus, far from being a mere administrative expense, robust community engagement acts as a critical resource that increases impact while reducing long-term inefficiencies (Barnes and Schmitz 2016). Listening early and building strong relationships can save time and money by avoiding ineffective outreach and policy design (Barnes and Schmitz 2016; Watson et al. 2023). In the long run, meaningful participation helps agencies find better solutions with fewer resources by drawing on local knowledge and avoiding the costs of retracing steps and public distrust (Moysan and Ródenas-Rigla 2024).

Spectrum of Community Engagement

The Spectrum for Community Engagement to Ownership is a tool developed by Rosa González of Facilitating Power. It provides a tiered framework to understand different levels of community engagement. The tool explains that “developmental stages allow us to recognize where we are at, and goals for where we can go together through conscious and collective practice, so key to transforming systems” (González 2020). This tool acknowledges marginalization, asserts a clear vision for engagement, articulates a developmental process for rebuilding local democracy, and assesses community participation efforts. It is designed to facilitate community engagement work in government, philanthropy, and community-based organization settings (González 2020). This tool has helped us understand the level to which Vermont has incorporated community engagement strategies into its policymaking process.

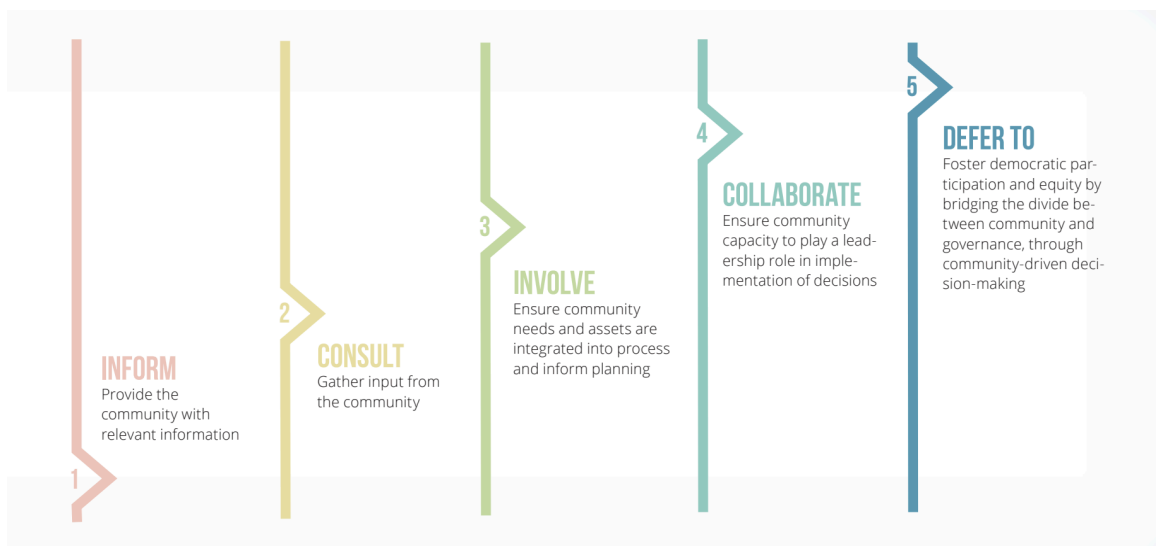


Figure 1. Spectrum of Community Engagement to Ownership (González 2020)

It is important to remember that community engagement is a long-term process centered around building trust between Vermont policymaking institutions and local communities. These challenges cannot be solved immediately. While it is a positive step that the EJ law compels specific agencies to write community engagement plans in 2027, this will not necessarily address the challenges of doing good community engagement. This report seeks to highlight that Vermont must commit to addressing the structural barriers facing community engagement work to more wholly hear community voices in the policymaking process.

Methodology

To address the goals of the project outlined above and explore barriers and strategies to community engagement in the state of Vermont, we employed the following methods. These three types of research helped us contextualize community engagement and policymaking processes and understand the lived-experiences of practitioners in Vermont and other communities.

Case Studies

To contextualize this project, we conducted two case studies looking at community engagement efforts in Hawaii and Oregon. We analyzed their implementation to identify transferable community engagement strategies at the state level. The process involved close reading of policy reports and engagement frameworks, with attention to how each case answers key questions pertaining to equity, local knowledge, and relationship-building, in order to compare principles with relevance to Vermont's governance and community context.

To gain insight into existing community engagement practices in Vermont, we attended an Act59 listening session co-hosted by the Vermont-based NGO Standing Trees and Middlebury College student-run Sunday Environmental Groups club. The session brought together community leaders, students, and local residents to discuss Act 59 and express any doubts, concerns, and strategies that could further improve the Act's final draft. Relevant insights were written down and transcribed throughout, seen in The Need for Community Engagement section of this report.

Informational Interviews with Third Party Practitioners

We also spoke with a variety of third-party community engagement practitioners. These interviews included three community organization leaders from One Square World, the Center for Whole Communities, and Liberation Ecosystem. Each of these practitioners has done extensive community engagement work as consultants, community organizers, and community members. They offered their experiences of successful on-the-ground community engagement.

Government Official Interviews

We conducted semi-structured interviews (n = 9) with government officials across a variety of state agencies. Conversations were centered on the interviewees' experience with community engagement: strategies they use, tools to operationalize their theories of engagement, and barriers they face doing the work. Our community partners at PSD and LAOB who are familiar with the state agencies identified a list of twelve individuals who work in or adjacent to community engagement. This group received email invitations for virtual interviews.

Interviews were conducted on Microsoft Teams between March 16 and April 9 with nine agency officials. We spoke with individuals from the Vermont Community Broadband Board, Agency of Natural Resources (ANR), Agency of Agriculture, Food, and Markets, and the Department of Health. Information collected from interviewees will only be identified by their associated agencies in this report. Interviews ranged from 17.5 minutes to 56.5 minutes with an average interview length of approximately 43 minutes.

The interviews were transcribed using [otter.ai](#) and thematically coded to identify key themes and barriers using NVivo. These themes were synthesized using the context from our case studies and conversations with third-party practitioners to create clear recommendations.

Case studies: Community Engagement at the State Level

As requested by our community partners, this section looks beyond Vermont to examine how other states have structured community engagement within their public policy processes. We will break their processes down and analyze their outcomes to inform community engagement strategies that can be implemented within Vermont's place-based context.

The following case studies from Hawai'i and Oregon are included as examples that illustrate promising approaches to building trust, incorporating local knowledge, and creating clearer pathways between public participation and state action. Together, they reinforce the need for early relationship-building, place-based process design, and adoption of tools that allow community priorities to shape implementation and resource allocation. While Vermont's rural geography, governance structure, and demographic context differ from both states, these examples offer practical lessons that can be adapted to Vermont's own planning and policy landscape.

Case Study #1: Hawaii's Energize Kākou Project

Hawai'i's Energize Kākou community voices strategy shows how collecting public opinion, specifically local knowledge and priorities, should be implemented within the first stages of project development. Understanding what the community wants from the energy transition and targeting the potential limitations on projects during early stages of development ensures that project goals reflect local needs. Within a Vermont framework, getting a sense of local priorities and integrating community targets early on for state policy would ensure that a variety of opinions can be taken into account. This is necessary to strengthen local trust towards state policies and forge a sense of political advocacy and participation.

I. Hawaii's Energize Kākou Project Scope

Hawai'i's state-level community engagement for their green energy transition provides valuable insight for this report. In 2022, the Hawai'i State Energy Office released their Community Engagement report "Energize Kākou" as part of Hawai'i 2045's 100 percent renewable energy goal (Hawai'i State Energy Office); the report consisted of a "project to plan, develop, and implement a community outreach and stakeholder engagement program" (Hawai'i State Energy Office). In addition to becoming a clean energy leader, the state wants to ensure equity and social justice during the transition. Similarly to Vermont, Hawai'i is formed by many small communities, whether urban hotspots, rural communities, or farmers with distinct socioeconomic levels and engagement with the state's decisions. Their Energize Kākou plan acknowledges this diversity and ensures there is adequate priority given to securing local benefits, listening to different perspectives, and acknowledging intra-community differences.

This report was specifically designed to support a just and equitable energy transition in the Kākou region of Hawaii. Their approach illustrates how community engagement must follow a place-based methodology that is grounded in community values, knowledge systems, and existing relationships.

Their approach to this work moves beyond awareness, meaning informing people about a project's development, and representation. It seeks to empower communities through mechanisms of prior consultation, community-led brainstorming, and mapping of needs and

priorities. The lessons this case study offers are not necessarily technical, but rather about process design and how to structure engagement so that community knowledge shapes state projects.

II. What is meaningful community engagement in Hawai'i

Energize Kākou structured its engagement around two pillars: First, understanding what residents already knew and cared about regarding the energy transition. Second, identifying what the state needed to learn from communities to address local realities. For example, community leaders helped map the community's social network, identifying key social players and how information flows between different individuals and communities. Before organizing focus groups with community stakeholders, community leaders participated in brainstorming sessions regarding community-industry collaboration and potential implementation challenges. Public workshops then brought these ideas to the broader audience to create spaces for mutual education. The community engagement process concluded with a Community Engagement Report and a [Playbook](#) for project stakeholders, ensuring that community voices, stories, relationship to the land and ideals of development were carried forward to the future implementation stage (Hawai'i State Energy Office 2022).

III. Who led this project?

The different steps of community input, involvement, and engagement reached Hawaiian residents across 11 regions with 173 residents participating through a combination of online and in-person working sessions. Participation was structured around differentiated roles to ensure both transparency and inclusivity of diverse community voices:

- Community leaders initially engaged through one-on-one conversations to map local networks and relationships as well as make a comprehensive list of public spaces where communities engage with each other (Hawai'i State Energy Office). According to the HSOE [Playbook](#), relevant stakeholder public spaces were:
 - Native Hawaiian civic clubs
 - Canoe clubs
 - Churches
 - Area legislators

- Neighborhood Board meetings
 - Community Association meetings
 - Community-based organizations
 - Energy organizations
 - Local newspapers
- Project stakeholders, such as HSOE practitioners and energy professionals, participated in focus groups to brainstorm implementation challenges and community industry collaboration.
 - General public and community residents were invited to partake in interactive workshops, focus group meetings, and one-on-one interviews. These general meetings were organized by district, to ensure that findings and resolutions would be personalized to residents' needs and worries.

IV. How was this project implemented?

Engize Kākou was funded through the U.S. Department of Energy's State Energy Program Formula Grants, which awarded the Energy Project approximately \$420,000 as well as \$1.3 million from the USDOE State Energy Program (SEP) Formula Grants for the project's total expenses. The HSOE grant's requirements explicitly stated that they "commend Hawaii for its strategic use of SEP funds, including leveraging with outside stakeholders to maximize program impacts and pursuing a comprehensive set of programs tailored to community goals" (Ho 2020). Their federal funding strategy is directly relevant to Vermont, a state that heavily relies on federal funding for its green transition. Due to policies installed by the current presidential administration, Vermont "lost more than \$62 million in federal funding for an expansive solar program" and funds have been cut in the Department of Education, food aid, and social services (VTD Staff 2026).

The engagement was structured in four phases grounded in Native Hawaiian cultural values, specifically the principle of Mālama 'Āina, meaning the care and stewardship of the land (Hawai'i State Energy Office). The HSOE looked at Hawaiian cultural practices regarding natural resource and community relationships to provide stakeholders and project coordinators with a better understanding of the history and legacy of the island. This initiative aims to identify

what people need from the energy transition and how to respect cultural norms when engaging with communities. For example, Vermont's unique place-based connections to one another and its lands has given agency practitioners great potential to research and improve their cultural understandings of Vermont communities in order to forge more place-based accurate civic participation frameworks.

HSEO Energize Kākou community engagement phases:

1. Phase 1 Community Perspectives and Conversations:

One-on-one interviews were conducted with community leaders to map social networks and assess what community knowledge was about energy and solar development.

2. Phase 2 Focus Groups with project stakeholders:

Structured discussions around what the energy transition would mean for host communities, including topics like land use impacts, potential disruptions from infrastructure and opportunities for community-industry collaboration.

3. Phase 3 Public Community Workshops :

Findings from Phase 1 and 2 were brought to broader audiences through educational workshops.

4. Phase 4 Reports and Playbook:

Community input was synthesized into a public-facing Community Engagement Report and free aforementioned [Playbook](#) for project stakeholders. This directly connects to one of the critiques raised amongst communities, specially at the Vermont's Act59 listening session attended. That there are no clear procedural pathways for what happens with community feedback once it is being collected.

V. Takeaways for Vermont

In order to achieve local active participation, community advisory groups could be formed to represent districts, counties, or smaller areas like neighborhoods. Understanding community needs through advisory groups would allow Vermont practitioners to have point people to refer to. Allocating ample time to form those groups as well as developing strong relationship mapping improves relationship building with communities. A limitation to meaningful community engagement mentioned by various Vermont agency practitioners is time. Rushed deadlines and little buffer time to plan community engagement could be solved by

delegating some responsibilities to advisory groups and point people who can do the work while agency practitioners work on policy-design and local input integration mechanisms.

Unlike Energize Kākou's target region, where engaged communities are more concentrated geographically and seem to share similar socio-ecological connection to the land, Vermont's dispersed rural population and greater demographic diversity requires even more investment in early-stage information collection and outreach. Investing time and resources to collect community opinion and map needs before policy design could improve efficiency and long term outcomes. In order to target different Vermont citizens, Vermont practitioners could host something akin to HSOE Phase 1 (see IV HOW) sessions in spaces where people usually gather, such as churches, farmers markets or food hubs. Outreach for these sessions could be done through platforms like Front Porch Forum, Facebook Groups, or flyers distributed in high traffic areas like gas stations and grocery stores.

Rooting engagement in cultural values and place-based circumstances is essential. Like Hawai'i, Vermont's identity is deeply tied to its land, agricultural context, and landscapes. Training agency practitioners not only with community engagement tools but with further opportunities for learning about place-based cultural and industry contexts would offer more personalized outreach and engagement mechanisms. For example, offering bilingual outreach materials and the availability of translation services would ensure that migrant Vermonters are included in engagement practices. Similarly to the HSOE Energize Kākou model, Vermont state agencies could develop a Playbook with information about Vermonters' cultural connections to the land, local practices, and traditions to be more prepared to engage with residents.

Case Study #2: Oregon's Youth Voice, Youth Vote (YV²) Participatory Budgeting Project

While the Hawai'i case study focuses on relationship-building and place-based engagement during the planning process, Oregon's Youth Voice, Youth Vote (YV²) initiative demonstrates how public participation can extend into implementation and funding allocation itself. This case study highlights participatory budgeting as a mechanism for moving beyond consultation toward shared decision-making, particularly for historically underrepresented groups.

In the context of this report, Oregon's model offers insight into how state agencies can operationalize equity by creating transparent processes through which residents directly design and implement public investments. Although Vermont's smaller population and rural geography would require a different structure, the case illustrates how community engagement can function as a framework for accountability and resource distribution.

I. What is Participatory Budgeting & How was it Implemented in Oregon?

Participatory Budgeting (PB) is a process where community members design and vote on how to invest a part of a public budget (Participatory Budgeting Oregon 2026). This is powerful because traditional community engagement often relies on surveys or advisory committees, which can leave residents feeling like their input has no real impact on the final outcome.

For state agencies, participatory budgeting (PB) offers a practical way to move beyond conversation and ensure that public investments match the actual, self-identified needs of the community. State agencies can use Participatory Budgeting (PB) to ensure that one-time funding, such as the \$350 billion in American Rescue Plan Act (ARPA) funds, is spent on projects with high community buy-in and measurable local impact.

In Oregon, three State Legislators committed \$500,000 from ARPA funds for community-designed initiatives in select senate districts to form a project called Youth Voice, Youth Vote (YV²). This approach was particularly effective for COVID-19 recovery, as it offered a historic opportunity to address the deeply embedded inequities in access and voice that the pandemic exacerbated (Participatory Budgeting Oregon 2026).

The money was divided into five youth-vetted themes: Youth Health Services, Housing & Homeless Services, Youth Public Art, Youth Recreation & Cultural Programs, and Economic Justice. Concrete examples of investments include:

- Economic Justice: A "Young Professionals Summer Job Fair" implemented by Day One Tech.
- Housing & Health: Targeted Youth Housing/Rental Assistance via the Native American Youth & Family Center and the distribution of Menstrual/Hygiene Products.
- Clinical Access: Funding for the Hey Doc Clinic to provide culturally respectful health services.
- Creative Economy: The launch of a Youth Art Collective in partnership with Friends of Noise.

II. Who led this project?

The Youth Voice, Youth Vote (YV²) model is led by residents aged 13–25 because of the unique impact on this demographic by COVID-19 and the historic underrepresentation of this group in government decisions made on their behalf. In this collaborative model, state legislators or agencies act as "Project Sponsors," providing the funding and establishing the initial legal and geographical guardrails (Participatory Budgeting Oregon 2026). Other key participants include: :

1. The Steering Committee: A paid group of youth who research community needs and write the process "Rulebook"
2. Budget Delegates: Youth volunteers who work with agency staff and experts to refine raw ideas into feasible, accurately budgeted proposals
3. The Voting Public: Eligible community members who cast binding votes on which projects should be funded

III. How was this project implemented?

The participatory budgeting (PB) process is a structured, community-led initiative that leads to concrete state investments through the following steps (Participatory Budgeting Oregon 2026):

1. Design the Process (Led by the Youth Steering Committee): A paid committee of 12 representative youth creates the "Rulebook." This document establishes the project's eligibility criteria, core values, and specific goals to ensure the process remains focused on the needs of the target community.
2. Collect Ideas (Led by Youth Community Members): Using online tools like the Decidim platform and in-person "Idea Collection Assemblies," residents brainstorm and share project ideas. During this phase, Process Facilitators (youth leaders) engage with their peers to help identify specific local needs related to pandemic recovery.
3. Develop Proposals (Led by Youth Budget Delegates): Volunteers known as "Budget Delegates" sort through the brainstormed ideas and refine them into feasible, accurately budgeted proposals. They work closely with Project Implementers (Community-Based Organizations) and technical experts to ensure the projects are legal and ready for implementation.
4. Cast Binding Votes (Led by the Eligible Public): The finalized proposals are presented to the broader community of eligible youth. Participants cast binding votes to select their top priorities, and the projects with the most votes are guaranteed funding until the allocated budget (e.g., \$500,000) is exhausted.
5. Implement Winning Projects (Led by Project Implementers): Once the winners are selected, the Project Sponsors (State Agencies or Legislators) release the funds to the designated Project Implementers. These community-based organizations then execute the projects, turning the community's selected ideas into real-world services and infrastructure.

IV. Takeaways for Vermont

Participatory budgeting (PB) serves as a vital tool specifically in the implementation phase of the policy cycle, providing a structured framework where a portion of public funds are allocated through binding community decisions. Models like Oregon's Youth Voice, Youth Vote (YV²) demonstrate how this process connects abstract policy goals to on-the-ground outcomes based on locally identified priorities.

For Vermont, PB offers a clear path to operationalize Environmental Justice commitments. To ensure such an implementation is effective and generates adequate community

buy-in, evidence suggests that localities should dedicate at least \$1 million per 100,000 residents to the process, though this evidence was based on case studies of cities, and any amount would be an important start (Participatory Budgeting Project 2017).

A Vermont-wide implementation would need to reflect its rural scale and dispersed populations, possibly by utilizing regional hubs such as conservation districts, watershed groups, food networks, or regional planning commissions, to support idea collection and proposal development. To manage this process effectively during the implementation stage, it is recommended that at least one full-time employee is dedicated to overseeing the PB cycle for a particular policy to ensure it successfully supplements existing community engagement (Participatory Budgeting Project 2017).

To address Vermont's place-specific priorities, such as heating access or mobility gaps, participatory budgeting funding should extend beyond traditional capital projects to include programming and operational expenses (Stacy et al. 2022). PB may also be easier to pilot through targeted funding streams for issues such as climate resilience or disaster recovery, since these funds often operate outside the constraints of the general state budget. Once successfully tested as a governance and policy implementation tool, Vermont could ensure long-term sustainability by crafting legislation that codifies participatory budgeting practices across state agencies and departments.

The Need for Community Engagement in Vermont - Act 59

Having examined community engagement practices across different regions, this section sheds light on Vermont's specific context. We explore how Vermont's place-based identity, history, and socio-ecological dynamics shape civic participation and the role of state agencies in the eyes of Vermonters. Conservation and biodiversity protection in Vermont have become contentious topics, especially with the development of Act 59. By examining the public discourse around this evolving legislation in Vermont, this section offers an analysis of how the public responds to attempted community consultation in the policymaking process.

I. Community Perspectives on Act 59

Act59 offers a revealing case study to consider within our broader analysis of community engagement practices in Vermont. The bill's goal is to conserve 30% of Vermont lands by 2030 and 50% by 2050, ensuring Vermont can achieve an "ecologically functional landscape that sustains biodiversity, supports working farms and forests, and strengthens community resilience" (30 by 30 (Act 59), Vermont Housing & Conservation Board, 2026). This section explores the public response to their participation in the policy design process. Given the extensive conflict that arose over implementing this bill, it is critical to evaluate Act59's practice of community engagement.

This section was inspired by the listening session conducted by the Vermont-based conservation organization Standing Trees and co-led by the college's environment club SNEG (see Figure 1). On March 18th, 2026, the groups hosted a panel on campus for students and community members to share feedback on the bill's mission, values, and feasibility. The audience of more than 20 people, including students, farmers, landowners and environmentalists, generated interesting conversations and offered a space for community members to comment, question, and give advice on the bill's drafting and its potential consequences.

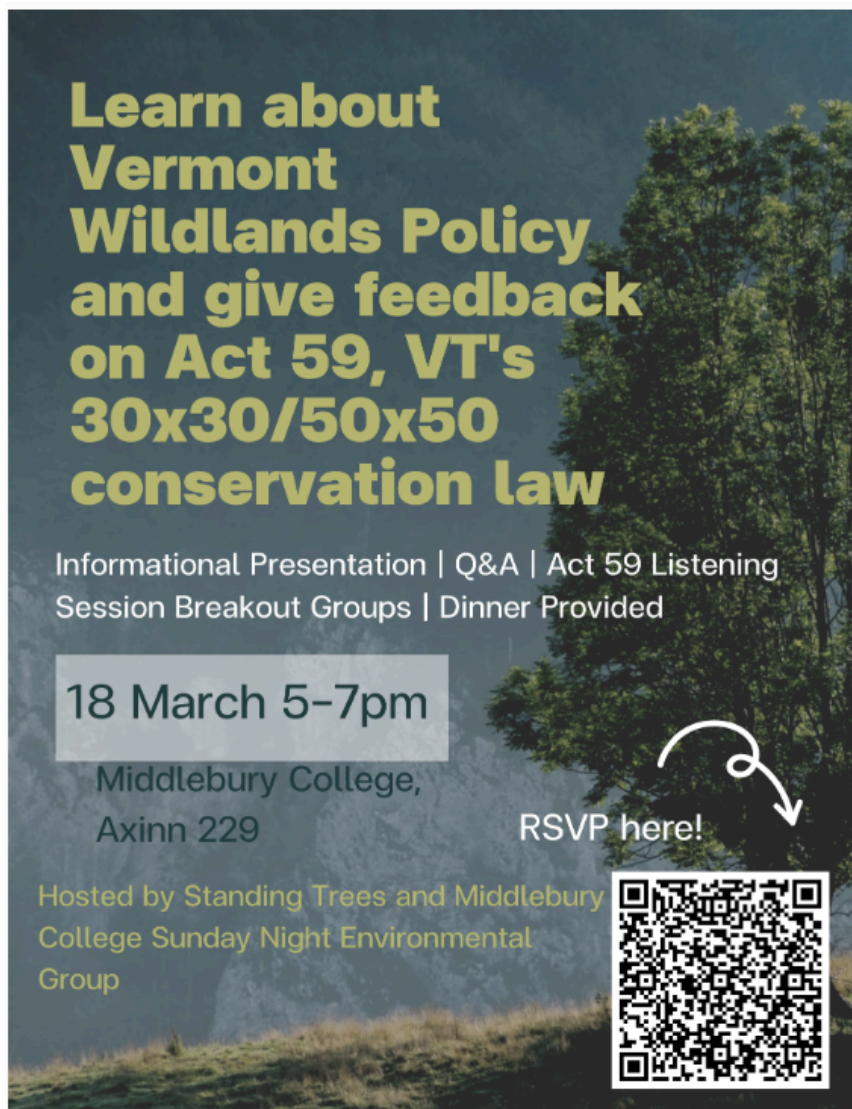


Figure 2. Rewilding Vermont: 2026 Policy Update and Vermont Conservation Plan Public Input Session (Action Network 2026)

II. Public participation in Vermont and for Act59

A common thread amongst the audience was the sentiment that public participation must not be a bureaucratic formality, but rather a mechanism for people to hold agencies accountable and have a say in policy design. One attendee shared, “Public participation goes hand in hand with good management, it gives people the authority and autonomy to hold agencies accountable, make sure we create space like the one already tonight. Bring forward the best science and what we're all here for, bringing community and local perspectives, which is super

important, like I said, keeping the management to the best people” (Act 59 Listening Session, 2026). This quote exemplifies that community engagement and prior consultation not only contributes to designing policies that respect place-based needs and limitations, but can also improve trust between government agencies and the public. Similarly, this resident does not minimize science-based arguments. Instead, they bring up the point that a diversity of perspectives, whether be scientific or through lived experience, are needed to develop an intersectional policy that tackles environmental conservation.

According to the *Spectrum of Community Engagement to Ownership* (Gonzalez 2026), gathering opinion and guidance from state residents is only the tip of the iceberg. The challenge remains to integrate community feedback into policy design. Many attendees expressed concern as to whether their input would affect the Bill. The host of the listening session noted the bill’s final draft is due in June, making this feedback “the best chance we've had so far, might be our last chance, or certainly our last best chance to kind of bend it in the best direction” (Act 59 Listening Session Host, 2026). This statement relates to a fundamental question: *What does the policy making apparatus do with diverse, conflicting, or contentious feedback? And is this feedback properly integrated into policy-design?* Because community input was not collected until later stages of bill development, it can only realistically shape smaller details of the bill. This timeline makes it too late for community input to direct the bill drafting process.

III. Challenges of Act59

Vermont currently does not have a state-level equivalent to the National Environmental Policy Act (NEPA), which means that state funded projects do not need to abide by NEPA public comment requirements (Agency of Natural Resources 2026). During the listening session a Middlebury College student shared their research on Vermont’s community engagement policy landscape and argued, along with the session’s hosts, that the lack of mandated public input in policymaking is what hinders its integration into policy design. Shortly after, a Standing Trees host argued that “There's no mandate for advanced public notice. They do claim to be in the process of making a role for this. And there's a role for this, to dictate how the public can provide input. But Vermont ANR has made little progress here, as there hasn't been any efforts towards that since 2024. So, to reiterate, it's so important for all of us to get involved in general.” This signals that despite efforts to solicit public input, these are insufficient as they struggle to reach

beyond regular smaller audiences that have the time, resources, and capacity to attend advisory meetings.

We characterize engagement around Act 59 as incomplete because it has not included diverse voices. Instead, it centered smaller audiences that frequent these spaces. Our community partners feel that engagement across the policymaking process tends to privilege certain voices over others. To increase community engagement, Vermont could implement its own NEPA public hearing requirements similar to the state of Massachusetts' Open Meeting Law (Office of the Attorney General 2025), which provides clear guidelines for input collection meetings. For example, state agencies are required to advertise any public hearing with a prior minimum notice of 21 days. The law also outlines specific guidelines for successful remote participation in advisory meetings to boost participation for residents facing different barriers to participation, including time and resources. These recommendations fit in with observations of the Act 59 listening session as well as interviews with Vermont government officials, addressed in the following section. As one Vermont official explained, there is a noticeable difference in people able to participate when meetings are offered virtually. A virtual option increases participation and ensures a wider array of Vermonters feel part of change in their communities.

IV. How to avoid these potential challenges?

Attendees highlighted the lack of early community engagement and clarity around integration of community feedback into early-stage draft legislation. Addressing these concerns would require building adequate time and resources into legislative processes. Potential alternatives include allocating resources towards bottom-up approaches, with local organizations acting as intermediaries between the state agency and residents and collecting community input. For example, during conversations with our PSD and LAOB partners, they suggested alternatives such as distributing \$4000 mini-grants to 30 community organizations to conduct their own meetings. It is important to build capacity at a local level by strengthening local organizations and building stronger ties between residents and state agencies through more meaningful tailored community input collection.

The listening session created space for community members to understand better the complexities of Act 59 . Hosts framed the latter portion of the event as a space to “break into small groups so you (attendees) can actually have a chance to give some feedback on Act 59 and

we'll have a note taker with each group, so they'll be recording notes, and we'll be submitting this kind of distilled key points” (Act 59 Listening Session Host, 2026). This approach showcases how the community itself can be a starting point for engagement. This meeting was organized by Vermonters for Vermonters, serving as an opportunity for co-education and strategy building within the community. The hosts of the listening session did not explain what happens to community feedback later. The lack of transparency regarding the end result of a session like this could further erode trust around the policymaking process, and might contribute to residents feeling like their needs are being disregarded.

V. Takeaways

Attending an Act59 listening session offered insight into the public response to the bill and how community members are trying to increase public engagement in bill development. Despite the existence of listening sessions like this one, little was said about how feedback would be incorporated into the bill’s final draft. Future policymaking engagement could begin earlier with higher investment of time and resources early in the process. One way to facilitate this would be to draft fewer bills simultaneously. This could improve the quality of civic participation while improving efficiency and resource allocation. Meaningfully integrating community engagement into a bill requires time and investment, and Act 59’s engagement was constrained by the approaching deadline.

throughout their interviews. These barriers were ranked by the number of officials who discussed them to identify the extent to which these challenges permeate across the system of state government. There are also a selection of quotes from our interviews included with each barrier to illustrate the broader patterns identified. The top five barriers listed below, which we characterize in this report as “structural barriers,” were seen widely across the four agencies we engaged, as seen in Table 1.

1. Lack of or inconsistencies in funding for community engagement work ($n=7$)
2. Lack of training in facilitation and community engagement implementation ($n=7$)
3. Rushed timelines built into programs mandated by the legislature ($n=6$)
4. Difficulty compensating people for sharing their lived experiences ($n=5$)
5. Lack of community engagement in scope of job ($n=3$)

Table 1. Barriers reported by Agency

Barrier	ANR	Community Broadband	Dept. of Agriculture	Health Department
1	✓	✓	✓	✓
2	✓	✓	✓	✓
3	✓	✓	✓	
4	✓	✓	✓	✓
5	✓		✓	

1. Funding for Community Engagement ($n=7$)

Challenges with funding for community engagement efforts came up throughout the majority of interviews. Common themes included recent changes in federal funding as well as the more general limitations on grant and budgetary funding. Community Broadband has been particularly hit by changes in federal funding forcing them to pause their community engagement work altogether. While an agency may be interested in implementing community engagement

initiatives, money flowing into agencies is often restricted under specific programs and grants, placing strict limitations on its use. It varies widely on agency if there is money that is unrestricted or allocated directly towards community engagement. One suggestion proposed to address this barrier is creating a pool of community engagement funds in the state budget that agencies could tap into if they were unable to secure funding from other places within their budgets.

“We are operating right now on really a project specific basis, as far as our community engagement, **the funding for the specific programs is really key for us.**”

“I would love there to be some **general funds in the state budget to be able to compensate community members** for people's lived expertise. One of the biggest discrepancies among state agencies and departments is that they have different access to grant funding.”

“I also think that **as resources dwindle and as there's a sense of instability** that is perpetuated, people feel more and more likely to **fall back on what they know...** to do the more fast efficient, in terms of the old definition of efficient community engagement practices, which will save you money, but still **check the box**”

2. Training in Facilitation and Community Engagement Implementation (n=7)

Many officials expressed the need for training to better prepare officials to conduct community engagement. They identified various aspects of the work that would require training, including how to show up as a representative of the state as well as an individual with lived experiences, training to best utilize data collected, and facilitation/deescalation and other techniques. Training would bridge the gap between officials knowing what “best practices” are and actually being able to implement them in practice. While some people hold specific community engagement roles, this work may be outside of the trained skillset of many government officials. It is important they have the tools to feel comfortable doing community engagement and be able to execute it well. This theme connects to the idea that hiring third-party

contractors for community engagement can often produce the best results in terms of data quality and equity in the process of engagement.

“These are people who dedicated their lives to this really niche but important craft and science. They're not necessarily experts in conflict mitigation. And they're not necessarily ready to have an open, transparent dialog with a member of a community. Maybe they're introverts, but **we're asking them to do community engagement as if it's just something that's easy and everyone has that expertise. It's not, not everyone does.**”

“Government systems are big systems that can be harmful... **It's really tough to show up in the public space and be a human who's a member of a community, but at that moment, you're a state employee who is hearing feedback on a program,** right? That's bigger than you... I think trainings that acknowledge that could be helpful for folks going into communities”

3. Mandated Timeline (n=6)

The short timelines given by the state legislature to turn around reports or community engagement work emerged as a critical challenge for interviewees. Officials explained that they feel the deadlines come too fast to conduct well-planned, thoughtful community engagement. They highlighted that rushed timelines often mean a lack of planning before the community engagement initiative is implemented. It also makes it difficult to process the data collected and turn it into actionable recommendations or incorporate it into the specific program/policy.

“work that we're doing, it's like one of those escalators at the airport, right? It has been given a start date and an end date, and there's process dates in between that need to occur, and **that can make it really hard to slow down, to be able to work with communities in the way that we may want to as state employees**”

“a way to show good faith of creating the type of environment you're seeking, when you're trying to build at the **speed of trust**. Part of that is recognizing and showing that acknowledgement of folks' needs that would be coming into this space and showing that you're being thoughtful and intentional ahead of time.”

4. Compensation (n=5)

A majority of interviewees addressed the challenges of compensation. They identified the importance of paying communities for their time and expertise when involved with community engagement efforts. Individuals expressed varying levels of awareness about why compensation was such a challenge for the state. The Health Department has taken the most action to pursue a standardized compensation plan. While payment through cash, cash transfer apps, and gift cards is the preferred method of compensation by the community, the state has accounting rules that make it incredibly difficult to do this. One way the Health Department has tried to work around this barrier is by paying one of its contracted community partner organizations to distribute gift cards to the community members.

“It's [a] promising practice to make sure that there are **flexible payment models, meaning cash, gift cards or checks**, because when we talk about wanting to acknowledge harm and create relationships [with] folks from historically under-resourced communities... So a barrier that I've seen to that is **the state of Vermont does not issue gift cards**”

“the compensation, that's not yet clearly and universally understood, around **how we can responsibly and equitably support people for sharing their time with us and their their knowledge and their expertise**”

“just like **compensating communities in general is very complex at the state that in a way that I don't even fully understand**, I don't get it”

5. Lack of Community Engagement in Scope of Jobs (n=3)

It varies greatly across agencies if there are roles specifically mandated for community engagement or if it is an additional task delegated to existing roles. Community engagement is often project specific instead of planned more broadly across agencies. Without scoping community engagement into individual people's jobs, it is difficult to do long-term planning of community engagement initiatives. This also has implications on how often the community is being consulted on possibly overlapping projects. If only project specific engagement is occurring, the community may be overburdened by requests for input from the state.

“We're talking about state agency engagement, where we actually have staff that are skilled and have capacity and like written into their scope of work to do this type of public engagement. Whereas **right now, it's not a part of anyone's scope, and it just ends up being an added task that those special people that attracted to our agency in this work,** ‘Hey, this is really important equity and representation and voice will really improve our programming.’”

“if we really prioritize good engagement, and we see engagement as a way to have more efficient policy outcomes where we get good policy done the first time, if we see it that way, **we will dedicate personnel to engagement instead of adding engagement on top of pre existing job responsibilities**”

Strategies for Operationalization

While officials shared many barriers to community engagement work, they also shared various strategies for operationalizing this work. These strategies are much more individual and project-based as seen in Table 2. The four key strategies are highlighted below and represent things that specific agencies are doing well and can continue to build upon as they expand their engagement efforts. Each strategy notes the number of officials who discussed utilizing the particular strategy in their work. This frequency highlights the level to which these strategies are

being adopted across agencies. There are also a selection of quotes from our interviews included with each barrier to illustrate the broader patterns identified.

1. Partnering with community groups for engagement ($n=5$)
2. Importance of Community Engagement Leaders ($n=4$)
3. Community of practice & interagency collaboration ($n=4$)
4. Virtual community engagement ($n=2$)

Table 2. Strategies for Operationalization by Agency

Strategies for Operationalization	ANR	Community Broadband	Dept. of Agriculture	Health Department
1	✓	✓	✓	✓
2		✓	✓	✓
3		✓	✓	✓
4	✓	✓		

1. Partnering with community groups for engagement (n=5)

Interviewees discussed the importance of using local community groups and organizations as partners for community engagement work. Community groups that interact with the state include town governments, conservation boards, industry associations, and non-profits. These groups have established connections to their local communities which can be leveraged by government officials who may not be familiar with particular areas. These groups often host regular gatherings like annual meetings that state officials can attend as observational participants to collect insight from local communities.

A key theme that emerged from both Dept. of Agriculture and Dept. of Health officials was the importance of not overburdening these community organizations. While they are important partners in engagement, officials must be conscientious of the various asks they make of these organizations. The project-specific and siloed nature of state government can cause

organizations to receive similar requests for input multiple times. Officials at the Dept. of Agriculture suggested that further coordination among offices and agencies could decrease this effect. One official at ANR highlighted that the state should shift resources towards these more local groups and create the capacity at the local level to help with engagement work.

“We rely on the local partner to get the word out, and even then, their understanding of the communication network in their town is often limited, right? We know what we know, and we don't know what we don't know, and we don't know who we don't know. I'd say community engagement is all important, and yet it's not being done well very often, and also **you can't really talk about engagement without talking about the capacity of the community”**

“I think the other piece that's really important is to partner **with people who do the work and are very familiar in the community**... Partnering with already trusted local organizations **goes a long way... being able to get people to come out and even just building that trust**, I felt like it was expedited once when it's like, ‘oh, you know them,’ or ‘they're vouching for you.’ They become less guarded in their interactions. And we did see that.”

2. Importance of community engagement leaders (n=4)

The importance of specific individuals leading community engagement efforts emerged as a driving factor behind community engagement projects within agencies. As identified in the barriers section, community engagement efforts are generally more project based in the state government. Initiatives to do more background engagement have been led by particular officials in roles specific to community engagement who have the skills and capacity to champion this work. These initiatives help inspire broader support for community engagement. It is also important to have leaders further up in the state agency that value community engagement efforts and advocate for this work. For community engagement to become integrated into the structural process of policymaking, there will have to be a more agency wide embrace of this work. However, these individuals promoting engagement projects and advocating for the work of agency leadership are critical to continue to grow momentum.

“There are definitely some director level folks at [agency] who continually support and advocate for strong community engagement. So like, **at the director level there's a lot of verbal and literal support of community engagement.**”

“We have talented people in state government and in our agency that are thoughtful and empathetic and driven, **they will do the work if they have the support, and their boss and their leadership are encouraging it to happen.**”

3. Community of practice and interagency collaboration (n=4)

Four of nine interviewees discussed the importance of interagency collaboration to improve community engagement work based on their experience participating in the Community of Practice (CoP) for community engagement. The CoP for community engagement is a central feature of this collaboration, bringing together officials who do this work from across agencies. While the CoP is voluntary, around twenty to thirty people regularly participate in the monthly meeting to share their experiences, collect insights, and brainstorm solutions to problems. Because community engagement work is siloed within agencies, this space is critical to share knowledge and create a network of support. The Health Department has done extensive work to standardize compensation practices. This work will only help other agencies implement their own compensation practices instead of having them start from scratch or simply not address the challenge. These relationships between agencies are critical to improve community engagement work and should only be deepened. The CoP is a critical tool for this and will likely guide future efforts to deepen collaboration.

“I think that **[the CoP] is an incredibly valuable space...** They took on a topic, a greatly misunderstood, or kind of a bit mysterious: how can we do compensation? What is acceptable, what isn't, what's the standard? Very few of us knew and understood that. And we had kind of heard, or assumed, or thought we knew, or someone else told us this is what we could or couldn't do... Kind of chipping away at, kind of **demystifying some of the barriers to community engagement or even owning the challenges that exist within community**

engagement, I think it's [a] really valuable space.”

“[We want] people to be really vulnerable, people to really talk, be able to tell the truth about what's hard and what's not working. **I think folks are super happy to know that they have someone once a month, or a group of people once a month to be like, I'm having this problem. Like, what should I do?**”

4. Virtual community engagement (n=2)

A couple of interviewees referenced using virtual platforms like zoom as a tool to facilitate better community engagement. Officials with experience using virtual tools highlight its ability to increase availability to communities as well as addressing geographical, scheduling, and other challenges with in-person meetings. Community engagement requires extensive work in-person, but virtual methods can be leveraged for certain types of events. For example, educational outreach from the state can be effectively conducted virtually. Some challenges that emerge from virtual engagement include how to compensate participants and the lack of in-person interaction. However, this can be a viable strategy for reaching more community members with the limited time and resources of government officials.

“I also did some engagement listening sessions. And that's just literally where they can join virtually and I can just be online. It's like office hours, almost to come and ask me anything about the work that we were doing”

“Zoom is a very effective tool for increasing participation. I've done community values mapping for towns where I've had an in person option and a zoom option, and it's incredible the number of the range of people that you get in online meetings that you won't get in person.”

Data Driven Recommendations and Conclusions

Based on our interview findings, Vermont's community engagement practices generally fall within the first and second phases of the *Spectrum of Community Engagement to Ownership*, highlighted by the dominant approaches of informing and consulting local communities but rarely implementing meaningful community involvement nor collaboration. Seven of our interviewees mentioned inconsistencies in funding, lack of training in community engagement implementation; and three mentioned how there was a lack of community engagement built into agency job scopes. These barriers encapsulate the main challenges that make it difficult for agency practitioners to "level up" towards more meaningfully involving and collaborating with communities. Inconsistencies in funding significantly decrease agencies' access to community inputs, as they lack in resources to afford essential means such as transportation and compensation. Similarly, lack of training for community engagement into official roles makes it difficult for officials to know how to engage with communities, collect diverse inputs and integrate it into policy.

When conducting informational interviews with third party practitioners they shared with us their philosophy and lived experience for successful and sustainable engagement. They mentioned the importance of compensation, for example having annual paid fellows that canvas for civic participation and through their experience, contribute to policy development conversations as representatives of their communities. This strategy contributes to mitigating the barriers related to lack of training and scope of job, since residents with community experience can work as mediators and facilitators.

Similarly, they brought up the importance of building spaces of engagement that respect various identities and ways of self expression. In a particular project conducted in Rhode Island, affinity space for city officials contributed to relationship building between residents and city officials through shared common upbringing or identities. This strategy improves trust and communication between various stakeholders by building connections. Another valuable insight was the role of art to translate emotional information. Art can improve the accessibility of information but also foster emotional connections to agency work. For example One Square

World recently made a film to uplift a local woman who became a policy advocate in Providence. This highlights the power of community engagement, as practices that integrate communities' lived experiences for policy development but also to provide platforms to empower residents' successes and contribution to their communities.

Lastly, our case studies captured strategies for operationalization used in other states and considered their possible implementation in Vermont. For example, the Energize Kākou Playbook initiative contributed in making cultural information, place-based practices, as well as other social factors such as communication channels accessible to HSOE practitioners so that community engagement can be personalized to involve residents' lived experience. Oregon's Youth Voice Youth Vote project showcases how Participatory Budgeting would strengthen community trust towards state agencies and policy, as well as ensuring that funding relates to local communities' priorities.

This report showcases that despite Vermont's low placement on the *Spectrum for Community Engagement*, practitioners in state agencies are generally interested in conducting better community engagement and understand the barriers they face. To build effective community engagement into the full policy cycle from legislation to implementation, the structural barriers outlined above must be addressed. The framework offered below will give suggestions towards possible future steps to address these challenges.

Strategies for Integrating Community Engagement into the Policy Planning Timeline

Figure 4, seen below, is intended as a practical framework for state officials to operationalize community engagement throughout the various stages of policy planning. It outlines pathways for enabling public participation beyond a single public comment period or final-stage requirement. The figure is designed to be adaptable across agencies, scales, and missions to help align engagement strategies with institutional goals and community contexts.

A key focus of the figure is its emphasis on a whole-systems approach: community engagement should function as an integrated practice supported through good legislative planning, interagency coordination, sustained funding, transparent communication, and long-term accountability structures that allow community knowledge to consistently shape policy outcomes.

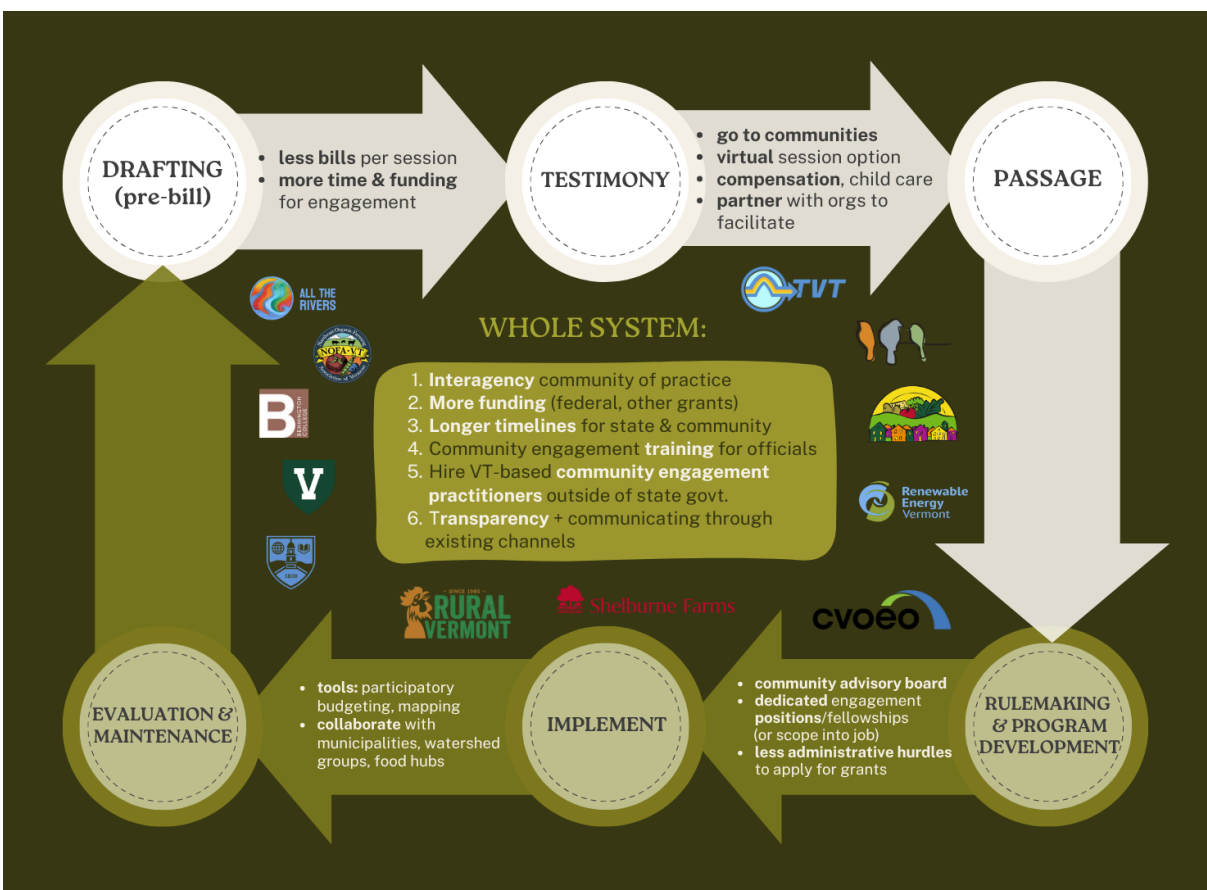


Figure 4. Strategies for Integrating Community Engagement into the Policy Planning Timeline

Through these suggestions, we hope to offer insight into possible pathways for the state of Vermont to implement more effective community engagement. While it will take structural changes to address the barriers outlined above, tackling these challenges will allow Vermont to move further along the *Spectrum for Community Engagement to Ownership*. Through the interviews and presentations associated with this project, this report has already generated important conversations about community engagement among officials and community leaders. We hope this report continues to inspire further conversations and a broader commitment to community-informed policymaking.

"Community" can also shift. Right now, my community engagement for our work to create a statewide land bank are community development practitioners. It will shift to the public once we have a draft plan & legislation for feedback.

The relevance of consistent funding

Fewer bills - yes! with earlier engagement

Community engagement is not built into staff/orgs scopes of work

Barrier - building enthusiasm to show up - people experiencing fatigue and overwhelm

"How to make it fun?" can be a surprisingly high-leverage question.

hearing "plain language" as key..."Closer to how people actually talk" -- This made me laugh and it is so true!

Most peoples conscious interactions with government are negative. Creating trust requires comfortable interaction with systems becoming consistently beatifical & painless to interact over a period of time. It is as if this is half a systems design issue (lack of good user interface) and half a reputation issue.

...we know what we need to do, we have a lot of people interested in doing it, and we need to work together to coordinate and invest our resources wisely into community engagement.

It took me over a year to find \$3000 to work with CVOEO to do focus groups of immigrants and refugees in their languages for our fair housing study. You have to be a bull dog to do this work.

RESPONSES & TAKEAWAYS FROM VT STATE LEGISLATORS & AGENCIES MEMBERS

PULLED FROM CHAT TRANSCRIPT OF OUR FINAL ZOOM PRESENTATION SHARING THIS RESEARCH | MAY 14, 2026

We, at CCRPC, have figured out how to give out cash!

We actually know what good community engagement looks like

Community engagement is a hot topic and is worth collaborating around in a small state like Vermont!

I heard about participatory budgeting!! Want to learn more.

The state is coming to understand increasingly the need for community engagement and they have been assessed to be at a limited capability.

Building in adequate funds for engagement and building it into project timelines!

There are ways to reduce barriers to community engagement at many places in the policy development / government process

...some of the challenges to community engagement are a lack of facilitation and engagement skillset on staff at agencies and some strategies are bringing in outside facilitators and also fostering community engagement leaders on staff

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Bibliography

- Action Network. 2026. “Rewilding Vermont: 2026 Policy Update and Vermont Conservation Plan Public Input Session.” @Theactionnet. 2026.
https://actionnetwork.org/forms/rewilding-vermont-2026-policy-update-and-vermont-conservation-plan-public-input-session?clear_id=true.
- Agency of Natural Resources. 2026. “Environmental Review | Department of Environmental Conservation.” Vermont.Gov. 2026.
<https://dec.vermont.gov/water-investment/water-financing/srf/environmental-review>.
- Barnes, Melody and Paul Schmitz. 2016. “Community Engagement Matters (Now More Than Ever).” Stanford Social Innovation Review. [Community Engagement Matters \(Now More Than Ever\)](#)
- Department of Public Service. 2026. “Our Mission.” State of Vermont. 2026.
<https://publicservice.vermont.gov/>.
- “Energize Kākou: Community Engagement Report.” 2022. *Hawaii State Energy Office*, June.
<https://energy.hawaii.gov/wp-content/uploads/2022/10/HSEO-Community-Engagement-Report-FINAL.pdf>
- Gonzalez, Rosa. 2020. “Spectrum of Community Engagement to Ownership.” *Facilitating*

Power: https://www.facilitatingpower.com/spectrum_of_community_engagement_to_ownership

Hawai'i State Energy Office. 2022. "PLAYBOOK : Centering Community for Successful Outcomes in Hawai'i." *HAWAI'I STATE ENERGY OFFICE*.
<https://energy.hawaii.gov/energize-kakou/>.

Hawai'i State Energy Office. 2022. "Energize Kākou : Community Engagement Report."
Hawai'i State Energy Office. <https://energy.hawaii.gov/energize-kakou/>.

Ho, Amanda. 2020. "HSEO GRANT WILL SUPPORT HAWAII'S CLEAN ENERGY GOALS, ECONOMIC RECOVERY - Hawai'i State Energy Office." Hawai'i State Energy Office. July 23, 2020. <https://energy.hawaii.gov/hseo-grant-will-support-hawaiis-clean-energy-goals-economic-recovery/>.

Moysan, T., and F. Ródenas-Rigla. "The Participatory Processes in Public Policy-Making: A Scoping Review." *MDPI Societies* 14, no. 12 (2024): 244.
<https://www.mdpi.com/2075-4698/14/12/244>

Office of the Attorney General . 2025. "The Open Meeting Law." *Mass.Gov*. 2025.
<https://www.mass.gov/the-open-meeting-law>.

Participatory Budgeting Oregon. 2026. "Youth Voice, Youth Vote PB." Participatory Budgeting Oregon. <https://www.pboregon.org/youth-voice-youth-vote-pb>.

Participatory Budgeting Project. *PB Scoping Toolkit: A Guide for Officials & Staff Interested in Starting PB*. New York: The Participatory Budgeting Project, 2017.
<https://www.participatorybudgeting.org/resource/scoping-toolkit/>.

Russon Gilman, H., de Jong, J., Fung, A., Rosen, R., & Moore, G. (2023). *City leader guide on*

civic engagement: Designing pathways for participatory problem-solving. Bloomberg Harvard City Leadership Initiative.

<https://www.cityleadership.harvard.edu/research-and-resources>

Stacy, Christina, Martha Fedorowicz, and Rebecca Dedert. Best Practices for Inclusive Participatory Budgeting. Washington, DC: Urban Institute, August 2022.

<https://www.urban.org/sites/default/files/2022-09/Best%20Practices%20for%20Inclusive%20Participatory%20Budgeting.pdf>.

Standing Trees, and SNEG. 2026. "Act59: Policy Update and Vermont Conservation Plan Public Input Session," March 18, 2026.

Vermont Department of Public Service. 2026. "Vermont Department of Public Service Overview." <https://publicservice.vermont.gov/>

Vermont General Assembly. 2026. "Vermont Statutes Online: Title 3, Chapter 72: Environmental Justice." State of Vermont.

https://legislature.vermont.gov/statutes/fullchapter/03/072?_gl=1*12417w*_ga*MTgxNTU5MjEyMi4xNzYyODI1NDc3*_ga_V9WQH77KLW*cze3NzI2MzExODEkbzE1JGcwJHQxNzcyNjMxMjU2JGo2MCRsMCRoMA

VHCB. n.d. "Land Access and Conservation Board." *Vermont Housing and Conservation Board*. <https://vhcb.org/land-access-opportunity-board/>

"Vermont Governor Signs Law Establishing Environmental Justice Policy." 2022. *The Environmental Council of the States (ECOS)*, June 3.

<https://www.ecos.org/news-and-updates/vermont-governor-signs-law-establishing-environmental-justice-policy/>.

VPIRG. 2022. "Community Leaders Hail Enactment of VT's First Environmental Justice Law." Vermont Public Interest Research Group, June 1.

<https://www.vpirg.org/news/s-148-environmental-justice-bill-signed/>.

Vermont Housing & Conservation Board. 2026. “30 By 30 (Act 59) • Vermont Housing & Conservation Board.” Vermont Housing & Conservation Board. March 17, 2026.

<https://vhcb.org/conservation/act-59/>.

VTD Staff . 2026. “How Donald Trump Reshaped Vermont in Just 1 Year.” VTDigger. January 31, 2026.

<https://vtdigger.org/2026/01/31/how-donald-trump-reshaped-vermont-in-just-1-year/>.

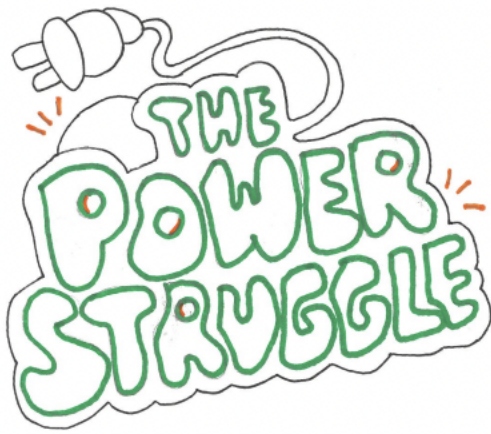
Watson, Brittany, Susannah McCandless, Jennifer Byrne, and Ginny McGinn. 2023. “Connecting People to Power: Community Engagement Pilot.” *Center for Whole Communities*.

https://wholecommunities.org/wp-content/uploads/2023/06/Connecting-People-to-Power-Report-to-DEC_CWC.RDI_.pdf

Watson, B., McCandless, S., Byrne, J., & McGinn, G. (2023). Connecting People to Power: Community Engagement Pilot Report and Planning Recommendations to the Vermont Department of Environmental Conservation. Center for Whole Communities (CWC), Rights and Democracy Institute (RDI), and Vermont Law and Graduate School (VLS) Environmental Justice Clinic.

<https://wholecommunities.org/resources-archive/connecting-people-to-power/>

Centering Vermont Voices: How a Statewide Ratepayer Protection Program Would Help Alleviate Electricity Burdens



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Community-Engaged Practicum
Spring 2026

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Glossary of Key Terms and Abbreviations

PUC (Public Utility Commission): The Vermont Public Utility Commission, the state regulatory body responsible for overseeing electric utilities, rates, and energy policy.

GMP (Green Mountain Power): Largest electric utility provider in Vermont.

350VT: A grassroots climate justice organization in Vermont that advocates for systemic climate solutions through community organizing, legislative advocacy, and movement building.

EAP (Energy Assistance Program): Provides income-qualified households with monthly discounts on utility bills and can help with past due energy payments.

Ratepayer Protection Program: A proposed statewide Vermont program advocating for income-based electricity discounts funded through a small contribution from higher-income ratepayers.

Energy Burden: The percentage of household income spent on energy costs such as electricity, heating, fuel, and transportation.

H.668: A Vermont House bill proposing the creation of a statewide income-based electricity assistance program.

LIHEAP (Low Income Home Energy Assistance Program): A federal program that provides financial assistance to low-income households for heating and energy costs.

Snowball Sampling: A research method in which existing participants recruit future participants from among their networks, commonly used in community-based or hard-to-reach populations.

Project Focus

As part of the Environmental Studies 401 Community-Engaged Practicum, our group partnered with 350VT, a grassroots climate justice organization. This semester's practicum focused on themes of social change and transformation, and our project centered on Vermont's growing energy affordability crisis and its implications for climate justice. Specifically, we worked with 350VT to examine a proposed statewide energy assistance initiative designed to reduce electricity burdens for low-income Vermonters and to make this knowledge accessible in a creative and compelling manner.

The issue of energy burden exists within a broader affordability crisis across Vermont and the United States. As Vermont continues transitioning toward electrified energy systems, many residents face increasing challenges related to the cost of electricity, home heating, and energy access. These challenges raise important questions about what a "just transition" should look like in practice. While cleaner energy systems are often framed as environmentally necessary, they can also reproduce or deepen existing inequities if affordability and accessibility are not addressed simultaneously. Through our work with 350VT, we explored how energy policies impact low-income and marginalized communities and how those communities are represented—or excluded—within conversations about climate transition and energy reform.

As part of the Ratepayer Protection Program campaign, a bill (H.753/S.204) was drafted in 2024 by 350VT ally Jim Dumont in collaboration with members of the Vermont House Environmental and Energy Committee. Throughout the semester, we spoke with two primary groups: individuals who have experienced electricity insecurity firsthand and policy advocates working on issues related to energy justice in Vermont. These conversations allowed us to better understand both the personal impacts of rising electricity costs and the broader policy landscape shaping the proposed program.

In response to 350VT's desire to collect and share testimony in a compelling and accessible way, we chose to create a podcast series centered on lived experience. Each episode combines personal narratives with insights from organizers and advocates involved in the campaign. By weaving together these perspectives, the podcast highlights how energy affordability and utility insecurity affect Vermonters on both individual and systemic levels.

Inspired by 350VT's emphasis on centering local voices, this project prioritizes stories from individuals directly affected by Vermont's energy system. Across interviews, participants described how energy costs shape everyday life in immediate and material ways—especially for mothers and caregivers responsible for balancing household budgets while navigating difficult tradeoffs between utilities, food, childcare, transportation, and medical expenses. These conversations revealed that the issue is not simply affordability in the abstract, but also the structure of a system that can feel confusing, inaccessible, and largely invisible to those who rely on it most.

Ultimately, the stories collected throughout this project help humanize the energy burden and utility disconnection data that often dominate policy conversations. The narratives gathered through this podcast offer accessible and emotionally resonant evidence that can support public understanding and strengthen future legislative advocacy surrounding the proposed Ratepayer Protection Program. They also reinforce the importance of policy approaches focused on statewide accessibility, auto-enrollment, and long-term affordability by illustrating how easily individuals and families can fall through the cracks of Vermont's current patchwork energy assistance system.

Project Background

350VT

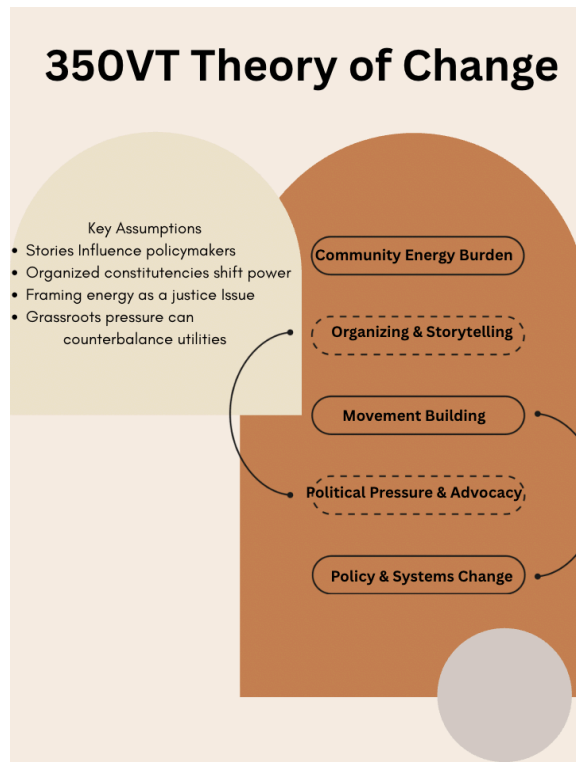
This semester, our project team partnered with 350VT to help conduct further outreach to communities and individuals who struggle with energy burdens. 350VT's prior engagement with Vermonters has highlighted a statewide need for revamped energy assistance. 350VT is a grassroots climate-justice nonprofit that was founded in 2011 as part of the broader 350 coalition. At the intersection of climate action and justice, 350VT's main goals are to address climate change at its roots and empower people—giving them the tools to make the change they want to see. The organization focuses on local Vermonters, especially BIPOC, frontline, low-income, and rural communities—folks who are historically underrepresented, underserved, and who bear the brunt of climate catastrophes.

350VT has spearheaded various campaigns, including a Community Weatherization Program, a Thermal Energy Network, a Community Solar initiative, a push to halt large-scale biomass plants, participation in solidarity with justice communities, and a Ratepayer Protection Program. 350VT has been advocating for the Ratepayer Protection program since its inception in 2024. The organization works across landscapes and in collaboration with a wide range of actors to advocate for the program.

Cultivating meaningful relationships with members of the Vermont state legislature has been a primary strategy, allowing 350VT to achieve its greatest success in advancing the Ratepayer Protection Program. Engagement with local legislators is vital as they hold sway in the statehouse and are responsible for decisions that impact people across the state. Additionally, 350VT works closely with the public by conducting interviews to gauge interest in the program, to understand the electricity landscape in Vermont, and to persuade unsympathetic or opposing actors in the legislature. 350VT aims to transform these testimonies into a creative storytelling project—one that will be shared with Vermonters, the Public Utility Commission, and the Legislature to illuminate the real experiences and struggles many face when paying electric bills.

Our project group compiled the existing testimonies that 350VT and their partners have already presented at the statehouse, along with additional interviews that we conducted, and assembled them into a digestible podcast series. This work is grounded in 350VT's theory of change, which is based on the belief that political power is built through grassroots participation, relational organizing, and the amplification of lived experience. Within this framework, stories from Vermonters are understood as a form of political leverage to influence policymakers. By centering these narratives, 350VT seeks to shift public understanding and legislative decision-making to prioritize energy affordability and justice in Vermont.

Goals	Empower people by giving them tools to make the change they want to see		address the climate crisis @ its root cause			
Campaigns	Thermal Energy Networks	Ending the Burning of Biomass	Community Solar	Community Weatherization Program	Ratepayer Protection Program	Solidarity
Strategies	Pressure legislators to make policy change		Protesting	Hands-on weatherization work parties	5% of proceeds go to climate justice orgs	Educational opportunities (workshops, trainings, discussions)
Approach	Community-centered			Volunteer-Based	Flat staff collective	
Who	Local Vermonters		BIPOC	Low-income	Frontline workers	



Figures 1 and 2. Reconstructed theories of change for 350VT based on organizational materials and course frameworks. Both figures demonstrate the actors, programming, tactics, and concrete campaigns 350VT uses to pursue a more just future for all Vermonters.

Vermont Legislative Background

350VT has been at the forefront of efforts to ensure that the transition from fossil fuels to renewable energy includes all communities, especially the most vulnerable. The Ratepayer Protection Program campaign centers on H.668, legislation that required the Public Utility Commission (PUC) to draft a statewide assistance program offering income-based electricity discounts of up to 50%, funded through a small fee on higher-income ratepayers (House Committee on Environment & Energy 2024). Though the bill did not pass in 2024, in December 2025, the PUC acknowledged that a statewide program is needed. The Vermont Legislature is set to review the PUC's report in 2026, making this a critical window for public pressure and storytelling (Vermont Public Utilities Commission, 2025).

The political landscape in Vermont presents opportunities and obstacles for the implementation of a ratepayer protection program. Over the course of 5 terms, Governor Phil Scott has demonstrated his reluctance to pass any new legislation that proposes additional taxes on Vermonters. An added obstacle in the electricity policy landscape has been the decline of the progressive majority in the legislature, making it more difficult to pass stringent assistance programs. As a result, 350VT has strategically pivoted toward expanding existing protections, most recently pushing to extend cold-weather electricity disconnection protections to cover summer disconnections. A systematic problem identified by 350VT is not merely the absence of programs, but widespread underutilization of existing ones. Although many Vermonters would benefit from energy assistance programs (EAPs), public outreach is minimal, leaving many in the dark when it comes to these programs. The goal of this project is to support 350VT's work by gathering stories from Vermonters whose lives are materially shaped by energy costs, pairing those stories with data to build a compelling public case for ratepayer protection legislation.

Existing Programs and Their Shortcomings

Vermont's current utility assistance system is fragmented – offering company-specific discounts rather than a unified statewide solution. Green Mountain Power (GMP), the dominant company serving Vermont statewide, has an Energy Assistance Program (EAP); however, it is insufficient, offering qualifying low-income ratepayers a modest 25% monthly discount. Other utilities, including Burlington Electric and Vermont Electric Cooperative, also provide minimal monthly discounts– 12.5% and a \$45 credit, respectively– for households at or below 185% of the federal poverty level. While these programs provide some relief, they are limited in scope and reach. While the PUC's Act 142 Report acknowledges that roughly 70% of income-qualified Vermont electricity consumers have access to ratepayer-funded assistance programs through Green Mountain Power and Burlington Electric, this leaves nearly one-third of eligible Vermonters uncovered. Lower-income regions like the North East Kingdom (NEK), which are served primarily by smaller utilities that lack the capacity for EAPs, are particularly vulnerable to electricity burdens (NIH, 2026). A statewide program would ensure more equitable support in

areas with gaps in utility assistance. Even where programs are available, participation remains low, with only about a quarter of qualifying Green Mountain Power customers actually enrolled. Barriers include a lack of awareness, required annual paperwork, limited internet and technology access, and the administrative burden on households already stretched thin. The PUC has acknowledged that a statewide program is needed; however, it fears public backlash from imposing additional taxes that would fund the program. Additionally, the PUC argues that the electricity crisis is a funding coordination issue, rather than a structural gap, a position that 350VT and other advocates contest.

The Statewide Ratepayer Protection Campaign

The Statewide Ratepayer Protection program, introduced by 350VT in 2024, would offer a tiered discount to low-income ratepayers depending on their income level. While many of the other assistance programs offer discounts to those who are at or below the federal poverty level (185%), the statewide program would allow Vermonters who make up to 300% of the median federal income level to participate (350VT). The program would be funded by a small tax on the highest-earning ratepayers and would exempt those who earn below 80% of the annual median household income. According to national experts, the tax would likely impose just a few dollars per month on high-income ratepayers (Interview with Jim Dumont, 2026). Additionally, the program would incorporate an auto-enrollment system, which would ensure that people already participating in government-funded assistance programs would be automatically enrolled in the statewide program. In theory, the auto-enrollment system would increase participation rates by reducing barriers to entry. Critically, this program would assist *all* low-income households across the state, despite subscriptions to specific utility companies.

Models from Other States

New Hampshire's Electric Assistance Program (EAP) offers one of the most relevant models for Vermont, given the states' geographic and demographic similarities. Administered through the New Hampshire Public Utilities Commission, the program provides income-qualified households with reduced electricity rates structured across income tiers. Within this framework, the level of provided assistance scales with financial need rather than offering a flat-rate discount to all qualifying customers. Crucially, the program incorporates auto-enrollment, which dramatically reduces the participation barriers that plague Vermont's existing utility programs (New Hampshire Public Utilities Commission 2022). For Vermont, where low enrollment rates are one of the central failures of the current system, the auto-enrollment feature alone represents a significant and transferable reform.

Maine's Low-Income Assistance Program (LIAP) is notable for its statewide effects and relatively generous benefits. The program provides eligible households with annual electricity bill credits ranging up to \$1,200, depending on the household's circumstances. Alongside LIAP, Maine administers the Home Energy Assistance Program (HEAP), which helps homeowners and

renters with heating fuel costs, emergency fuel delivery, and energy-related home repairs (Maine Public Utilities Commission). The combination of these two programs allows Maine residents to access support for both electricity and heating through a coordinated statewide framework. This is directly applicable to Vermont's situation, where assistance is fragmented across utilities and community action agencies with no single unified point of access, leaving many residents unaware or unable to navigate the options available.

While many states approach the disconnection crisis through direct subsidies, Illinois has tackled the crisis through utility accountability—its strategy offers a valuable complement to the discount-based programs seen in other states. Illinois regulators have employed a performance-based ratemaking system, meaning instead of guaranteeing utilities a fixed profit, the state ties a portion of that profit to how well the utility actually serves its customers. The state now adjusts the proportion of profit a utility is allowed to collect based on its success in reducing the number of customer disconnections (National Consumer Law Center 2022). This creates a direct financial incentive for private utilities to keep low-income households connected. 350VT specifically referenced this model in testimony before the Vermont PUC, highlighting that it imposes no additional cost on other ratepayers. The PUC did not respond to the proposal in its proceedings; however, the Illinois example remains a viable and cost-neutral policy lever that Vermont regulators could adopt.

Project Methodology

To better understand the scope of the project, our research began by gaining foundational knowledge of our community partner, the program they were advocating for, and the gaps that exist in the utility landscape. During the first 4 weeks of the semester, our team dove extensively into the background of 350VT, considering who they are, what they do, and their missions and goals, while simultaneously understanding the timeline and context of the Ratepayer Protection Program. We continued our research by looking into other state precedents, which illuminated the feasibility of a statewide program in Vermont. Additionally, we explored the existing Vermont Utility Energy Assistance programs, which highlighted the limitations and gaps of electricity bill support in the state.

After extensive online research, we began speaking with experts on the subject, which provided a more nuanced and multi-perspective understanding of the electricity landscape. We met with representatives from local Vermont non-profits, including the Peace and Justice Center, Vermont Interfaith Power and Light, The Root Social Justice Center, the Vermont Environmental Justice Network, the Vermont Parent and Child Center, and Addison Housing Works. We found this part of the research process to be more efficient and engaging than online research.

Additional online and in-person research was conducted for interview preparation. We began with initial peer-reviewed research on interview methods for semi-structured interviews, which provided a baseline understanding for the type of interview we would conduct. Next, we met with Middlebury Professors, including Fulya Pinar, in anthropology, and Lana Povitz, in history. They provided expert knowledge on how to structure and conduct interviews to navigate sensitive topics. We furthered our understanding by following along with the Social Sciences Research Methods module through MiddCreate.

We also established a regular weekly meeting each Friday over Zoom with Katayoun Lam and, when available, Mieke Riddlebarger, our community partners from 350VT. These meetings helped direct the project's next steps, provide clarity about nuanced and confusing topics, including the policy process and the fate of previous bills from this campaign, and helped connect us with community members. Mieke provided us with a clear timeline of the proceedings between 350VT and the PUC, helpful information about their connections with elected officials, and the schedule of the legislation session. Mica also attended the Hoodwinked Series on the Ratepayer Protection Program, a webinar panel featuring Jim Dumont, Mieke, and Earl Hatley, which gave an overview of Vermont's energy burden and the proposed solutions that exist.

Medium Selection: Podcast

The decision to create a podcast as our primary deliverable emerged from an early realization that community organizing has become increasingly professionalized, which can create distance between policy discussions and the voices of those most directly affected. We

were particularly drawn to storytelling as a method for centering the experiences of Vermonters navigating the state’s electricity system, and found strong resonance in the podcast medium as a way to facilitate these conversations

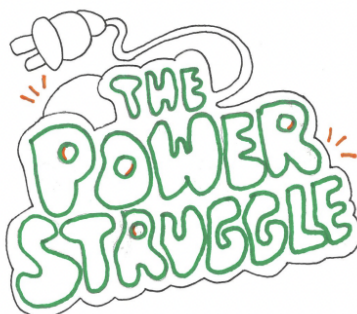
Podcasts as a medium can offer a distinct way of fostering understanding by engaging listeners on an emotional/affective level—something that written testimony alone struggles to convey. We chose this format to more effectively reach our audiences—the Vermont public, elected officials, community organizers, and the PUC—and encourage reflection on their relationship to energy systems and ratepayer protections.

In curating the podcast, we highlighted voices and themes that we explored through conversations with experts and those struggling with electricity burdens, specifically thinking about how different voices could work in dialogue to help listeners understand the progress of Vermont’s Ratepayer Protection Program and the broader electricity landscape. Although the electricity crisis is a statewide problem, highlighting individual voices with unique identities, backgrounds, and living situations exemplifies how differently everyone experiences the crisis.

One limitation our team encountered throughout the interview process was reaching locals with lived experience. The three main interviewees featured in the podcast each had lived experience as well as involvement with community organizing: Earl Hatley (VEJN and Abenaki Gardens), Mathew LeFleur (VEJN), and Sara Chicoine (Addison County Parent-Child Center). Earl, Matthew, and Sara shared their own personal stories regarding bills and electrification, while also providing insight as relevant professionals and organizers. This unique dynamic provided a well-rounded perspective to our podcast; however, we feel there could have been room to include additional perspectives from outside of the organizing community. This limitation also points toward opportunities for future work. As 350VT continues advancing the Ratepayer Protection Program, we hope that the outreach materials developed through this project—including our educational pamphlet and flyers—can help facilitate additional testimony collection and broader community engagement moving forward.

“The Power Struggle” series included four episodes, each featuring key insights from advocates involved with the Ratepayer Protection campaign, as well as conversations with those experiencing electricity burdens firsthand. This structure provides a more holistic story of the electricity crisis—why it exists, and how it can be mitigated moving forward. Each episode gives a voice to individuals who have had trouble paying electric bills, have received disconnect notices, or have had electricity disconnections. The goal of the series is not to assume that all ratepayers experience the same struggles, but to provide an accessible mode for individuals to share their unique experiences and opinions. Episodes were narrowed down to feature perspectives that reflect underserved individuals, including women, caregivers, BIPOC folks, people living in rural areas, people living in unstable living conditions, and low-income ratepayers.

Podcast Outline



A summary of each episode is outlined below:

[Episode 1 – Introduction with Jim](#): In this episode, we break down Vermont’s energy system and who holds power within it. Featuring Jim Dumont, an environmental lawyer from Bristol, we explore the history and resistance behind the Ratepayer Protection Program, revealing why affordable electricity remains out of reach for many Vermonters. Throughout the podcast, Jim emphasizes the roles that the Public Utility Commission and the State Legislature play in the success of this campaign. Jim also provides valuable knowledge about the programs’ conditions, including who qualifies and who is responsible for funding. Lastly, we talk with Jim about the role of third parties, like churches, the Vermont Parent and Child Center, and other local organizations, who fill financial gaps when people can’t afford their electricity bills. This episode sets the stage for the stories that follow.

[Episode 2 – MO and Mieke](#): This episode explores how unexpected life events—such as health challenges, childcare responsibilities, and job disruptions—can lead to energy insecurity. Through MO’s story, we highlight why these struggles are not individual failures, but systemic issues. Mieke Riddlebarger, a full-time organizer at 350VT, connects MO’s testimony to the larger electricity landscape in Vermont, pointing to the structural flaws that exacerbate the impacts of unexpected expenses, vulnerable living situations, and the overall affordability crisis facing the state.

[Episode 3 – Maria and Sara](#): In this episode, we examine the realities of gendered unpaid care labor. Featuring testimony from Maria, a single mother and careworker, and an interview with Sara, a caretaker and outreach employee at the Vermont Parent and Child Center, we explore how caregiving responsibilities intersect with financial strain and make it difficult to keep up with electricity bills. Our interview with Sara further investigates how the Parent and Child Center, a third-party organization, steps in to fill financial gaps, a recurring theme underpinning the Vermont electricity crisis.

[Episode 4 – Matthew and Earl](#): This episode explores the gap between Vermont’s energy systems on paper and what they feel like in everyday life. Through conversations with Mathew LeFleur and Earl Hatley, we discuss how energy justice, lived experience, and structural inequalities shape access to affordable energy. Mathew and Earl also compare Vermont’s current energy landscape to their homes in Iowa and Oklahoma. These discussions underscore the importance of listening to and engaging with diverse perspectives to ensure that all Vermonters have a meaningful role in shaping the state’s energy future.



Figure 3. QR Code that leads to the “Power Struggle” podcast channel on Spotify.

Intended Audience

One of the main objectives of creating the “Power Struggle” podcast was to disseminate critical information and lived experiences regarding the electricity crisis in Vermont more broadly to the public, the legislature, and the Public Utility Commission. According to Jim Dumont, a pivotal advocate in the campaign, testimonies from individuals struggling with electricity burdens have been an effective and influential strategy for promoting the Statewide Ratepayer Protection Program in the legislature. We hope that this podcast series will serve as a persuasive tool that can be used by campaign advocates to convince decision-makers of the salience of the electricity crisis.

The State Legislature is one arena where the Statewide Ratepayer Protection Program could be passed; however, it has repeatedly been watered down, diminishing the stringency of the proposed conditions. One of the main goals of the podcast is to provide qualitative evidence to compel legislators to make decisions that would effectively change the current electricity landscape. While the issue is most pressing for historically marginalized communities due to structural inequities and threat multipliers, our podcast highlights the impacts it has on a wide range of communities, each with unique and individual burdens. The “Power Struggle” is a platform meant to harness Vermonters' voices to get legislators to listen to the needs of their constituents.

The Public Utilities Commission holds much of the power to introduce a statewide protection program in Vermont, but has pushed back against this campaign, citing three main reasons: 1) Electricity is a smaller portion of the energy burden than transportation and heating 2) A majority of Vermonters already have access to an electricity assistance program through Green Mountain Power or the Burlington Electric Department, and 3) Funds to address energy burden should not come from other ratepayers (Vermont Public Utility Commission, 2025). Through the circulation of our podcast series, we hope to explain why, despite these justifications, a statewide assistance program is still necessary. Despite transportation and heating’s contribution to the energy burden, our podcast reveals that electricity bills are often prioritized for things like refrigerated medicine or electric heating over other expenses. In addition, the featured narratives express how existing assistance programs are inaccessible and insufficient for most people in Vermont.

Outreach

The outreach process was conducted in two separate phases: first, using outreach documents, and then using snowball sampling. This two-pronged approach was meant to promote engagement with as many people as possible across multiple platforms. We began by developing a poster to be distributed virtually and as a hard copy. The poster (pictured below) includes eye-catching prompts about our project and a QR code to a Google Form with questions regarding people's experience with electric utilities. The last survey question asks people about their willingness to participate in an interview to share their experiences more broadly. The next part of the outreach process utilized snowball sampling, which involved asking organizations we had previously connected with, along with other local organizations, including JUMP, VEJN, ACORN, and local churches, to share our poster with their respective communities. We hoped that by sharing the poster through trusted, community-engaged institutions, people would be more willing to engage with us.

HIGH ELECTRIC BILLS?

Please consider sharing your experience!



Share your experience (2-minute form)

Anonymous responses welcome!

Help us understand how high electricity bills affect Vermonters

Your story will help push for a statewide electricity assistance program

Lower electricity costs for Vermonters

Make your voice count

Or share your experience with Mica (Middlebury student) at mbodkins@middlebury.edu



Figure 4. This flyer was used as part of our outreach efforts and posted in various locations across Middlebury and Burlington. It includes a QR code inviting community members to share information about their utility providers or anonymously submit their experiences with energy use and disconnections.

In addition to virtual outreach, we wanted people without smartphones to be able to participate, so hard copies were hung in public spaces around Middlebury and Burlington. We chose high-traffic places that were accessible by public transportation, including libraries, cafes, supermarkets, food pantries, the post office, and the bank.

Vermont Electric Bill Experiences

High Electricity Bills? We Want to Hear from You!
Hello! Our names are Mica, Bodhi, and Christina, we are students at Middlebury College working with [350 Vermont](#) on a project about electricity affordability in Vermont.

We are gathering stories from Vermonters who have struggled to pay their electric bills or have received disconnection notices. These experiences will help us understand the challenges people face and support advocacy for stronger protections for ratepayers (anyone who pays a monthly electric bill) across the state.

Through a creative storytelling project these narratives will be shared with the public, Vermont lawmakers, and the Vermont Public Utility Commission. Your responses can remain anonymous, and sharing is completely voluntary. If you're interested, we are also looking for people to connect with for an in-person or Zoom conversation regarding their experiences.

Please reach out to Mica Bodkins by email: mbockins@middlebury.edu or by phone: (774-478-8039) if you have any questions or would like to have a conversation!

* Indicates required question

*

Have you experienced difficulty paying your electricity bill in Vermont?

Yes

No (but I'm interested in the issue)

What town in Vermont do you live in?

Your answer _____

Who is your electricity provider? *

Burlington Electric

Green Mountain Power (GMP)

Vermont Electric Cooperative

Washington Electric Cooperative

Other: _____

Have you experienced any of the following?

Difficulty paying an electric bill?

Received a disconnection notice?

Had your electricity shut off?

Had to cut back on other expenses to pay for electricity?

Participated in an energy assistance program through your electric company?

Received electricity assistance from another third party (i.e. a church, the JUMP Outreach Center, etc)

None of the above

Other: _____

Would you like to briefly share your experience with high electricity bills? If you feel comfortable, tell us a little about your experience. For example: What challenges have you faced paying electricity bills? Have existing energy assistance programs been helpful? If you have experienced disconnections, how long were you without electricity?

Your answer _____

Would you be interested in having a short conversation with us about your experience?

Yes

No

Maybe: I'd like more information

If you are open to being contacted, please share your email or phone number.

Your answer _____

I understand this project is being conducted by Middlebury College students in collaboration with 350VT. I consent to sharing this information for research and advocacy purposes.

Thank you for sharing your experience!

Yes


No

Figure 4. This survey is accessible by QR code on the outreach poster above, and asks a series of basic electricity-related demographics questions to inform our understanding of the ratepayer landscape. There is also a field for respondents to give a more detailed history of their experience with utility bills, and it invites participants to contact our group if they would like to learn or share more.

Another key outreach deliverable was an informational tri-fold pamphlet distributed to churches, nonprofits, and food banks to provide an overview of existing assistance options for the most common Vermont utilities. The pamphlet outlines the qualifications for each program, the application process, and what is covered under each plan.

Existing Vermont Energy Assistance Programs

Programs to help low-income Vermonters lower fuel and energy costs



Fuel Assistance Program

What it is:
A federal program designed to help eligible low-income households pay their home heating bills, manage fuel emergencies, and prevent utility shutoffs during winter.

Who Qualifies:
Generally based on a gross household income at or below 185% of the federal poverty level (For a single person household, annual income has to be at, or below \$29,526).

Application:
This program is run by the Vermont Department for Children and Families (DCF). Visit the DCF website to access the online application. To request a paper application, call 1-800-479-6151 or apply in person at your local district office.

Benefits:
Covers part of home heating bills for renters or homeowners; benefits depend on which fuel source you use. Once you are an active seasonal fuel assistance household, you are also eligible for free weatherization services.

Green Mountain Power

What is it:
A GMP customer-funded program designed to help eligible low-income households pay their home electricity bills.

Who Qualifies:
Based on a gross household income at or below 185% of the federal poverty level (For a single person household, annual income has to be at, or below \$29,526).

Application:
Visit the Vermont Department of Children and Families (DCF) to see if you are eligible and for the online application. To Request a paper application, call 1-800-775-0516. Once you have been approved by DCF, you and GMP will be notified.

Benefits:
Offers 25% off energy bills each month (You must reapply every year to receive the discount). You may also be forgiven a past-due bill if you are a new customer

Burlington Electric Department (BED)

What is it:
The BED energy assistance program is primarily funded through BEDs own operational budget.

Who Qualifies:
Eligibility is available to low-income customers, defined by a total gross household income at or below 185% of the federal poverty level (For a single person household, annual income has to be at, or below \$29,526).

Application:
An online form is available on the Burlington Electric site by following the "ways to save tab" → "residential" → link for "BED energy Assistance Program." Any eligible BED customer who is interested in qualifying can visit burlingtonelectric.com/help or call the BED Customer Care team at 802-865-7300.

Benefits:
Offers 12.5% off monthly energy bills (You must reapply every year to receive the discount).

Washington Electric Co-Op

What is it:
Affordable Community Renewable Energy Program (ACRE), which is paid for through federal funds from a Covid-Relief Act from 2021 (American Rescue Plan Act).

Who Qualifies:
Total household income at or below 185% of the federal poverty level (For a single person household, annual income has to be at, or below \$29,526).

Application:
Visit the "Payment Assistance" tab on the Washington Electric Co-Op website and complete the application form from the state of Vermont Department of Children and Families.

Benefits:
Up to \$45 off monthly energy bills for 5 years (You must reapply each year to receive the discount). No up-front payment or any additional charge for qualifying applicants.

What is the Ratepayer Protection Program?

A proposal for a statewide energy assistance program that would lower the costs of electric bills for Vermonters based on their income level

The VT Legislature and the Public Utilities Commission has repeatedly declined to pursue this program, despite strong public need.

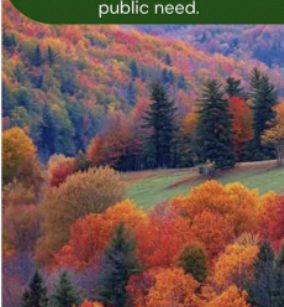


Figure 5. This educational pamphlet was created to centralize information about energy assistance resources available in Vermont. It provides an overview of the proposed Ratepayer Protection Program, as well as existing programs such as the Fuel Assistance Program and assistance offerings from Green Mountain Power, Burlington Electric Department, and the Washington Electric Co-Op.

Lastly, we posted an outreach blurb about the project on the local Middlebury Front Porch Forum as a way of connecting directly with the community on a trusted platform. Our community partner at 350VT also offered to post our blurb on her local Front Porch Forum in an attempt to engage with other parts of the state.

Toward the end of the semester, we received three responses from the Google Form survey linked on our outreach poster. Of these responses, two participants reported using their utility's assistance program, one from Green Mountain Power and another from Vermont Electric Co-op. The third did not report using an assistance program, but has experienced an electricity disconnection. Two out of three respondents mentioned having to stretch their income to prioritize electricity bills over their other necessities. Other important reflections from survey participants included the effects of being a person of color in Vermont, the high price of propane use compared to electricity, heat pump installation costs, and the importance of personal electricity conservation at home.

Limitations of Outreach

During the outreach process, we encountered several limitations. Given the accelerated pace and large scope of the project, it was challenging to engage consistently with a broad range of Vermonters about their utility experiences. This difficulty was compounded by the fact that individuals who face high energy burdens are often simultaneously navigating other pressures, including healthcare costs and financial instability—issues our podcast seeks to address, but which can make participation more difficult due to time constraints. Additionally, we acknowledge the sensitivity of the electricity crisis and understand it may not be a topic people feel comfortable discussing.

Despite these challenges, we adapted our outreach strategies in several ways. We used Front Porch Forum to connect with community members, which resulted in one meaningful contribution. We also relied on the snowball sampling approach, reaching out through existing networks and asking participants and organizations to recommend contacts. Outreach through posters and flyers was less successful, but informed our understanding of the most effective forms of community outreach and engagement for future work.

Lessons Gleaned

For future work in this issue area, this podcast can serve as both an organizing and outreach tool. It can help 350VT expand its audience, build relationships with local organizations, and strengthen the case to legislators and the Public Utility Commission that ratepayer protection is not a niche concern, but a lived reality for many Vermont households. Further reflection on these conversations prompted three main takeaways:

1. Centering Vermonters' voices to influence policy is crucial
 - a. Statistics alone only capture part of the energy crisis. Personal narratives help make the issue tangible and human, and our interviews also highlighted how testimony can play an important role in Vermont's legislative process. This aligns closely with 350VT's theory of change, which emphasizes lived experience as a driver of policy impact.
2. The electricity crisis is a structural failure
 - a. Energy burden is not evenly distributed. Marginalized communities face the greatest challenges, often compounded by barriers such as complex enrollment systems, limited technological access, and time-consuming paperwork. In addition, overlapping pressures—such as healthcare, food, and transportation costs—mean that households are constantly forced to prioritize which basic needs to meet, with energy often at the center of these tradeoffs.
3. The importance of community and relationship building throughout this work and tackling the energy crisis
 - a. Our research showed that many organizations—including the Vermont Parent Child Center, churches, and other local groups—are stepping in to address gaps in the formal energy system. These relationships are critical in preventing disconnections and supporting vulnerable households, but they also highlight the unevenness of the current system.

Looking Forward

Looking forward, these findings reinforce a central point: If Vermont seeks a just transition that aims to achieve a goal of 100% renewable electricity by 2030, it must be affordable and accessible for everyone (Efficiency Vermont, 2022). Ultimately, this project underscores the importance of centering voices that are often overlooked in policy spaces, including BIPOC, frontline, rural, and low-income individuals. Creating space for these perspectives is not only essential for understanding the energy crisis but also for designing more effective and equitable policy solutions for all Vermonters.

Bibliography

- 350VT. “Response to PUC Energy Cost Stabilization Report.” Dec. 2025,
<https://docs.google.com/document/d/1iYH83PtvdJgDZTN5gXaLVuKCCcOigV4twgLzl8Xjny0w/edit?tab=t.a7k0muazs60>.
- Chicoine, Sara. “Personal Interview.” 15 April. 2026.
- Colton, Roger. *EAP Advisory Board New Hampshire Department of Energy*. 2022.
- Conrad, Ross. “Personal Interview.” 11 April. 2026.
- Consumer Financial Assistance | MPUC*. <https://www.maine.gov/mpuc/consumer-assistance/programs>.
Accessed 10 May 2026.
- Dumont, Jim. “Personal Interview.” 19 Mar. 2026.
- Dalgin, Rebecca. “Personal Interview.” 13 Mar. 2026.
- Hatley, Earl. “Personal Interview.” 11 Mar. 2026.
- House Committee on Environment & Energy, and James A. Dumont. The Need for Better Electric Ratepayer Protection. 9 Apr. 2024,
<https://legislature.vermont.gov/Documents/2024/WorkGroups/House%20Environment/Bills/S.305/Witness%20Testimony/S.305~James%20Dumont~Electric%20Ratepayer%20Testimony~4-9-2024.pdf>.
- Hudman, Kason. “Personal Interview.” 10 Mar. 2026.
- Income Map for Vermont Counties | HDPulse Data Portal*.
https://hdpulse.nimhd.nih.gov/data-portal/social/map?age=001&age_options=ageall_1&demo=00011&demo_options=income_3&race=00&race_options=race_7&sex=0&sex_options=sexbot_h_1&socialtopic=030&socialtopic_options=social_6&statefips=50&statefips_options=area_states. Accessed 8 May 2026.
- New, Debbie. “Personal Interview.” 9 Mar. 2026.
- Smith, Allison. “Personal Interview 30 Mar. 2026.
- “Vermont Environmental Justice Network.” <https://environmentaljusticevt.wordpress.com/>.
Accessed 12 Mar. 2026.
- “Vermont Interfaith Power and Light.” <https://vtipl.org>. Accessed 12 Mar. 2026.

Vermont Public Utility Commission. Report To The Vermont State Legislature : Energy Cost-Stabilization Study. Act 142 of 2024, 1 Dec. 2025, <https://legislature.vermont.gov/assets/Legislative-Reports/Act-142-Report-Final-Report-11-25-2025.pdf>.

“What Grows at the Root?” The Root Social Justice Center, <https://www.therootsjc.org/>. Accessed 12 Mar. 2026.

National Consumer Law Center. “New Illinois Metric Is a Model for Reducing Utility Disconnections in Under-Resourced Communities.” Dec. 2022, https://www.nclc.org/wp-content/uploads/2022/12/IB_IL_Util_Disconnection_Model_final.pdf

“350Vermont.” *350Vermont*, 1 May 2026, <https://www.350vermont.org>.



ENVS 0401
Workers United - Strategic Corporate Research
For Labor Organizing in Vermont

Final Report

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Project Background

Our ENV5 401 project in conjunction with Workers United was to support an ongoing, recently publicized union campaign at a supermarket chain, Healthy Living, that may push them to compel the target company to recognize the union. Our role in this project was to support the workers in identifying pressure points for the target company to respond to the worker's needs. Our primary responsibilities included: 1) conducting Strategic Corporate Research, 2) identifying pressure points, 3) compiling a collection of media, tools, and data to be utilized in the campaign. Strategic Corporate Research involved a process of systematically obtaining information to create a clear picture of the target company, which we synthesized into a report. Finally, our recommendation of tactics, rooted on our research, case studies, interviews, and workshopping served to further the unionization process of our target company.

What is a Union?

A labor union is a group of two or more employees organizing together to identify and collectively bargain to correct issues within the workplace. This can include but is not limited to issues of pay, staffing/working ratios, scheduling decisions, workplace harassment. In the United States, the labor movement, as the “movement of the working class” has historical roots that date back to the 18th century, with the rise of hour-wage labor following large-scale industrialization. The right to unionize was not secured by the federal government until the National Labor Relations Act (1935). As Workers United organizers stressed to us, the labor movement has helped secure basic labor rights such as the 40-hour work week, the banning of child labor, workplace safety standards, and overtime pay throughout its more than 200 year struggle. As Fire with Fire, an online union collective states, “No other US institution gives workers as much agency over the terms of their own life and livelihood as a union contract campaign” (FirewithFire.blog). Unions can help democratize a workplace which already tends to foster hierarchical power relations that would be socially unacceptable elsewhere. Unions improve the material realities of workers in a world where workers are often the last to be considered, and when they are considered—for instance, in the context of environmentalist movement spaces—they

are often used as “canaries in a coalmine” to signal environmental impacts on health (Twist, 2023).

Who is Workers United?

Employees unionizing may choose to partner with and eventually hire a union organization, like Workers United, to help facilitate the process within their workplace. Our project partner, Workers United, is a labor union that operates throughout the United States and Canada. Workers United was established in 1900, and represents over 86,000 union workers. Workers United joins workers in a wide variety of industries, including hospitality, food service, manufacturing, apparel, and retail. Workers United’s work in Vermont particularly focuses on food services, fitness, and hospitality.

How Unions Work

Through workplace organizing, workers leverage their collective bargaining power to negotiate with their employers for more livable pay and benefits, and more desirable workplace conditions via solidarity, collective action, and leveraging federally protected rights. The goal of workplace organization is to secure a contract that includes the wanted improvements through the process of unionization.

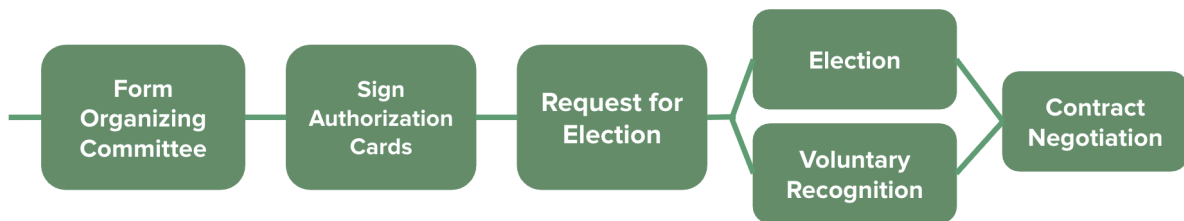


Fig.1 Timeline of a unionization campaign, illustrated by Addie Shandro.

The first step in a union campaign is to create “Organizing Committees”, which are voluntary groups of workers that help lead the campaign. This step of the process is kept confidential from ownership while workers organize amongst themselves. After the campaign goes public, the work of signing authorization cards begins. Authorization cards make an

organizing effort an official union campaign, and affirm employees' support in forming a union (EWOC). Once a majority of workers sign authorization cards, the employer can voluntarily recognize the union or the union organizers can formally request an election through the National Labor Relations Board (NLRB). If 50% +1 of workers vote yes in this election, the union will be formed and the process of contract bargaining can begin. Bargaining is a means to achieve the real goal of the campaign—a union contract (UE Union).

Organizing for worker solidarity involves frameworks such as the “Organizing Committee Model”. This model aims to democratically organize a majority of the workplace through creating meaningful relationships between workers, find natural leaders that can head organizing committees, and rally hostile coworkers to the cause of the union. The work of those in the organizing committee also involves mapping the workplace with each employee, their stance on unionizing, and their connections to others in the workplace. Workers United supports and trains for this work, as well as prepares employees for inoculation, which is the negative consequences that can come from employers as a result of unionizing. Serving as a source of education, support, and training prepares workers for the long-term sustainability of their union while forming democratic decision making structures in the workplace.

It is crucial to note that effective labor organization has changed over time, with the rise of multibillion and multinational superstructures of corporations, who have complex, systemized internal structures and multiple facilities that create barriers for coordinated strikes and unionization efforts (“Strategic Corporate Planning”, n.d.). While unionizing and collective action are the strongest levers workers have at their disposal, the declining rates of membership in unions and the speed at which markets can evolve presents a behemoth of a challenge.

Relationship Building

One of the most crucial aspects of Workers United praxis is relationship building. The workplace is composed of intricate social relations and connections of people, and connection is the basis of trust. It is through personal conversations during and outside of work union organizers assess every individual’s needs at work and reservations for unionization. Workers United focuses on organizing workers from within their workplace and helping them mobilize in order to reach the shared goals. Without real trust and sense of community, it is impossible to build the super majority needed to enact a union. Relationship building, also, helps Workers

United identify various unification points and collective work place problems to be bargained for in the contract negotiation process.

Through connections, the worker organizers can also chart out personal relationships between workers and identify the “organic leaders” amongst the group. An organic leader is an influential figure who has a charismatic personality to influence their close circle at work, yet may not be the most vocalized ones. With the web of interpersonal connections and the conversations that emerge, one also humanizes other fellow workers, despite differences in values and instead the focal point is their common demand at work. The labor movement also finds pressure points through the connection of employers. A business also holds complex internal and external connections: lenders, board members, landlords, product suppliers, energy suppliers, customers, community partners, etc. Identifying other actors that are intrinsically connected to the business provides leverage points in the process of contract negotiation.

Theory of Change of Unions and Workers United

Workers United and labor organization function to create change in two broad categories; through labor organizing work and political action. Their labor organizing work is divided into the tasks of training workplaces, contract bargaining, and providing member services, which is the driving force behind the union. Their political action functions to enshrine workers' rights in legislation and protect their union from moves to erode their power.

The aspects of labor organizing and political action work together to create a grassroots, bottom-up approach with the vision to shift the power in the workplace from employers to workers. Instead of being used as representation and prop of the “power of the masses,” the workers are the agents of change in unionization campaigns. While unions have been attacked as a “third-party” in union busting campaigns, unions are essentially a workers’ collective. Those that are at the bargaining table are the very employees who work in the target company. The workers are not waiting for the eventual collapse of the bourgeoisie but actively addressing and acting to improve their working conditions. Meanwhile, the interest and the struggles are defined by the workers, and not dependent on external actors such as a donor. The power of change is internally built instead of externally sourced to bigger financial powers.

Workers United embodies the principles of non-reformist reform. Unionization operates under the simple principle that by joining together, workers become strong enough to disrupt the

power concentrated in a few elites and effectuate economic and social justice from a bottom up approach. To this end, Workers United has identified 4 broad concrete gains: health coverage, pay equity, livable wages, and better benefits. Victories in these 4 areas build strength and momentum to address the greater issue of “What is right in the work place”. Gains at this level are significantly broader and include managerial and governance issues. Once workers are united together through concrete gains, larger social and economic justice movements can be undertaken

In comparison to traditional activism that employs self-selecting participation, where the participants of the movement are invited to join at will, organizers in the labor movement actively reach out to the “vast undecided” and to organic leaders across values and beliefs, in order to build solidarity and coalition (McAlevey, Lecture). This strategy is particularly important as a supermajority is needed both procedurally (e.g. voting for strike after unionization) and generally for the success of bargaining with the powerful management of the company. This does imply that uncomfortable conversations are needed and required, and the results of working through differences may be key to the success of a labor movement. On the other hand, this also means that no workers are “given up” or excluded in the movement. The movement is for the benefit of all workers at the workplace.

Project Methods

In the early 19th century, employers could be successfully targeted using the methods of bargaining, picketing, striking, and boycotting. However, employers have evolved into more complex organizations with multiple locations and financial systems are less vulnerable to early tactics (Strategic Corporate Research). In response to this, the labor movement has developed a myriad of more strategic tactics. These tactics shift from looking at the whole company to their profit center and growth plan, which are ideal for finding points of leverage.

1. Desktop Strategic Corporate Research

Strategic Corporate Research is a framework developed by Tom Juravich, Olivia Geho, and Andrew Gorry to assist the labor unionization process to identify power relationships of the company and potential pressure points at the contract negotiation table. The framework outlines

24 different aspects of a firm on three different levels. The first level enables understanding of the Command and Control of the firm through aspects such as management, stockholders, parent company, etc. The second level involves the Operational Level, or how products and services are sold to customers through aspects like facilities and distribution. The third and final level concerns Outside Stakeholders such as the firm's connection with community, environment, and any political connections.

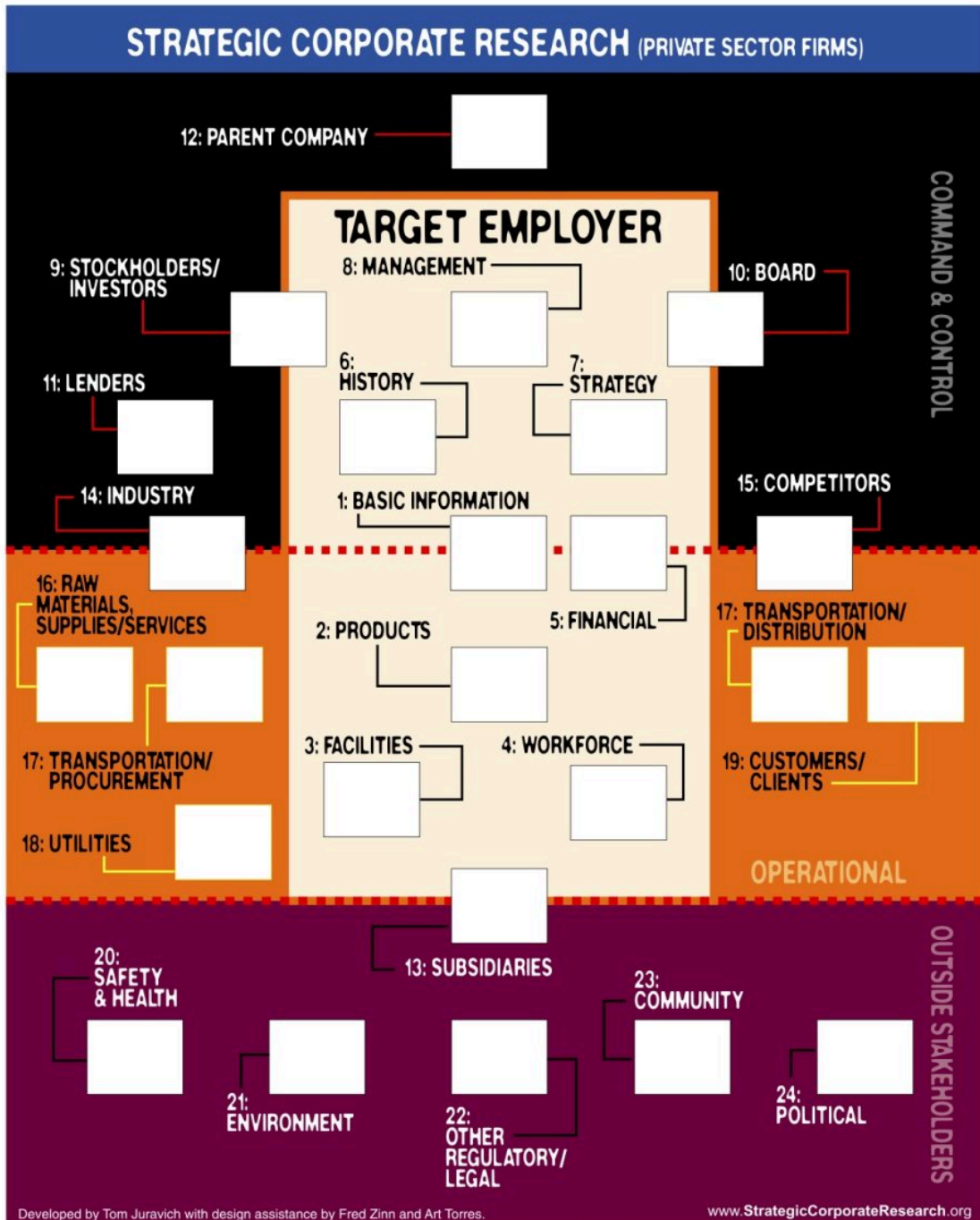


Fig. 2 The Strategic Corporate Research framework (source: StrategicCoroproateResearch.org)

In order to conduct this research on Healthy Living, our team has searched through the target company’s official websites, related news articles and journals, opinion pieces, public interviews, government website for business regulations, LinkedIn page of the company and top management, Youtube of the company, Instagram of the company and related top management, Reddit posts, Indeed workplace reviews, top management’s personal website, etc.



Fig. 3 Comparison of traditional and strategic union campaigns. (source: StrategicCoroproateResearch.org)

2. Informal/Contextual interviews with WorkersUnited, Worker-Organizer at Healthy Living, and Professor Jamie McCallum

We conducted 5 informational interviews for background and context, including multiple with Finn Lester-Niles, a full-time organizer from Workers United and a Middlebury College Environmental Studies alumni, Mal, a current worker-organizer at the company’s Williston

location, and Jamie McCallum; Professor of Sociology, Middlebury College, who specializes in the labor movement.

3. Background Information and Contextualizing

Site Visit and Canvassing

On March 7, we visited the South Burlington Location of the target company to understand the context and dynamics of the store. We paid particular attention to what information is not available via their websites, and took note of marketing materials and the physical structure of the location. After the site visit, we joined Finn for canvassing at MetroRock for around 2 hours. Finn demonstrated his approach to invite customers and current workers who are unfamiliar with the campaign to join, and we practiced canvassing at the storefront and at the climbing walls.

Then, on May 13, we attended the union's first official front of store protest/ press conference. The protest included chants like "What do we want? CONTRACT! When do we want it? NOW!" "What's disgusting? UNION BUSTING!" and messaging like "Union Election on May Day, Fair Contract by Labor Day". This event included multiple speakers, many of whom were Healthy Living employees who had joined the union, some patron customers, business owners and city council members from Burlington, and members from numerous unions. Union members declared that they have filed Unfair Labor Practice Charges against Healthy Living to the National Labor Relations Board on May 11th. Speeches from employees shared that the Leser-Goldsmiths have created a hostile work environment, changed previous standing policies without explanation, and overall created an environment of fear and discomfort within the workplace since the union election. Employees that were Union members also stressed the impact of their stores' unionization efforts on them, sharing that for many this was an incredibly rewarding experience that drew their team closer together.

EWOC Training

Over the course of several Wednesday evenings in March 2026, we joined the Emergency Workplace Organization Committee's (EWOC) online workplace organization workshops. EWOC is a volunteer-run network of workers, organizers, and supporters who are looking to

create a stronger, worker-led labor movement. EWOC supports and trains any non-union worker in any industry who wants power and agency at work (EWOC). The training that we attended detailed the process of finding organic leaders for organizing committees and how to begin the organization conversation with coworkers. As most of our background information on union organizing had come from Workers United, we felt that these workshops would inform us on how other unions may operate differently, their organization efforts nationwide, and provide a valuable learning experience. We listened in as workshop participants and gained insights from worker-organizers from Whole Foods, a company in the same industry as Healthy Living.

4. Other Work and Tasks

Matching Voter Data with Employee Contact List

We were also asked by Finn to match the full list of employees at all three stores with data that included their address to assist the campaign after it was publicized. The purpose of this data organization is to streamline the canvassing process and reach a larger base of Healthy Living employees. We received this data in late March, and used R programming to match employee names with their position at work and addresses. Further, we sorted employees by store, county, and zip code to make the canvassing process even more efficient.

Distilled Financial Data

We also investigated the following features of Healthy Living in significant depth and detail, and shared findings from this analysis to the campaign: We have distilled Healthy Living's financial data that we acquired into a compilation of spreadsheets for the bargaining committee to use at their disposal. This includes:

- Compensation of management
- Suppliers beyond what is indicated on Healthy Living's website
- Sales data over time
- Profit by department over time
- Profit margins by department for each store

These investigations aimed to answer the questions:

- Who are the key decision makers in the company?
- What is their relationship with the local community?
- What is the profit center?
- What is the future plan for this company?

Press Outreach and Contact List

We created a list of press and media contacts that have written on Healthy Living in different capacities, particularly selecting those who are less likely to misportray the union campaign. The press list is attached to the report as an appendix. This press list was ultimately successful in connecting the Union to Seven Days Vermont, as they have now written three articles on the union (see in Appendix A).

Union Pin-Making

As Healthy Living ownership and management have been consistently throwing away the pins that workers have created, we have used our resources to press more union pins for the workers, with designs created by the Organizing Committee of Healthy Living Workers United. An image of the pins is attached to the report as an appendix. The art on the pins was made by union members.

Target Company

Healthy Living Market and Café

Healthy living is a retail supermarket with 4 current locations. Their first location is in South Burlington on Dorset street. They're a family-owned business, and their branding is rooted on supporting local, organic food and eco-friendly products. They also market the store as "community-focused" that offers the "healthiest" and "highest standard" groceries and are loyal to local farmers and producers.

Overview of Current Healthy Living Locations:

South Burlington, VT

Address: 222 Dorset St, South Burlington.

Lease: from Pat Malone - Malone Properties, but then sold to “”REIT, real estate investment trust, in California.

Size: 34,000 square-foot, ~150 employees.

Estimated Profit: \$ 3,793,615.50 per year.

Williston, VT

Address: 129 Market St. Williston, VT 05495

Lease: Finney Crossing - Rieley Properties.

Size: 18,000 square-foot, ~75 employees.

Estimated Profit: \$ 1,274,068.50 per year

Saratoga Springs, NY

3065 NY-50, Saratoga Springs, NY 12866

Lease: located in Wilton Mall

Size: 35,000 square-foot, ~125 employees.


Estimated Profit: \$ 1,274,068.50 per year


Albany, NY (in construction)

Lease: 146 Marketplace (20 acres, a \$166 million project) which is led by Luizzi Cos., one of the largest commercial real estate developers (resort-style community) in the Albany area.

Size: 25,000-square-foot

Campaign Timeline

 **Early February:** Healthy Living’s union campaign timeline aligned serendipitously with the 401 Community-Engaged Practicum’s Spring semester. Our project team entered the campaign during the highly confidential and “underground” stage of forming organizing committees in early February. The campaign was kept confidential until they reached 50% support from workers in late March.

 **April 1st:** The campaign was then announced to ownership and the public in the form of a [letter](#) detailing their motivation behind the campaign as well as stating their “Healthy

Living Fair Election Principles”. The announcement came on April 1st, and union authorization card collection began the same day.

🍎 **April 3rd:** Healthy Living ownership responded with stark opposition to the union campaign.

🍏 **Union-busting** is the actions and strategies that management and ownership use to try to weaken the strength of the union or prevent employees from organizing into unions. Common union-busting tactics include mandatory captive audience meetings, gaslighting/ guilt-tripping employees, playing the nice guy and promising change, and trying to delay the election process (UFCW).


🍏 Following the publicization of the union campaign, we adapted our role to supporting the workers as the campaign progressed and management reacted. Within the first two weeks of going public, the response from management demonstrated strong resistance to the campaign. Anti-union activity from management has included hiring union busting contractors from Sparta Solutions for over \$3,000 dollars per day, who publicly claim that their opponents are organized labor, political organizations, environmental groups, and the media (Sparta Solutions). As Labor Lab has calculated, the hiring of Sparta Solutions has cost \$290,066, which is equivalent to a one year 2.9% raise for each employee (Labor Lab).


🍏 Other union-busting activities included throwing away pro-union information and pins, isolating workers for ‘educational’ anti-union meetings, spreading information to undermine the validity of Workers United, and forming an ‘anti-committee’. We have been able to support the union effort by creating informational graphics and pins and researching Healthy Living’s community network and contacts.

🍎 **April 30th:** After the campaign successfully collected authorization cards from the majority of workers, an election was scheduled for April 30th, 2026.

🍎 **May 1st:** The union officially won their campaign on May 1st by over 60% in a 105-69 vote. However, the CEO, Eli Leser-Goldsmith has contested the results of the election. 29 votes were challenged—18 by Healthy Living and 11 by the union. Regardless of the

challenged ballots, the results still indicate a clear majority of workers voted in favor of the union.

 **May 11th:** Workers filed an Unfair Labor Practice charge against Healthy Living.

 **May 13th:** Protest held in front of South Burlington store, in which it was announced that Unfair Labor Practice charges had been filed against their employers.

Main Strategic Corporate Research Findings:

Our Strategic Corporate Research was distilled and summarized in a detailed document for Healthy Living Workers United. Here are some facts and data stand out from the rest that have the capacity to help workers apply leverage against Healthy Living ownership:

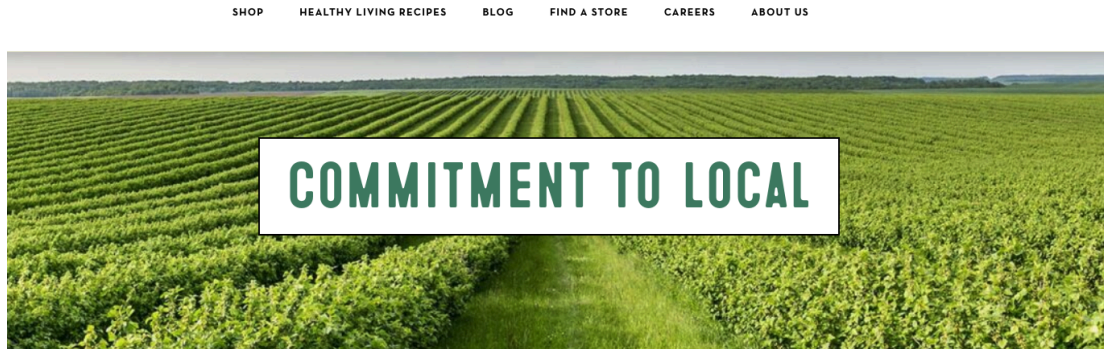
1) **Healthy Living is planning on expanding rapidly.**

Eli Lesser-Goldsmith, the CEO of Healthy Living, describes that Healthy Living is planning for '[sustainable but aggressive](#)' [growth](#) for the 'towns have been asking for our stores for years.' Based on Healthy Living's 2025 Strategic Plan, Healthy Living management is looking to open store five, and put two more stores in the queue. Furthermore, the Plan outlines the overall goal of opening one store per year, with potentials of becoming a larger competitor in the healthy food retail market at a regional level, comparable to larger corporations such as Wholefoods. This rapid expansion implies that Healthy Living has stable cashflow, investments, and financial resources available, yet owners and management prioritizes expansion over improving working conditions in the existing stores, and respond to the union contract campaign in an aggressive and malicious manner.

Along with rapid expansion, Healthy Living is planning on switching company-wide updates on operation systems, including Point of Service (POS), Scheduler, Communication Platform, and Planogram system. Workers have previously expressed frustration regarding the POS system switch. Therefore, knowing that the system switch is planned to be at a larger scale, this information might be helpful for the bargaining committee, as partaking in the decisions to switch platforms will be part of the union contract.

2) **There is a discrepancy in Healthy Living’s marketing strategy and action.**

Time and time again, Healthy Living employs a marketing strategy that portrays theme in line with that of a food cooperation, branding on ethical, local, and homemade food, particularly through compelling visuals and storytellings on their website and social media, repeated community donations to food shelves, farmers’ market and other non-profit organization, and the selection of local products available at their stores.



Delicious & Directly from Family Farms

Family is always in season at Healthy Living. Vendors are like extended family to us, with our strong, deep, local farm and producer partnerships. We care about sustaining agriculture, keeping land open, and providing our guests with fresh, flavorful, and local food.



Caring For Local Like a Mother

When Katy first started Healthy Living, she noticed small family farms disappearing. She wanted to know how her little grocery store could help. Buying from local farmers has helped those acres upon acres that were once overgrown with weeds and shuttered buildings turn into new fields cropping up. The earth is renewed and refreshed with green pastures. And that's not all. Here are some other ways we support our people and planet:

Fig. 4 Marketing materials from Healthy Living Website (/healthylivingmarket.com)

In Healthy Living 2025 Strategic Plan, quotes: “Focusing on these strategic areas will highlight our unique selling proposition. We are working to create healthy communities; within our stores in the staff communities we build, with our guests when they feel a sense of place and belonging inside our stores, and within the communities we support. Healthy Living will become the brand people talk about first within the communities we serve. Healthy Living is set apart from the rest because of our product standards, which are the best compared to all other stores; our devotion to local, our delicious, proprietary house-made food; and our amazing staff who deliver the highest levels of service and hospitality. At Healthy Living, guests find products of the highest quality.” Nevertheless, this marketing strategy directly contradicts with:

- a) Healthy Living’s rapid expansion plan.
- b) Healthy Living’s opposition to worker organization efforts, particularly in the hiring of union-busting contractor Sparta Solutions, who publicly claimed their opponents being “organized labor, political organizations, environmental groups, the media [...],” which exactly works against the values that Healthy Living’s customers may stand for.

Our Experts

SPARTA is a highly specialized firm comprised of

- ⊙ Labor Attorneys
- ⊙ Former Government Agents
- ⊙ Former Labor Union Officials
- ⊙ Scientists
- ⊙ Engineers
- ⊙ Law Professors
- ⊙ Former Environmental Agency Leaders
- ⊙ Arbitrators

Our Experience

SPARTA's elite team of professionals can help your company through the toughest fights, such as:

- ⊙ Labor Disputes
- ⊙ Work Stoppages
- ⊙ Strikes
- ⊙ NLRB Union Elections
- ⊙ Unfair Labor Practice Charges
- ⊙ Security Breach
- ⊙ Hacking and Data Theft
- ⊙ Industrial Espionage
- ⊙ Cyberwarfare
- ⊙ Hostile Takeovers
- ⊙ Social Media Attacks
- ⊙ Corporate Campaigns
- ⊙ Strategic Project Campaigns
- ⊙ Class Action Lawsuits
- ⊙ Injunction Orders

Our Opponents

These men and women have dedicated their professional lives to defending companies from any and all threats that exist in the modern 21st century, including:

- ⊙ Organized Labor
- ⊙ Political Organizations
- ⊙ Environmental Groups
- ⊙ The Media
- ⊙ Governmental Organizations (Both Foreign and Domestic)
- ⊙ Computer Hackers

Fig. 5 Screenshot from Sparta Solutions website

- c) Healthy Living’s top suppliers are some of the largest food distributors in the country, including Sysco, United Natural Foods Inc., and Albert’s Organics (subsidiary of UNFI since 2001).
- d) Owner's personal disputes with the local community, most prominently Eli Lesser-Goldsmith’s \$5.5 million [proposal for artificial turf](#) at Champlain Valley Union High School in Hinesburg, VT.

The image discrepancy of Healthy Living can be utilized to provoke pressure from the consumer’s side, if the union decides to employ boycotting as part of the pressuring strategies.

- 3) **Suppliers from profitable departments can be powerful leverage, but there are challenges.** Distilling through Healthy Living’s financial data by store, we found that the most profitable departments at Healthy Living are: 1) "Groceries, Refrigerated, Frozen" section (43% of total profit) and 2) “Produce and Bulk” section (19.2% of total profit).

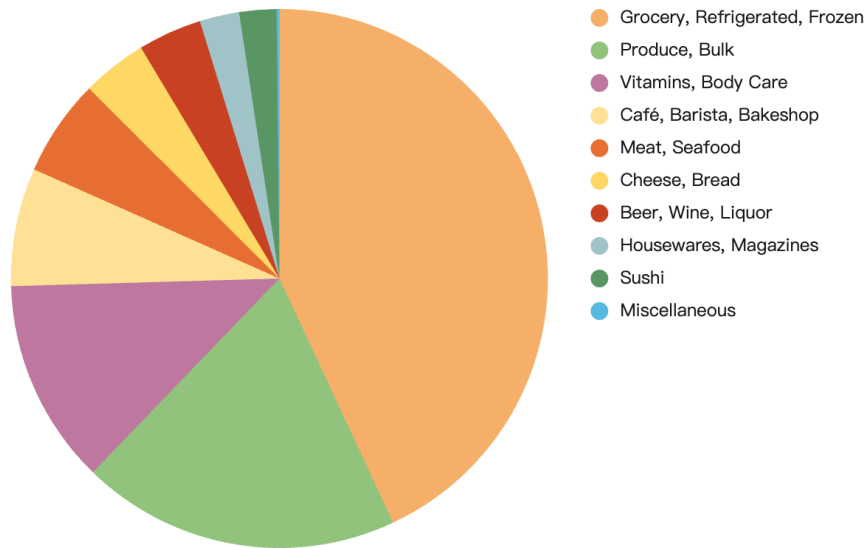


Fig. 6 Profit composition by department at Healthy Living Market and Café across all locations.

Depending on how Healthy Living internally categorizes their products, “groceries” can encompass a variety of different products. We suspect that this is mostly

shelf-stable products, especially if produce is categorized separately. Nevertheless, these two departments feature a wide variety of suppliers, while the largest suppliers are the national and international food distributors who themselves have labor disputes, and are highly unlikely to be leverage points for Healthy Living's union campaign. A potential pathway, however, could be applying pressure from local organic food networks such as Northeast Organic Farmers Association, whose board members are deeply involved in advocating for holistic food system justice.

- 4) **Workers have collective power at Healthy Living.** While going on strike is not yet a strategy the union is planning to employ, we estimated that one week of strike across all stores would result in approximately \$1.26 million loss in revenue for all locations (specifically \$621,484 for South Burlington location, \$309,842 for Williston location, and \$328,527 at Saratoga Springs location). Given Healthy Living owners' current communication with the workers, this data may be relevant if the owners refuse to participate at full capacity during the negotiation process, especially considering

Overall Challenges and Detours

While our project was productive, we often faced moments of challenge. As a group, we personally found it difficult to balance our tasks for the union and the curiosities and pressures of the environmental studies faculty. Seeking support from faculty proved to be difficult for us, as what interested faculty was not necessarily beneficial to furthering the union campaign. However, it was helpful to reframe friction between our group project and environmental faculty as beneficial to how we present our project and findings. A second challenge came in the form of Healthy Living's corporate structure. As a smaller, private company, finding information within the Strategic Corporate Research framework led to a lot of dead ends and frustration. While we eventually found information that we were looking for, the nature of the company meant skipping over a few of the 24 Strategic Corporate Research aspects. Finally, choosing what to focus our time and energy on was difficult when the tasks we could work on felt overwhelming. Healthy Living's union campaign approached researching the company and developing strategies from many angles, and finding where we could be the most helpful was a learning process.

Conclusion: Why Should We Care?

1. **Healthy Living is greenwashing.** Greenwashing is when companies spend more on marketing themselves as green and sustainable, rather than working to minimize environmental harm. [It has been found](#) that marketing an item as sustainable will increase a millennials chance of purchasing an item up to 73%. While greenwashing is typically more prevalent as a subject in debates surrounding environmental politics, Healthy Living is clearly very aware of this marketing strategy, and capitalizes off of the wealthy millennial supposedly "conscious" consumer. This works through marketing themselves as eco-friendly and healthy. A 2019 report by Markstein and Certus Insights found 70% of consumers want to know how the brands they support are addressing social and environmental issues, and 46% pay close attention to these efforts when making purchase decisions (Duan, Yanji). By bolstering an image of small, local, and green, Healthy Living has concealed the large amount of produce they purchase and sell from large corporations and food distributors instead of farmers in the community, which is what they most proudly share on [their website](#).
2. **Fetishization of small local businesses in America disguises harm.** For good reason, there has been growing criticism of and attention to major corporations and their unethical labor procedures, however, this cannot exempt smaller businesses from the critical eye. In the United States, there seems to be a growing trust in ‘small businesses’ and ‘supporting local’. Local business has also been a focus of consumer environmentalism. When this is combined with a lack of critical analysis, sometimes smaller stores are able to hide egregious labor violations under a “small” and assumed ethical businesses. Many buyers at Healthy Living are influenced by the image the brand promotes to shop there because they feel they are doing less harm. This preying off of consumers' lack of information functions as a way to disguise workplace issues, greenwash, and boost sales. [Reports](#) have also shown that this type of marketing is economically and socially irresponsible. If the campaign negatively evolves, a conversation on how small does not mean that a business is green and socially conscious may become relevant to consumers.

- 3. Coalition building is necessary between environmental groups and worker/labor groups.** There appears to be a pervasive divide between the environmental movement and the labor/workers-rights movement. Some attribute this divide to assumed class differences, diverging political needs, job responsibilities, and other assumed moral separations. As climate change impacts worsen, workers, specifically manual laborers are the ones who experience the hardest impacts first hand- as they are the ones working long hours in the worsening heat, working in close proximity to hazardous fumes from waste-disposal and processing facilities, working through extreme weather conditions. Workers are the front-line communities to climate change, and [this can be seen](#) in the toll taken on their bodies. This being said, as environmental studies people, workers cannot only function as “canaries in coal mines” or as subjects to create statistics on environmental impacts from (Twiss, 2023). Workers contain immense power in both their labor, which moves our world, and socially/politically in the ways they organize and collectively bargain. Coalition building between workers and environmental activists is absolutely crucial for the success of both movements. Both movements have a lot of work to do and a lot to learn from each other.

Acknowledgement

Our project team would like to thank our community partner, Finn Lester-Niles of Workers United, who provided excellent support and guidance throughout the semester. We would also like to thank Healthy Living employees, union members, and organizers. Our project would not have been possible without the support of our fellow 401 students, Professor Jamie McCallum, and finally, Professor Dan Suarez, whose support fueled us. Finally, thank you to all workers, seen and unseen, whose labor moves our world; solidarity forever!

Appendix A. Healthy Living Workers United Campaign Contact

Instagram: @healthylivingworkers. www.instagram.com/healthylivingworkers/

Website: www.healthylivingworkersunited.org/

Petition Link:

https://actionnetwork.org/petitions/support-healthy-living-workers-fight-for-a-fair-contract?source=direct_link&

Seven Day articles:

- 1) [Workers at Healthy Living, Barnes & Noble Vote to Unionize](#) (May 5, 2026)
- 2) [Healthy Living Workers Will Vote on Whether to Form a Union](#) (April 20, 2026)
- 3) [Healthy Living Challenges Union Election Results](#) (May 18, 2026)

Appendix B. Selected and Distilled Financial Data Tables

Table 1. Wage and Salary of Healthy Living Administration

Department	Position	Hourly Wage	Salary	Hourly/ Salary	Bonus	Notes	Salary After Proposed Adjustment (2024)
ADMIN	Owner	204.58	425533.00	Salary	-	Leadership Team	
ADMIN	CEO	110.79	230449.00	Salary	-	Leadership Team	
ADMIN	COO	110.79	230449.00	Salary	-	Leadership Team	
ADMIN	CFO	100.96	209996.80	Salary			
ADMIN	VP of Operations	99.04	206000.00	Salary	36,050.00	Leadership Team	
ADMIN	VP of Purchasing and Retail Sales (BI/CM/P)	81.69	169920.92	Salary	29,736.00	Leadership Team	
ADMIN	VP of Finance	76.92	160000.00	Salary	28,000.00	Leadership Team	
ADMIN	Assistant Vice President of People & Experience	64.38	133900.00	Salary	23,433.00	Leadership Team	
ADMIN	Director of IT	57.69	120000.00	Salary	12,000.00	Corporate / Store Support	
ADMIN	Store Director	48.08	100000.16	Salary	12,500.00	Store Management - 222	
ADMIN	Finance Controller	48.08	100000.00	Salary	12,500.00	Corporate / Store Support	
ADMIN	Director of People & Experience	47.00	97760.00	Salary	10,069.00	Corporate / Store Support	
ADMIN	Merchandising Operations Manager	46.04	95764.76	Salary	9,576.00	Corporate / Store Support	
ADMIN	Store Director	45.67	95000.36	Salary	10,000.00	Store Management - 129	
ADMIN	Research & Development Chef	40.87	85000.00	Salary	8,240.00	Corporate / Store Support	
ADMIN	Accountant	38.46	80002.64	Salary			
ADMIN	Store Director	38.46	80000.44	Salary	14,000.00	Store Management - 3065	
ADMIN	Manager	38.46	80000.34	Salary			
ADMIN	IT Administrator	35.70	76098.00	Salary			
ADMIN	People & Experience Specialist	33.98	72748.00	Salary	3,637.00	Corporate / Store Support	
ADMIN	Facilities Manager	34.86	72500.48	Salary			
ADMIN	Assistant Store Manager	34.78	72345.41	Salary	4,000.00	Store Management - 222	
ADMIN	Assistant Store Manager	34.78	72342.22	Salary	4,000.00	Store Management - 222	
ADMIN	Finance	33.65	71737.00	Salary			
ADMIN	IT	32.46	69192.00	Salary			
ADMIN	IT	32.46	69192.00	Salary			
ADMIN	Category Manager	32.86	68346.02	Salary	4,000.00	Category Management	\$ 88,000.00
ADMIN	Category Manager	32.48	67551.41	Salary	4,000.00	Category Management	\$ 85,000.00
ADMIN	Category Manager	32.22	67014.85	Salary	4,000.00	Category Management	\$ 81,120.00

ADMIN	Category Manager	32.09	66745.11	Salary	4,000.00	Category Management	\$ 81,120.00
ADMIN	Assistant Store Manager	32.03	66622.40	Hourly	4,000.00	Store Management - 3065	
ADMIN	Assistant Store Manager	31.83	66206.40	Hourly	4,000.00	Store Management - 3065	
ADMIN	Assistant Store Manager	31.83	66206.40	Hourly	4,000.00	Store Management - 3065	
ADMIN	Category Manager	31.70	65932.91	Salary	4,000.00	Category Management	\$ 85,000.00
ADMIN	Assistant Store Manager	31.69	65915.20	Salary			
ADMIN	Learning & Development Specialist	31.69	65913.98	Hourly			
ADMIN	CM & Merchandising	30.81	65675.00	Salary			
ADMIN	People & Experience	30.62	65600.08	Salary	3,280.00	Corporate / Store Support	
ADMIN	Assistant Store Manager	31.12	64727.00	Salary	4,000.00	Store Management - 129	
ADMIN	Assistant Store Manager	-	-	Salary	4,000.00	Store Management - 129	
ADMIN	Assistant Store Manager	31.12	64727.00	Salary	4,000.00	Store Management - 129	
ADMIN	Assistant Store Manager	30.90	64272.00	Salary			
ADMIN	HR	30.77	63993.28	Salary	3,200.00	Corporate / Store Support	
ADMIN	Category Manager	30.00	62400.00	Hourly	4,000.00	Category Management	\$ 85,000.00

Table 2. Profit by product category across all Healthy Living stores (December 2023 - July 2024)

	Willston	S. Burlington	Saratoga Springs	Total	Total by Percentage
Grocery, Refrigerated, Frozen	\$995,607	\$1,981,706	\$1,081,210	\$4,058,523	43.04%
Produce, Bulk	\$382,424	\$928,604	\$498,318	\$1,809,346	19.19%
Vitamins, Body Care	\$216,918	\$558,732	\$385,680	\$1,161,330	12.32%
Café, Barista, Bakeshop	\$160,981	\$344,836	\$162,695	\$668,512	7.09%
Meat, Seafood	\$121,236	\$305,987	\$121,399	\$548,622	5.82%
Cheese, Bread	\$93,543	\$202,686	\$73,323	\$369,552	3.92%
Beer, Wine, Liquor	\$113,040	\$177,150	\$71,183	\$361,373	3.83%
Housewares, Magazines	\$26,813	\$151,017	\$47,506	\$225,336	2.39%
Sushi	\$58,589	\$88,269	\$63,751	\$210,609	2.23%
Miscellaneous	\$8,574	\$4,918	\$2,593	\$16,085	0.17%

Table 3. Revenue by day across all Healthy Living stores over one week (2025)

Day of the Week	Date	S. Burlington (222)	Williston (129)	Saratoga Springs (3065)
Monday	3/17	87,259.76	41,960.69	40,879.80
Tuesday	3/18	81,828.98	39,005.49	40,452.28
Wednesday	3/19	69,208.11	36,152.19	31,197.42
Thursday	3/20	74,533.97	38,888.38	41,804.83
Friday	3/21	90,723.04	47,160.88	50,620.71
Saturday	3/22	102,562.67	53,055.72	62,050.78
Sunday	3/23	115368.38	53618.23	61521.19

Table 4. Profit margin by category across all Healthy Living stores (December 2023 - July 2024)

Category	Williston - 129			S. Burlington - 222			Saratoga Spring - 3065		
	Profit	Gross Revenue	Category Margin %	Profit	Gross Revenue	Category Margin %	Profit	Gross Revenue	Category Margin %
Grocery, Refrigerated, Frozen	\$995,607	\$3,478,199	28.62%	\$1,981,706	\$6,747,395	29.37%	\$1,081,210	\$3,820,018	28.30%
Produce, Bulk	\$382,424	\$1,453,407	26.31%	\$928,604	\$2,987,608	31.08%	\$498,318	\$1,820,215	27.38%
Vitamins, Body Care	\$216,918	\$529,962	40.93%	\$558,732	\$1,410,692	39.61%	\$385,680	\$936,695	41.17%
Café, Barista, Bakeshop	\$160,981	\$941,939	17.09%	\$344,836	\$1,481,864	23.27%	\$162,695	\$1,076,734	15.11%
Meat, Seafood	\$121,236	\$620,713	19.53%	\$305,987	\$1,490,035	20.54%	\$121,399	\$963,252	12.60%
Cheese, Bread	\$93,543	\$537,650	17.40%	\$202,686	\$967,202	20.96%	\$73,323	\$414,208	17.70%
Beer, Wine, Liquor	\$113,040	\$482,439	23.43%	\$177,150	\$928,135	19.09%	\$71,183	\$450,342	15.81%
Housewares, Magazines	\$26,813	\$98,472	27.23%	\$151,017	\$345,867	43.66%	\$47,506	\$136,384	34.83%
Sushi	\$58,589	\$215,321	27.21%	\$88,269	\$326,367	27.05%	\$63,751	\$238,026	26.78%

Appendix C. List of Media Contacts

Name	Publisher	Link	Contact
<u>Tony Pallone</u> <u>Pamela Stepansky</u>	Times Union	www.timesunion.com/best/map/best-health-food-grocery-stores-albany/ (March 17, 2026)	tony.pallone@timesunion.com
<u>Sara Rizzo</u>	News10	www.news10.com/news/saratoga-county/healthy-supermarket-chain-opening-new-location-in-halfmoon/ (Nov 21, 2025)	srizzo@news10.com
<u>Peyton Bigora</u>	Grocery Dive	www.grocerydive.com/news/fmi-power-well-being-report-grocery-health-wellness/810086/ (January 21, 2026)	pbigora@industrydive.com
<u>Mike DeMasi</u>	Albany Business Review	www.bizjournals.com/albany/news/2025/11/19/healthy-living-market-halfmoon-146-marketplace.html (November 19, 2025)	mdemasi@bizjournals.com
<u>Aparajita Chatterjee</u>	The Street	www.thestreet.com/retail/major-grocery-store-staple-unfi-delivers-harsh-message-to-workers (March 23, 2026)	c-achatterjee@thearenagroup.net
<u>Fotis Georgiadis</u>	Medium	medium.com/authority-magazine/meet-the-disruptors-katy-lesser-of-healthy-living-on-the-five-things-you-need-to-shake-up-your-b7f472b1fbc3 (November 14, 2022)	Unknown
<u>Bridget Goldschmidt</u>	Progressive Grocer	progressivegrocer.com/healthy-living-market-and-cafe-donates-119k-communities (February 2, 2022) https://progressivegrocer.com/healthy-living-joins-partnership-support-local-organic-milk-producers (May 20, 2022)	https://progressivegrocer.com/contributing-writer-guidelines-progressive-grocer
	Saratoga Today	saratogatodaynewspaper.com/h	(518) 581-2480

		<u>healthy-living-named-among-top-independent-grocers/</u> (March 10, 2023)	
<u>Maria Buteux Reade</u>	Edible Vermont	<u>ediblevermont.com/shop/shop-interview-katy-lesser/</u> (August 15, 2015)	<u>info@ediblevermont.com</u>
	New Hope Network	<u>www.newhope.com/business-management/checkout-eli-lesser-goldsmith-on-growing-natural-retail-in-vermont</u> (July 30, 2020)	<u>https://www.newhope.com/community-voices-submission-guidelines</u>
<u>Hannah Palmer Egan</u>	Seven Days Vermont	<u>www.sevendaysvt.com/food-drink/healthy-living-plans-yet-another-new-store-in-williston-25950177/</u> (February 19, 2019)	<u>lhannah@sevendaysvt.com</u>
<u>Jennifer Strailey</u>	Supermarket News	<u>https://www.supermarketnews.com/foodservice-retail/healthy-living-market-s-sustainable-but-aggressive-expansion</u>	<u>https://www.supermarketnews.com/contact-supermarket-news</u>

Appendix D. Diagrams

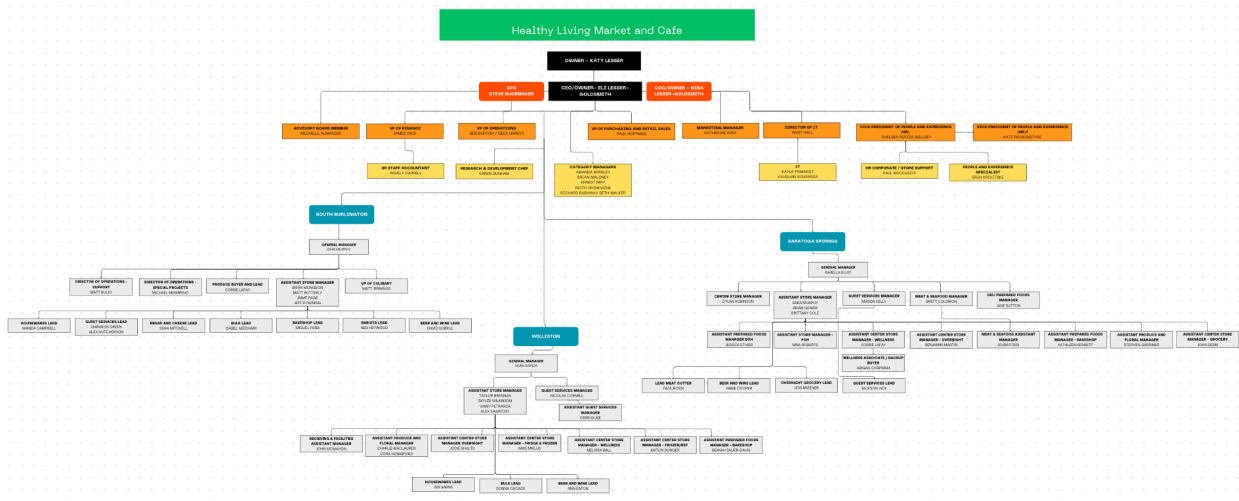
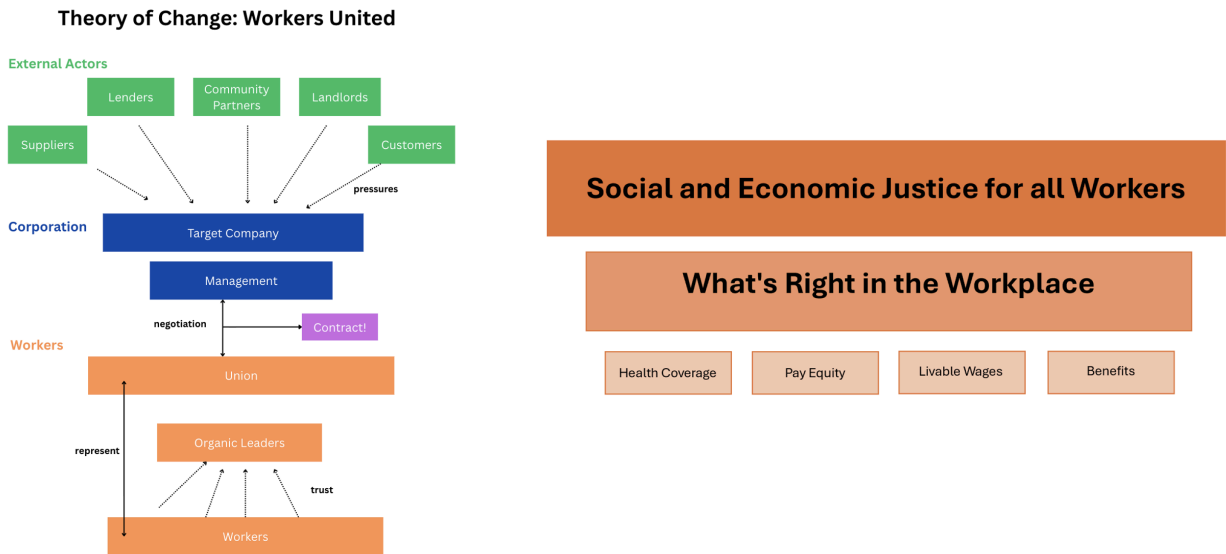


Chart depicting Healthy Living corporate and branch power structures (created by Addie Shandro).



Workers United (Left, created by Changchang Ma) and Labor Movement (Right, Created by Laila Almefty-Hernandez) Theory of Change Diagrams.

Appendix E. Photos and Diagrams



March 7th canvassing trip for Workers United at Metro Rock (Top Left)

Pin pressing for Healthy Living Workers United (Top Right) (estimated 50 pins made)

May 13th protest in front of South Burlington store (Bottom Row)

Bibliography

“About.” IDEES, 24 Jan. 2023, revistaidees.cat/en/sobre-idees/.

Business Resources | Agency of Commerce and Community Development,
accd.vermont.gov/economic-development/business-resources.

Duan, Yanji, Consumers Care about Corporate Social Responsibility – and so Should You,
www.ascm.org/ascm-insights/consumers-care-about-corporate-social-responsibility--and-so-should-you/.

EWOC. “Home.” EWOC, 10 Feb. 2026, workerorganizing.org/.

“FAQs.” Healthy Living Workers United, www.healthylivingworkersunited.org/faqs.

Twiss, Shannon. “Working against Climate Change: Connecting Labor ...” The Georgetown Environmental Law Review, 2023.
<https://www.law.georgetown.edu/environmental-law-review/wp-content/uploads/sites/18/2024/01/Twiss-Note.pdf>.

“Healthy Living.” Healthy Living, 21 Oct. 2023, healthylivingmarket.com/.

“Healthy Living Market & Cafe Marketing Department.” Rocketreach.Co,
rocketreach.co/healthy-living-market-cafe-marketing-department_b4464b07faeac3e3.

“Helping Fight Company’s Union Disputes.” Sparta Solutions, 13 Sept. 2023,
spartasolutions.com/.

“Home.” Workers United Facts, 4 May 2023, workersunitedfacts.com/.

McCaffrey, Sara Jane, and Nancy B. Kurland. “Does ‘Local’ Mean Ethical? The U.S. ‘Buy Local’ Movement and CSR in SMEs.” *Organization & Environment* 28, no. 3 (2015): 286–306. <https://www.jstor.org/stable/26164737>.

McNicholas, Celine. “Unions Aren’t Just Good for Workers-They Also Benefit Communities and Democracy.” Economic Policy Institute, www.epi.org/publication/unions-arent-just-good-for-workers-they-also-benefit-communities-and-democracy/.

Ndugga, Nambi, Samantha Artiga, and Drishti Pillai. “Climate-Related Health Risks among Workers: Who Is at Increased Risk?” KFF, June 26, 2023. <https://www.kff.org/racial-equity-and-health-policy/climate-related-health-risks-among-workers-who-is-at-increased-risk/>.

North American Industry Classification System (NAICS) U.S. Census Bureau, www.census.gov/naics/.

“Our History.” Workers United, workersunited.org/who-we-ar/our-history.

R/Burlington on Reddit: Healthy Living Will Be Opening a 3rd Store in Shelburne. as a Former Employee, I Hope the Store Fails Entirely, www.reddit.com/r/burlington/comments/algvir/healthy_living_will_be_opening_a_3rd_store_in/.

Robinson, Deena. “What Is Greenwashing and How to Avoid It?” Earth.Org, November 13, 2022. <https://earth.org/what-is-greenwashing/>.

Road to Hana, Inc.. DBA Healthy Living Employer Identification Number Ein, www.w9ein.com/FEIN/company_overview.php/EIN/030304710/CompanyName/ROAD+TO+HANA%2C+INC.+DBA+HEALTHY+LIVING.

Schulman, Jonathan, and Richard Wike. “Health of Us Democracy in Decline, Based on Multiple Evaluations.” Pew Research Center, Pew Research Center, 15 Apr. 2026, www.pewresearch.org/short-reads/2026/04/15/multiple-indicators-show-a-decline-in-the-health-of-americas-democracy-in-2025/.

“Start Your Research Project.” Strategic Corporate Research, strategiccorporateresearch.org/start-your-research-project/.

Teran, Emmet. “What Is a Union Authorization Card?” EWOC, 18 Feb. 2026, workerorganizing.org/what-is-a-union-authorization-card-16645/.

“The Five Basic Steps to Organizing a Union.” UE, www.ueunion.org/org_steps.html.

“Union Busting Playbook.” Union Busting Playbook, unionbustingplaybook.com/.

“Union Members Summary - 2025 A01 Results.” U.S. Bureau of Labor Statistics, U.S. Bureau of Labor Statistics, 18 Feb. 2026, www.bls.gov/news.release/union2.nr0.htm.

“U.S. Privately Held Firms.” Strategic Corporate Research, strategiccorporateresearch.org/united-states/u-s-privately-held-firms/.

What Unions Do | AFL-CIO, aflcio.org/what-unions-do.

“What Is Union Busting?” The United Food & Commercial Workers International Union, 27 Aug. 2024, www.ufcw.org/union-101/what-is-union-busting/.

WordPress. “5 Common Union-Busting Tactics.” LaborLab, 8 Apr. 2026, laborlab.us/5_common_union_busting_tactics/.

Wright, Erik Olin. How to Be an Anticapitalist in the Twenty-First Century. Verso, 2019.

“Zach Minot on Instagram: ‘Filling This Life up with Bucket List Days. Thank You @theninster for Leaning Straight into It All with Me.’” Instagram,
www.instagram.com/p/DVWMIVLDWnr/?img_index=17.

Rockefeller Family Fund

Protecting Communities From Climate-Driven Toxic Inundation

Evan Yurko, Josette Chun, Graham Gordon, Natalia Macia

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Application of methodology to identified oil facilities

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Monroe Energy Trainer Facility, Trainer, PA

Delaware City Refinery (DCR)

Research on District Courts & Attorney Generals

North Carolina

Pennsylvania

Delaware

Recommendations for Future Research on District Courts & Attorney Generals

Interviews & Communication with Community Members and Legal Experts

Chris Brooks (Environmental Law Professor at UVM)

Charles McPhedran (Senior Attorney at EarthJustice)

Wilmington City Council (Dupont/Chemours Facility, North Carolina)

Cape Fear River Watch (Wilmington, NC)

Clean Air Council (Monroe Energy, Pennsylvania)

Outreach to Journalists and Reporters

Other Facilities

Port Hamilton, Puerto Rico

AES Puerto Rico

Energy Transfer (ET) - Upper Makefield Township, PA

West Penn Oil – Warren, PA

Recommendations:

Chemours and DuPont in Wilmington, North Carolina:

Contacts:

Delaware City Refinery in Delaware City:

Contacts:

Monroe Energy in Trainer, Pennsylvania

Contacts:

Acknowledgments:

Bibliography:

Abstract

In this senior practicum project, we were tasked by our community partner, the Rockefeller Family Fund (RFF), to help identify oil facilities that could be vulnerable to litigation. Oil companies have not done enough to retrofit older facilities or remediate leakages from existing facilities that present known dangers to surrounding communities from climate-driven harms. Many of these facilities are in low-income, environmental justice communities. In turn, many of these communities and surrounding ecosystems have already suffered from incidents of toxic inundation. To assess comprehensive criteria for litigation, our team developed a methodology to identify facilities at risk of violations. We focused on violations under federal statutes, specifically the Clean Water Act (CWA) and the Resource Conservation and Recovery Act (RCRA). The federal statutes require companies to address known risks to these facilities, including climate risks. The Conservation Law Foundation (CLF), working in collaboration with RFF, has pioneered litigation under these federal statutes, targeting facilities in environmental justice communities in three New England states: Massachusetts, Connecticut, and Rhode Island. To aid CLF and RFF, our research was conducted in New England and further south along the eastern seaboard to support CLF's efforts to expand the scope of its work beyond its home region. To this end, having a rigorous, systematic process for identifying facilities that are likely to cause significant damage to natural resources or harm to communities and individuals could prove valuable to these efforts. Therefore, to identify meaningful opportunities for litigation success, our group developed a methodology and framework to identify facilities likely to cause significant damage to natural resources or harm communities.

Background

For our Community-Engaged Practicum, we supported RFF and CLF's strategies for "making polluters pay" using legal pathways to bring environmental justice to communities facing toxic inundation. Communities around the U.S. are disproportionately impacted by environmental and climate harms caused by the industrial sector. Historically, the oil industry has denied the links between fossil fuels and global warming since the 1970s, despite ongoing research into climate change. Exxon's internal reports acknowledged that burning fossil fuels could cause "globally catastrophic" effects by the mid-21st century (Greenpeace, 2026). There is an imminent need to reevaluate how we hold these companies accountable.

This opening is where The Rockefeller Family Fund has worked to drive social change. They seek to combat the damage oil and gas companies have done to climate research integrity, and hold polluters accountable. The Rockefeller Family Fund (RFF) was created in 1967, initially funding anti-war campaigns during the Vietnam War. The organization was further expanded in 1971 when Rockefeller, Jr.'s widow, died and left her \$72 million estate to charity, including \$10 million to the Rockefeller Family Fund. RFF was the first philanthropy to change its tax status from a private foundation to a public charity in 1991. Since then, the organization has expanded its efforts to three main categories: (1) The Environment, where they are mostly focused on pushing back against the oil and gas industry. (2) Democracy and Liberty, emphasizing "enacting legislation to provide automatic and permanent registration to all voters." (3) Economic Justice for Women. They seek to increase the number of mandated paid sick days for working women and child care policies (RFF, 2026). In RFF's stated mission, the organization champions pragmatic solutions to "seek a path to victory" (RFF, 2026). Ongoing philanthropy for grassroots campaigns, environmental watchdogs, and research publications is central to RFF's work. CLF is one of the grantees for RFF, serving as legal counsel for EJ communities across the eastern seaboard.

In terms of the first philanthropic initiative, the environment, RFF provides support for advocacy efforts that create tangible change in the public or private sector (Rockefeller Family Fund). Tangible "wins" are passing legislation, forcing polluters to capitulate (by shutting down their facilities), and making big oil and gas pay injured communities through the legal system. This 401 project aims to support this initiative by CLF and RFF, and as students, we contribute their mission of holding polluters companies accountable.

Clean Water Act (CWA) and Resource Conservation and Recovery Act (RCRA):

The Clean Water Act (CWA), enacted in 1972, is a United States federal law regulating water pollution. The CWA was intended to be used to restore and maintain the chemical, physical, and biological integrity of the nation's waters. The CWA makes unlawful the discharge of pollutants into waters of the United States without a permit, thereby protecting water quality for fish, wildlife, recreation, industry, and public health. Under the CWA, a National Pollutant Discharge Elimination System (NPDES) is required, as well as control of point source discharge of pollutants into water. The Environmental Protection Agency (EPA) and states conduct compliance monitoring, inspections, and enforcement to ensure adherence.

The Resource Conservation and Recovery Act (RCRA), enacted in 1976, is a United States federal law governing the disposal of solid and hazardous waste. The law protects against improper waste-disposal risks, conserves natural resources and energy through the recovery and reuse of waste, and gives the Environmental Protection Agency (EPA) authority to control hazardous waste from generation through disposal. This includes waste minimization and recycling as well as tracking waste and setting standards for waste generators, transporters, and disposal facilities. Some major programs under RCRA include hazardous waste management, solid waste management, and an underground storage tank program. These programs include permitting, enforcement, corrective action, and state authorization programs. The law also regulates tanks storing petroleum and certain hazardous substances to prevent leaks and groundwater contamination. The Environmental Protection Agency independently enforces RCRA regulations and addresses corrective action programs for the cleanup of contaminated waste sites.

To bring a citizen lawsuit under Article III, the criteria for RCRA must be met. This includes injury, in fact, causation, and redressability. Before filing suit, it is required to provide 60 days' written notice to the alleged violator, the EPA administrator, or the relevant state agency for both RCRA and the CWA. For the CWA, violations usually include NSDES permits or discharges without a permit.

Methodology framework

One of the tasks we were asked to do by our community partner was to create a step-by-step methodology framework that would constitute a “successful citizen suit” under the Clean Water Act citizen lawsuit provision. The framework would serve as a guide for any future researchers or legal professionals to ensure a facility has a high likelihood of causing environmental harm and violating this provision of the CWA. Researching violations can be a tedious process for legal counsel who have numerous other ongoing litigation cases. Thus, the methodology and our application of it to narrow down three primary facilities give attorneys introductory research for a lawsuit. Finding three facilities and coming up with the methodology was not straightforward. It involved trying things that led us to wrong places, discovering helpful databases and sources, and seeking guidance from legal experts and professors. As our Professor Dan Suarez has said on numerous occasions, we were really “throwing spaghetti at the wall and seeing what stuck”. After completing the 401 process, we developed a methodology of how we went about evaluating which facilities were ideal to target under the citizen lawsuit provisions of the CWA and RCRA, throwing away all of the messiness of what went awry, so that other students, CLF, or anyone interested in pursuing legal action against facilities violating these provisions, could follow and utilize this methodology for timely and streamlined research purposes. This would be ideal for research against other facilities, and not just the three ideal facilities identified in our project, so that resources could be provisioned properly to ensure legal success.

In the first two weeks of the 401 semester, we began our research through a preliminary scoping of relevant news, media, online posts, articles, and other information about facilities with violations with the EPA or their state agency. We filtered the articles that were published in the last 6 months and looked at local news outlets. To further develop our “mini-database” of possible facilities, we looked at recent lawsuits made by other environmental law firms such as EarthJustice. In addition to articles and press releases, to understand the bigger picture of the legal process of a citizen suit, we conducted informal interviews with professors of public policy and environmental law, as well as environmental attorneys.

After spending time creating our own mini-database through reading local journalism and local experts, we expanded our research to more technical forms. This was an essential next step to create a methodology framework. We used the EPA’s Enforcement and Compliance History Online (ECHO) database to identify specific facilities that have violated the Clean Water Act

(CWA) and/or the Resource Conservation and Recovery Act (RCRA). We specifically searched for facilities in EPA Regions 1, 2, and 3 that align with the Federal Circuit Courts in which CLF seeks to bring litigation. We used the ECHO database to sort these facilities based on previous disciplinary actions (e.g., permit violations, fines paid) from the EPA, quantity and severity of violations, and demographic (income, race, rurality) makeup of surrounding communities. After downloading CSV files from the ECHO Database, we then consolidated and sorted our data using RStudio.

Once we began filtering the facilities by our environmental justice categories for the surrounding communities, such as individuals below the poverty line, demographic makeup, health disparities, etc., we compiled a new list of news articles and other media directly related to environmental issues at these facilities, including pollution, past legal disputes, actions by state and federal governments, community complaints, and more. In the next step of our investigation, we used online resources to determine whether facilities were violating various permits, such as their National Pollutant Discharge Elimination System (NPDES) permit or Stormwater Pollution Prevention Plan (SWPPP) permit.

Following this section of primarily database research, we sought to identify representative organizations, community groups, or community members that have worked on or spoken out about the facilities we identified. For example, Riverkeeper networks and local chapters of national organizations such as the Clean Air Council and EarthJustice. We also reached out to a multitude of journalists, local representatives and politicians, attorney general offices, and other legal teams with relevant experience. This is important to understand local and community input/knowledge on the ongoing leakages or historical pollution events. These local individuals are often the “eyes and ears” of the community, and they can give testimonial material for a lawsuit. Advocacy groups often have a research wing, or a “lakekeeper” who monitors the surface water’s conditions, conducts water quality testing, and serves as the point person for any on-the-ground changes to the river.

Next, we researched previous and current lawsuits filed against one of our facilities of interest that met the criteria from RFF and CLF. If we found that there was, we would unfortunately exclude that facility from further research. A term for this challenge is called *Res judicata*, which is a legal doctrine preventing the same parties from re-litigating claims already decided on their merits by a competent court. Therefore, making sure there were no prior suits

decided under CWA or RCRA for the same things was a crucial element. We sought to identify the owner(s) and operator(s) of each facility and, if available, their prior knowledge of climate change and its implications. We then tried to identify histories of, or ongoing, PFAS contamination at a site.

We then used various mapping resources (EJScreen, FEMA, NOAA Flood Map) to assess the vulnerability of each facility of interest to climate-change-driven inundation events. We attempted to use satellite imagery (Google Earth Timelapse) to discover whether facilities had adapted or changed infrastructure over time. We were searching for any new additions to facilities, including storage, buildings, storm/flood walls, stormwater ponds, and the permeability of ground material (asphalt, sand, etc.). Finding out this information could indicate how well (or not) a facility has prepared for climate change-driven natural disasters based on the permeability of the facility's ground material, capacity of stormwater ponds, infrastructure to contain contaminants, open containment areas, and physical proximity to harbors, rivers, and designated flood zones (FEMA-designated, FEMA VE zones, flood insurance zones, etc.). Future researchers can use better satellite imagery searching and other future climate consulting reports (such as First Street) to examine a facility's injection well structures, containment ponds, and surface casings.

We can conceptualize this step-by-step framework as a funnel, and at the end of the tunnel, we select the facilities that have more than enough evidence to categorize potential lawsuits against them as likely to succeed in court (Figure 1).

FRAMEWORK TO IDENTIFY OIL FACILITIES FOR FUTURE LITIGATION

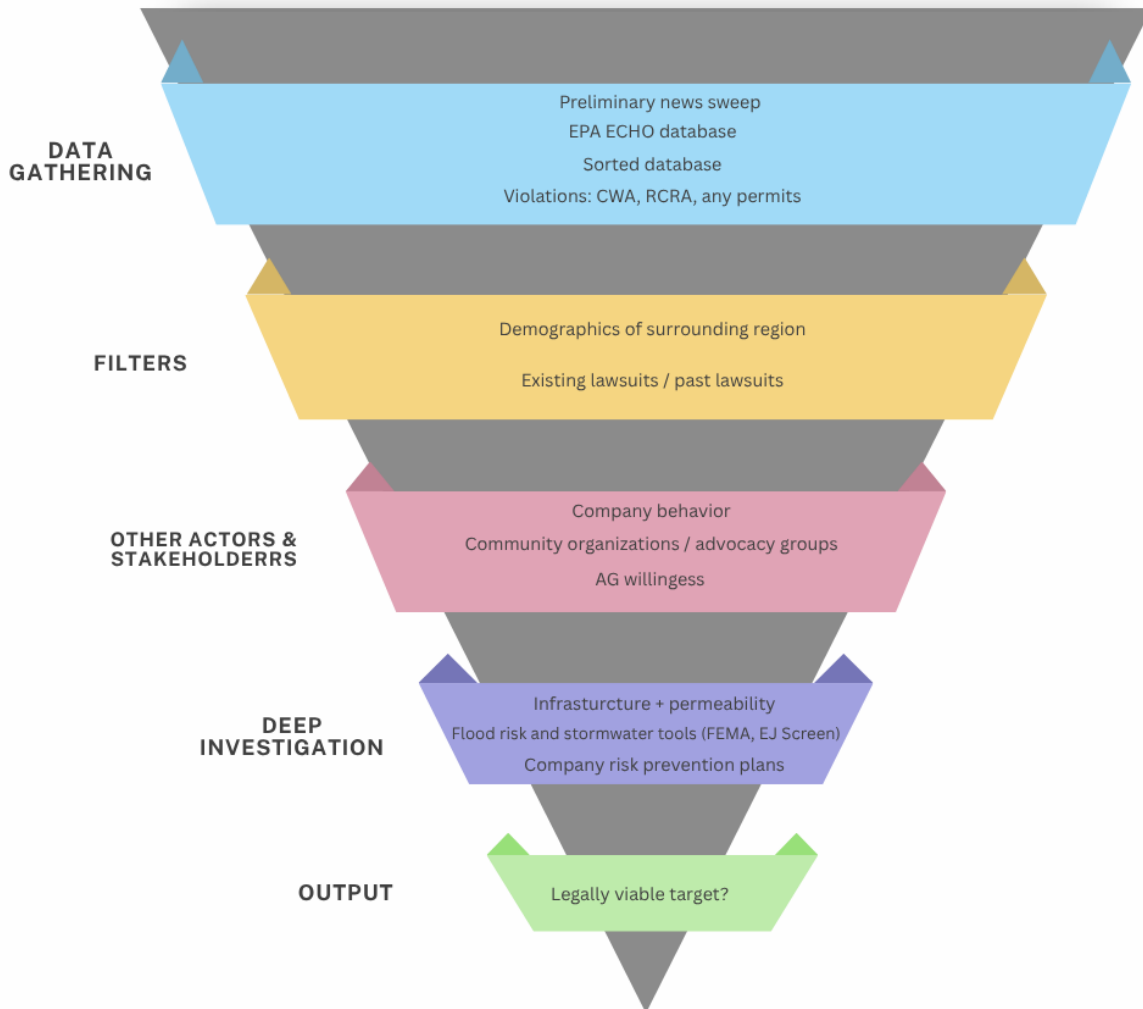


Figure 1.

A “funnel” framework we constructed to visualize our methodology. The funnel has each completed step, providing a better understanding of the likelihood that a facility is a viable target for litigation.

Application of methodology to identified oil facilities

Once we had identified several facilities that were potential targets for citizen lawsuits under RCRA or CWA, we split them among our team and began in-depth research on each facility to assess the likelihood of a successful lawsuit under these provisions. Our focus at this stage shifted from the broad identification of facilities to the construction of legally relevant case profiles that CLF or another team of students (building on the framework we have developed here) could further develop into a lawsuit. We examined the extent and nature of each facility's compliance history, paying particular attention to patterns of violations and discrepancies between reported discharges and permitted limits, particularly where releases posed risks to nearby water bodies or groundwater systems.

Next, we did an intensive search of each of our facilities to see whether there were news reports regarding major leaks, previous or ongoing suits regarding permitting violations or toxic releases, environmental justice considerations, community organizations of people concerned about pollution and health impacts, and whether facilities were at risk of climate-driven toxic inundation and flooding, particularly after massive storm events like Hurricane Sandy. We also considered the broader legal and social context surrounding the facility, including community organizations (potential plaintiffs) that CLF might represent. This allowed us to move towards a more comprehensive assessment of the viability of our facilities for strategic litigation.

Facility framework

We applied our step-by-step methodology to narrow down potential facilities to three targets: Chemours & DuPont in Wilmington, NC; the Monroe Energy Trainer Facility in Trainer, PA; and the Delaware City Refinery in Delaware City, Delaware. This section will outline the tenets of the framework we applied to each facility, along with supporting data, visuals, and legal analysis to further support our case that the three facilities fall under a viable citizen lawsuit.

Chemours & DuPont (Fayetteville, NC)

1. What does ownership, size, and economics look like?

- a. The Chemours Fayetteville Works Plant is located in Bladen County, North Carolina. It is a chemical manufacturing plant that creates advanced fluoropolymers, specifically perfluoroalkoxy alkanes (PFA), and vinyl ethers, which are critical for manufacturing semiconductor chips, lithium-ion batteries for electric vehicles, and clean energy technologies. It is the only domestic manufacturer for PFAS.
 - b. In July 2015, DuPont sold the facility to Chemours, but DuPont still has a presence at the site.
 - c. It is currently under a 2019 consent order to address sources of per- and polyfluorocarbons, or PFAS, contamination that has impacted air and water quality around the plant. The contamination has impacted water quality for thousands of people in Bladen, Cumberland, Robeson, and Sampson Counties.
- 2. Is the Cape Fear River Basin (CFRB) a part of a “navigable water of the U.S.?”**
- A. Yes, the Cape Fear River is considered a traditionally navigable water under the Clean Water Act (CWA) and falls under federal jurisdiction. The river is navigable in fact from the Atlantic Ocean to Fayetteville, serving as a federal navigation project and a key commercial waterway for the Port of Wilmington.
 - B. Navigable Status: The lower Cape Fear is fully navigable and part of the Atlantic Intracoastal Waterway. The U.S. Army Corps of Engineers maintains a shipping channel up to 42 feet deep to Wilmington and operates locks and dams to aid navigation up to Fayetteville.
 - C. It is under the Clean Water Act Jurisdiction: As a navigable-in-fact waterway, it is classified as an (a)(1) water under EPA regulations.
 - D. Tributaries: The Northeast Cape Fear River is also considered navigable.
- 3. Has there been any recent local journalism around the CFRB pollution?**
- a. Yes, there has been a lot of local discussion and town meetings led by city councils and advocacy groups, such as the [practice sessions](#) for state PFAS hearings held in May.
 - b. Lots of discussion around the 2019 consent order, and whether or not Chemours is playing its part in helping with water testing for private drinking water. It seems that the communities around Wilmington are receiving this testing service at no

cost, paid for by Chemours. But it is also a band-aid solution where Chemours focused on “end of life”/tail-end solutions instead of addressing the point source, which is the facility itself.

- c. There is also film and media coming from Wilmington: a [documentary](#), “GenX: The Saga of Forever Chemicals,” directed by Wilmingtonian Elijah Yetter-Bowman and produced by well-known actor and environmental activist Mark Ruffalo, is exposing the 8-year-long contamination fight.
4. **EJ Screener Tool, First Street Bank, and FEMA Maps: Does the facility fall within the boundaries of a “Special Flood Hazard Area”?**
 - a. If yes, are there streams/rivers intersecting the facility?
 - b. Yes, "Future Conditions 1% Annual Chance Flood Hazard" indicates areas where urbanization, development, or environmental changes could extend the 100-year floodplain (1% chance annually) boundary in the future; if the facility has this label, there is most likely future climate-related inundation.
 5. **Is the facility planning to expand? If so, where?**
 - a. Yes, Chemours has applied for permits to expand its facility.
 - i. They aim to double their Vinyl Ethers North capacity and increase Vinyl Ethers South output by 40%.
 - ii. Chemours submitted a permit application to the NCDEQ in August 2025 for air pollutants, and NCDEQ has marked this as "administratively complete" and plans to hold public hearings.
 6. **Do Chemours & DuPont have stormwater prevention plans & up-to-date permits?**
 - a. NCDEQ issued an NPDES permit for the stormwater/groundwater treatment system, effective November 1, 2022.
 - b. As of late 2025 and early 2026, Chemours is operating under an NPDES permit for a treatment system designed to capture and treat contaminated stormwater and groundwater, with regular, ongoing compliance reports submitted to NCDEQ.
 7. **Are there other federal violations (not CWA or RCRA)?**
 - a. Yes, potential Clean Air Act Violations include:
 - i. In 2022, the EPA issued a notice of violation for exceeding air emission limits for pollutants such as mercury, sulfur dioxide, and nitrogen dioxide.

- ii. Expansion of the plant in 2025 & upcoming PFAS inundation: The Wilmington City Council passed a resolution opposing expansion at the Fayetteville Works plant in late 2025.
 - b. Yes, PFAS violations (state and federal):
 - i. Testing continues to reveal PFAS, including unregulated types, in the Cape Fear River, and residents in the Lower Cape Fear area can request private well sampling.
 - ii. Many private wells in the Wilmington/Rural Bladen County area could also be tested for both “legacy” PFAS and GenX PFAS.
- 8. **What community stakeholders are involved with the Cape Fear River Basin?**
 - a. Cape Fear River Watch: focus on advocacy, legal action, public education
 - b. Cape Fear Public Utility Authority (CFPUA): drinking water treatment, PFAS testing, public reporting
 - c. Clean Cape Fear: policy advocacy, federal engagement
 - d. The Nature Conservancy (TNC) (partnering on the Sustainable Rivers Program)
 - e. NC Department of Environmental Quality
 - f. City Council of Wilmington
- 9. **Is there possible standing and causation? How can it be established?**
 - a. Standing
 - i. Injury: recreation, aesthetics, drinking water
 - ii. Causation/Traceability: must be traced to the source (Chemours plant), using FEMA/GIS maps, site inspection data, laboratory information management systems (LIMS) for audit trails, conducting site-specific sampling, and reviewing Stormwater Pollution Prevention Plans (SWPPP)
 - 1. Hydrological Connection: A major point of contention is whether discharging pollutants into groundwater that migrates to navigable surface water constitutes a violation. The United States Court of Appeals for the Fourth Circuit, which includes North Carolina in its jurisdiction, may apply a version of the hydrological connection theory under the Clean Water Act (CWA), as established by the 2020 Supreme Court Decision in *County of Maui v. Hawaii*

Wildlife Fund, and Fourth Circuit precedent of *Upstate Forever v. Kinder Morgan Energy Partners* (2018). This would mean discharge from a point source (Chemours) through groundwater to navigable water is the "functional equivalent" of a direct discharge.

- iii. Redressability: making the polluter pay damages to the community members

10. What are the final takeaways for RFF and CLF?

Chemours/DuPont is the biggest polluter of Fayetteville, North Carolina, and the only domestic PFAS manufacturer. The violations under the citizen-lawsuit provision of the CWA include ongoing dumping of PFAS materials into the Cape Fear River Basin. The facility sits on a section of the riverbank with a high risk of extreme flooding, and it has a hydrological connection to the Cape Fear River (and the Atlantic Ocean, as the river flows through Wilmington). There are multiple ongoing petitions made by community members and advocacy groups, including the Cape Fear River Watch, with whom we consulted, against the renewal of facility expansion permits and emission allowances. We believe the Chemours facility is engaging in water quality violations in two ways: they are leading remediation efforts through their water quality testing program, but they are continuing to pollute groundwater aquifers. More data collection through PFAS water-quality monitoring and human-health samples (of PFAS and chemical levels) is needed for stronger traceability (and causation) to establish standing.

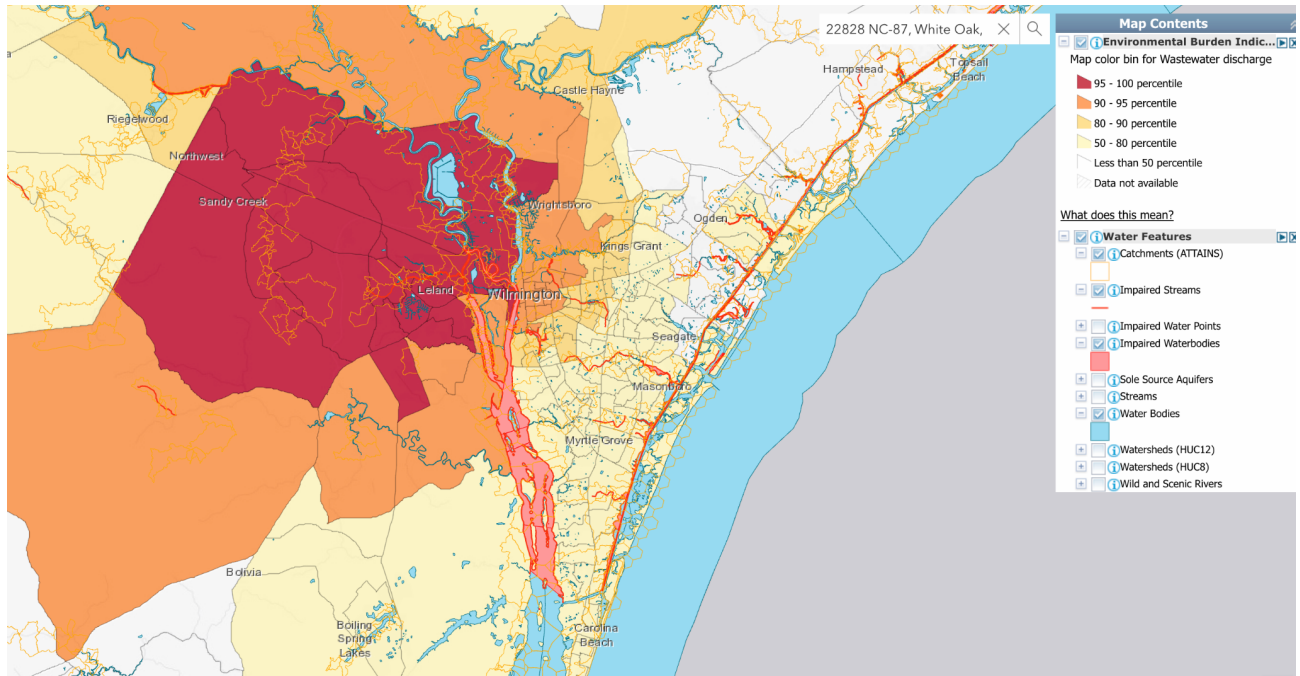


Figure 3.

EJScreen of wastewater discharge and impaired water bodies around Wilmington, NC (downstream impacts from Chemours & DuPont).

- This facility
- Associated facility
- Nearby facility
- Associated pipeline
- Nearby pipeline



Figure 3.

Facility birds-eye view of Chemours & DuPont in Fayetteville, NC

Chemical	Releases (lb)	RSEI Hazard	Health Effects
Hexafluoropropylene oxide dimer acid (13252-13-6)	10,303	3,399,950,466	
Hexafluoropropylene oxide dimer acid ammonium salt (62037-80-3)	1,622	535,260,000	
Hydrogen fluoride (7664-39-3)	4,723	1,180,750	Ocular, Respiratory
Ammonia (7664-41-7)	79,479	513,611	Ocular, Other Systemic, Respiratory
Methanol (67-56-1)	290,075	289,326	Developmental, Hepatic, Neurological, Other Systemic
Nitrate compounds (water dissociable) (N511)	298,817	188,255	Developmental, Hematological
Acetonitrile (75-05-8)	478	27,743	Other Systemic
Nitric acid (7697-37-2)	62	16,740	Respiratory
Toluene (108-88-3)	6,304	4,745	Neurological, Ocular, Renal, Respiratory
Tetrafluoroethylene (116-14-3)	3,239	0	Cancer

Figure 5.

Releases by Chemical for the 2024 Toxic Release Inventory ranked by RSEI hazard score for human health for Chemours & DuPont in Wilmington, NC

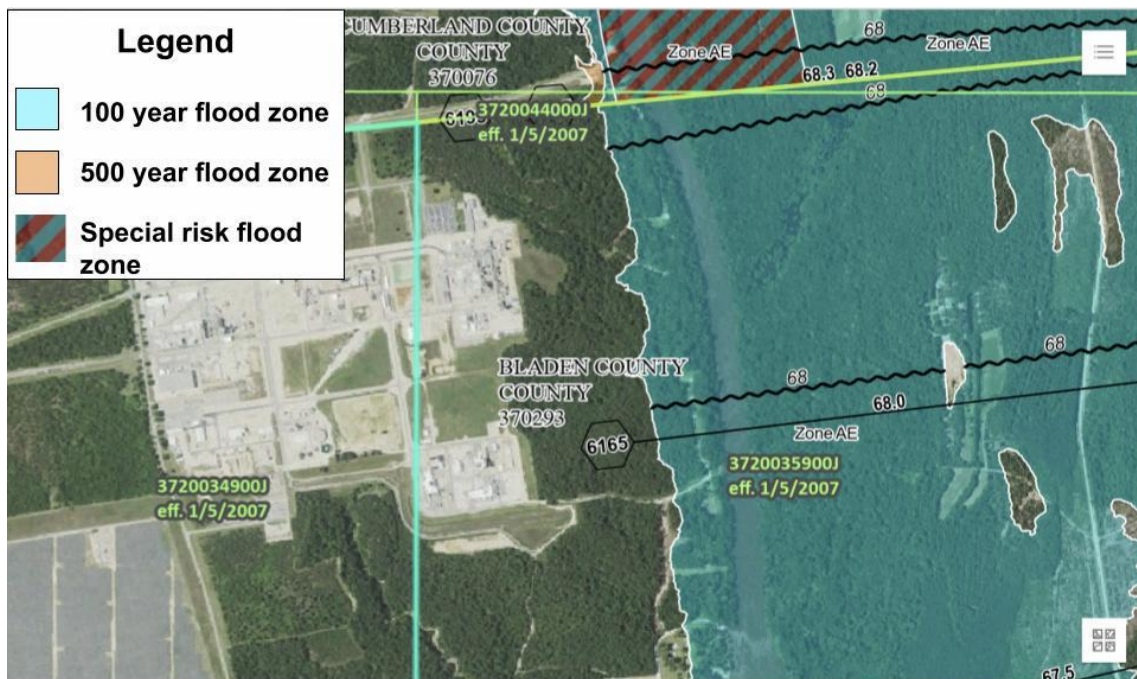


Figure 6. FEMA flood risk map of the Chemours DuPont facility in Fayetteville, NC.

Monroe Energy Trainer Facility (Trainer, PA)

1. What does ownership, size, and economics look like?

- a. Trainer Facility is in Trainer, Pennsylvania, on the Delaware River, in a sector with dozens of other oil storage facilities and refineries nearby (including the also egregious Marcus Hook facility next door). The Delaware River is considered one

of the most polluted waterways in the U.S. due to the concentration of polluting facilities, such as the Monroe Energy Trainer Facility.

- b. Previously owned by Phillips 66, the property was purchased by Monroe Energy in 2012.
- c. Monroe Energy is worth about \$250 million and is owned by Delta Air Lines, which is worth over \$46 billion.
- d. It uses the facility to refine crude oil into jet fuel and produces 190,000 barrels per day, making it one of the largest refineries in Pennsylvania.

2. What are the relevant pollution levels?

- a. According to the Toxic Release Inventory (TRI) and the ECHO database, Trainer Facility released over 300,000 pounds of nitrate compounds into the Delaware River in 2024, more than 7 times the limit permitted by NPDES (Figure 7).
- b. It also released massive amounts of ammonia into the water, as well as butane, xylene (EPA Toxic Release Inventory 2025; Delco Times 2014).
- c. There have also been reports of “forever chemicals” like PCBs and PFAS being found in the wastewater of this facility (Clean Air Council 2022).
- d. Heavy metals are also being reported at levels dangerously higher than the TRI would indicate, though even the self-reported levels are extremely worrying. Heavy metals like lead, nickel, and cobalt are extremely toxic and can cause a slew of health problems to surrounding communities, such as cancer, respiratory disease, etc. (Figure 7). Only nickel outputs from this facility, totaling over 20,000 pounds (which are deposited offsite at a superfund site), have an RSEI human health hazard score exceeding 18 billion, posing a massive risk to human well-being (Figure 7). Despite storing nickel “safely” offsite, the Clean Air Council discovered leaching of heavy metals from contaminated foundation, which are not included in TRIs and potentially put the surrounding communities at severe risk (Clean Air Council 2022).
- e. In 2014, a pipe ruptured, spilling over 1,000 gallons of crude oil into the Delaware River (Delco Times 2014). Oil spills have also been documented in 2018 and 2025.

- f. NRDC sued them with the Clean Air Council in 2025 over the release of hydrofluoric acid into the atmosphere and potentially exposing many residents—the leak was lucky not to have been much worse. A study showed that nearly 2 million people would have been exposed to a highly dangerous chemical if a worse leak had happened. Also highly dangerous for workers, with multiple workplace accidents resulting in burns and hospitalizations (Capital Star 2025).
- g. The surrounding area is in the 95th-100th percentile for wastewater discharge, air pollution, and many other pollution metrics in the country (EJScreener, accessed 2026)

3. What are DCR Permit and CWA/RCRA violations?

- a. The facility has 7 times the permitted levels of nitrate, excess ammonia, excess xylene, butene, and TOCs.
- b. It has dumped over 20,000 pounds of nickel off-site, with limited mitigation measures, posing a tremendous health risk (Figure 7). There is certainly evidence that heavy metals are leaching from the foundation into the Delaware River, Marcus Hook Creek, and Stoney Creek.

4. Has there been any recent local journalism around the CFRB pollution?

- a. Delco Times 2014 shows an oil spill of 1000 gallons into the Delaware River. The EPA imposed an \$8,000 fine for the action. It also mentions that the facility releases massive amounts of xylene, nitrate, and PCBs.
- b. Capital Star 2025 and NPR 2025 articles discuss the hydrofluoric acid use lawsuit, where 6 workers were seriously burned and sent to the hospital, and the potential release of this dangerous chemical into the air or water supply could directly affect over 2 million people.
- c. A March 2026 article reported that production has increased fivefold due to the war with Iran, as the facility makes jet fuel for Delta Airlines (Reuters 2026).
- d. In 2025, an unprecedented flood precipitated an unexpected rupture of a channel, followed by gas flaring and the release of numerous chemicals at the refinery (Clean Air Council 2025).
- e. The Philadelphia Enquirer reports that citizens may be given bottled water after a ‘significant’ amount of gasoline leaked out of the facility (Enquirer 2025).

5. EJ Screener Tool, First Street Bank, and FEMA Maps: Does the facility fall within the boundaries of a “Special Flood Hazard Area”?

- a. Yes, according to FEMA and EJSCREENER, the facility meets the most critical criteria for high flood risk, especially compared to other facilities in the surrounding area. Inundation could affect the facility and expose millions of people to petrochemicals if it were hit by a severe inundation event. The 2025 gas flaring event is additional evidence that, when inundated and with power loss, it is vulnerable to toxic releases. There is also evidence that the foundation is leaking heavy metals when flooding occurs.

6. Is the facility adapting to climate change?

- a. There is no compelling evidence that the facility is adapting to the increased risk of inundation and flooding associated with climate change. According to NPDES permits, a stormwater pond was installed in 2018, but it appears there are minimal additional protections at this facility to prevent contaminated runoff. Pennsylvania’s Clean Air Council (CAC) reports that they are not adapting to climate change and rising risks of inundation and flooding. There is a flood wall around the 24 oil storage tanks, but documented leaks during flooding events indicate it is inadequate.

7. What are the community impacts of Monroe and relevant organizations?

- a. After meeting with members of the Philadelphia-based Clean Air Council, they have informed us of tools they have created, like their [Pollution Tracker](#), which can show not only pollution events, but real-time impacts on the community due to reporting networks
- b. The Philadelphia-based Clean Air Council (CAC) has a deep connection with local communities, particularly around Marcus Hook and Monroe Energy Trainer Facility, including the Marcus Hook Area Neighbors, a group of hundreds of concerned citizens that monitor pollution in real time with several air quality and water quality monitors that they have established in the surrounding areas. They also have connections to citizens who provide testimony when CAC is seeking standing in court to file a lawsuit for facility violations. Often, these citizens’ testimonies are the backbone of a case, not only to establish standing but also as

primary evidence that helps flip the ‘David and Goliath’ narrative of tackling a lawsuit against a major oil company with seemingly endless resources. Thus, they would and should be a key collaborator if legal action were further pursued.

8. What are the final takeaways for RFF and CLF?

Monroe Energy Trainer Facility is an egregious facility, despite claiming that “safety and environmental care are permanent values”, they fall far short of that. Not only do they seemingly not care about their workers’ safety by using hydrofluoric acid, but their track record on environmental care is awful. They pollute far more than their permits allow, straight into the Delaware River, which is one of the most polluted rivers in the country. Monroe also has egregious community impacts, with multiple pollutant outputs that score highly on RSEI human health. This community is also clearly an environmental justice community, ranking in the 95th-100th percentile for most health disparities and for many environmental pollutants. The community organizations around the facility, particularly Clean Air Council and Marcus Hook Area Neighbors, are considerably active in fighting against the facility, and actively contribute to evidence against the facility for CWA and CAA violations, particularly with their pollution tracker and connections with local community members who inform the organizations with critical health and water quality information. Additionally, because it lies in an extreme-risk flood zone (see Figure 10) and has minimal adaptation plans for climate change, it is at extremely high risk of climate-driven toxic inundation litigation from CLF, particularly given documented leaks during inundation. With all the mounting evidence we have collected over the semester, we think this facility is ideal for a citizen lawsuit under the CWA and/or RCRA.

1	Chemical	Releases (lb)	RSEI Hazard	Health Effects
2	Nickel (7440-02-0)	20,788	18,958,086,673	Body Weight, Cancer, Hematological, Immunological, Respiratory
3	Benzene (71-43-2)	81,389	2,279,135,000	Cancer, Developmental, Hematological, Immunological, Reproductive
4	Cobalt compounds (N096)	38	1,064,000,000	Cancer, Hematological, Respiratory
5	Polycyclic aromatic compounds (N590)	996	243,915,000	Cancer
6	Naphthalene (91-20-3)	13,410	160,728,800	Body Weight, Cancer, Neurological, Respiratory
7	Ethylbenzene (100-41-4)	15,020	13,366,040	Cancer, Developmental, Endocrine, Hepatic, Neurological, Renal
8	Hydrogen sulfide (2148878)	6,862	12,351,600	Neurological, Respiratory
9	Lead compounds (N420)	378	8,062,490	Cancer, Cardiovascular, Developmental, Hematological, Neurological, Renal, Reproductive
10	Antimony (7440-36-0)	1,359	6,399,500	Metabolic, Other Systemic
11	Xylene (mixed isomers) (1330-20-7)	161,921	5,665,645	Body Weight, Neurological, Ocular, Other Systemic, Respiratory
12	Sulfuric acid (acid aerosols) (7664-93-9)	1,583	5,540,500	Respiratory
13	1,3-Butadiene (106-99-0)	40	4,400,000	Cancer, Developmental, Reproductive
14	1,2,4-Trimethylbenzene (95-63-6)	74,340	4,312,140	
15	Dioxin and dioxin-like compounds (N150)	0	3,574,205	Body Weight, Cancer, Cardiovascular, Hematological, Hepatic, Immunological, Other Systemic, Respiratory
16	Tetrachloroethylene (127-18-4)	2,657	2,474,520	Body Weight, Cancer, Developmental, Hepatic, Neurological, Ocular, Renal, Respiratory
17	Mercury compounds (N458)	87	1,042,500	Developmental, Neurological, Other Systemic, Renal
18	n-Hexane (110-54-3)	112,913	564,625	Neurological
19	Hydrogen cyanide (74-90-8)	118	519,200	Endocrine, Hematological, Neurological, Reproductive
20	Nitrate compounds (water dissociable) (N511)	320,874	202,151	Developmental, Hematological
21	Molybdenum trioxide (1313-27-5)	10	150,000	Cancer
22	Hydrogen fluoride (7664-39-3)	470	117,500	Ocular, Respiratory
23	Ammonia (7664-41-7)	23,102	79,240	Ocular, Other Systemic, Respiratory
24	Toluene (108-88-3)	85,886	60,514	Neurological, Ocular, Renal, Respiratory
25	Benzo[g,h,i]perylene (191-24-2)	3	54,600	
26	Phenol (108-95-2)	1,168	20,363	Body Weight, Hepatic, Neurological, Ocular, Respiratory
27	Cumene (98-82-8)	1,997	17,574	Endocrine, Renal
28	Carbonyl sulfide (463-58-1)	46	16,100	
29	Propylene (115-07-1)	9,090	10,908	Respiratory
30	Carbon disulfide (75-15-0)	1,449	7,245	Developmental, Hepatic, Neurological, Reproductive
31	Cyclohexane (110-82-7)	2,720	1,578	Body Weight, Developmental
32	Anthracene (120-12-7)	259	855	Hepatic
33	Methanol (67-56-1)	961	288	Developmental, Hepatic, Neurological, Other Systemic
34	Ethylene (74-85-1)	509	285	
35	Phenanthrene (85-01-8)	187	0	
36	Diethanolamine (111-42-2)	0	0	Respiratory
37	Ethylene glycol (107-21-1)	0	0	Developmental, Renal, Respiratory

Figure 7.

Chemical releases, relative RSEI hazard scores, and potential health effects of releases at Trainer Facility.

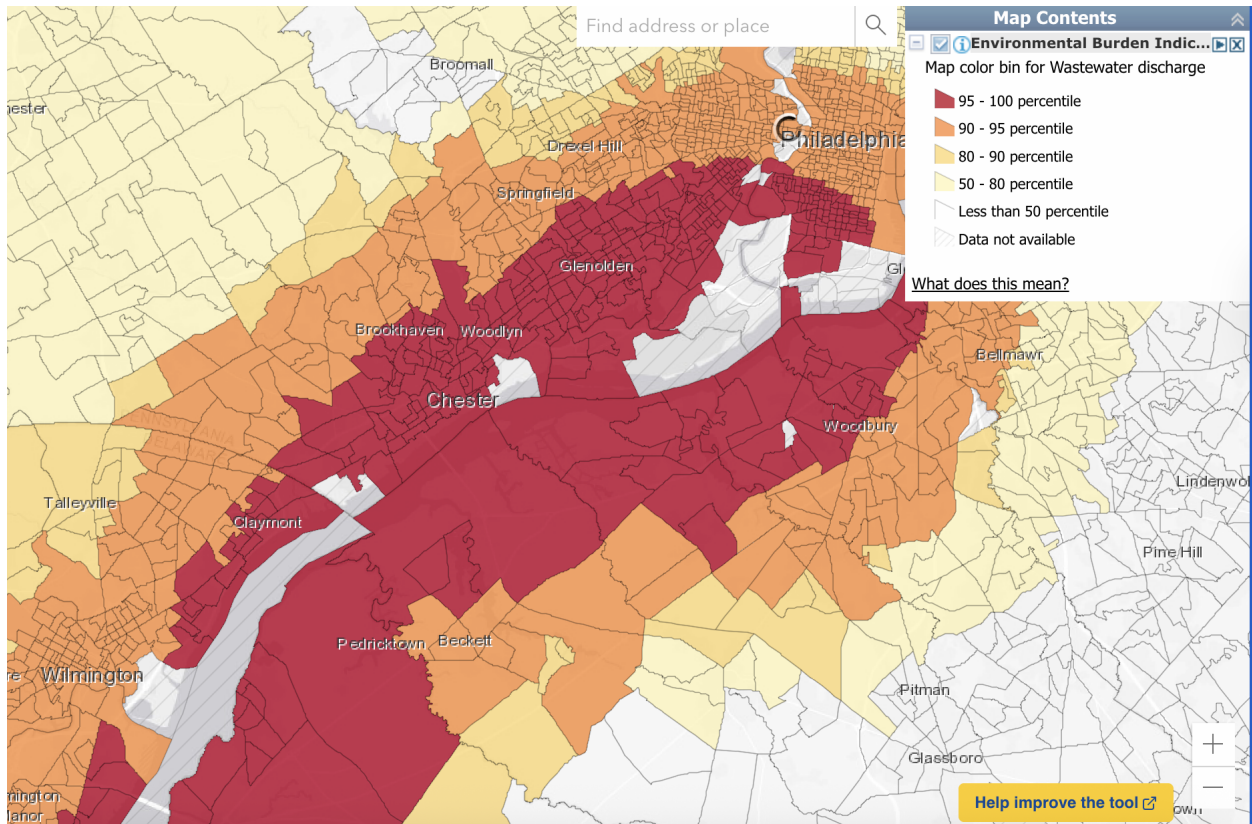


Figure 8. EJScreen of wastewater discharge and impaired water bodies around Trainer, PA (downstream of Monroe Energy Trainer Facility).

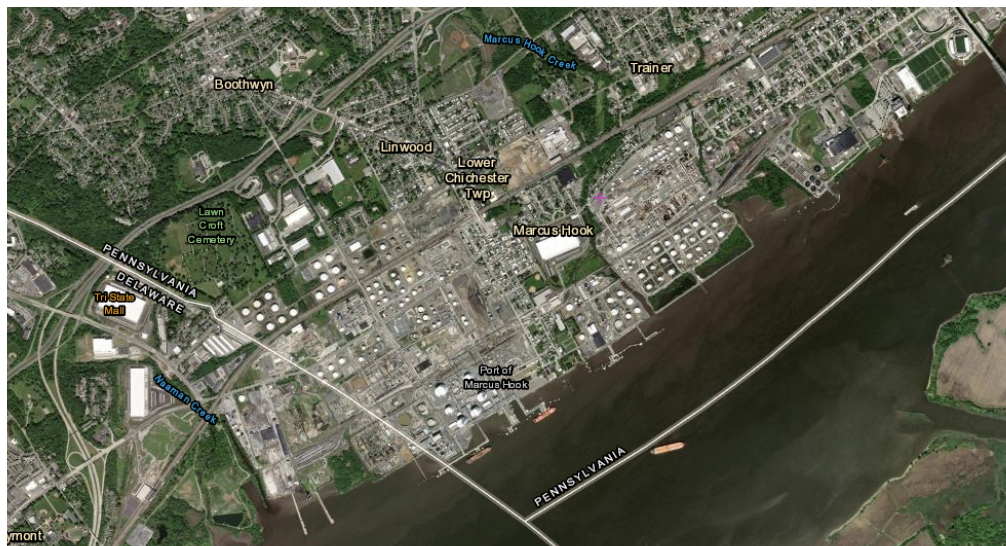


Figure 9. Marcus Hook and Trainer Facility birds-eye view



Figure 10. FEMA flood risk map of Monroe Energy Trainer Facility showing their 24 oil storage tanks behind inadequate flood walls

Delaware City Refinery (DCR)

1. What does ownership, size, and economics look like?

- a. The DCR, in Delaware City, Delaware, is owned by PBF Energy
- b. PBF Energy today (04/16/2026 at 1:51 pm) has a market capitalization of 4.99 billion USD and shares trading at \$42.48
- c. PBF Energy's annual revenue for 2025 was approximately \$29.33 billion
- d. The DCR has a throughput capacity of 180,000 barrels per day, a Nelson complexity rating of 13.6, and sits on a 5,000-acre site
- e. It is positioned along the banks of the Delaware River and butts up against multiple FEMA Special Flood Hazard Areas
- f. Processes a diverse heavy slate of crudes with a high concentration of high sulfur crudes, making it one of the largest and most complex refineries on the East Coast
- g. Can accept crude by rail or waterborne cargoes and possesses an extensive distribution network of pipelines, barges and tankers, trucks, and rail for the distribution of its refined products

2. What are the relevant pollution levels?

- a. Nitrogen Discharge into the Delaware River:
 - i. The DCR ranked second in the nation for nitrogen discharges among oil refineries, releasing 1,198,371 pounds of nitrogen into the Delaware River in 2021 alone – equivalent to the output of roughly 10 municipal sewage plants, according to the Environmental Integrity Project (EIP). While this did not technically violate the permit's outdated limits, it triggered advocacy and legal action. [WHYY.org \(2023\)](#)
 1. *Note* WHYY is the local NPR affiliate serving southeastern Pennsylvania, southern New Jersey, and Delaware. WHYY is not an acronym that represents anything larger.
 - ii. See [Figure 4](#) for more discharge information

3. What are DCR Permit and CWA/RCRA violations?

- a. NPDES Permit Violations (2014–2017) — \$118,000 Settlement
 - i. The refinery was cited for NPDES (National Pollutant Discharge Elimination System) permit violations for exceeding effluent limits from December 2014 through August 2017. DNREC and DCR reached a settlement agreement for \$118,000, including an environmental improvement project consisting of shoreline stabilization activities at the nearby Fort DuPont complex. [Delaware State News DNREC Settlement Announcement \(March 2018\)](#)
- b. *2001 CWA Violation / Acid Spill (prior owner Motiva)*
 - i. During previous owner Motiva's tenure, a 2001 tank explosion released approximately 100,000 gallons of sulfuric acid into the Delaware River, killing an estimated 2,400 fish and 240 crabs. The resulting \$23.7 million settlement resolved claims under the Clean Water Act, Clean Air Act, and CERCLA. Motiva also pleaded guilty to felony CWA violations and paid a \$10 million criminal fine. [U.S. Department of Justice DOJ Press Release \(September 2005\)](#)
- c. *EPA Lawsuit Over CWA Inaction In 2023*

- c. Overall Violation Record Under PBF
 - i. Since reopening under PBF's ownership in 2011, the DCR has accumulated nearly \$1 million in fines and dozens of sanctions for violating permits that enforce federal Clean Water Act and Clean Air Act standards ([Delaware Business Now 2025](#)). According to Violation Tracker (Good Jobs First), PBF Energy's total penalty record since 2000 exceeds \$49 million across 144 records. [Violation Tracker Spotlight Delaware \(July 2025\)](#) [Violation Tracker – PBF Energy](#)
- d. 2025: Sulfur Dioxide Release for Nearly 3 Weeks
 - i. In May 2025, a pollution control equipment failure led to the unpermitted release of sulfur dioxide for almost three weeks, prompting residents to demand stronger action from regulators. A DNREC town hall was held in response. [WHYY – SO Emissions \(June 2025\)](#)
- e. 2025: Butane Release & Delayed/Inaccurate Reporting
 - i. In late November 2025, the refinery released unpermitted butane for approximately 19 hours — but initially reported the incident as lasting fewer than two hours the following afternoon. Because the emissions weren't reported in a timely and accurate manner, regulators had no opportunity to evaluate real-time impacts. DNREC ordered the installation of fenceline air quality sensors as a result. [WHYY – Butane Emissions & Monitoring Order \(Dec 2025\)](#)
- f. 2026: Refinery Appeals \$300,000 Fine and Monitoring Order
 - i. In early 2026, DNREC issued a \$300,000 administrative penalty for air pollution violations spanning 2024 and 2025, including the multi-week sulfur dioxide emissions. The refinery has appealed both the fine and the fenceline monitoring order to the state's Environmental Appeals Board, with no hearing dates scheduled yet. [Spotlight Delaware – Refinery Appeals \(February 2026\)](#)

6. Is there inundation risk?

- a. Yes, according to FEMA, the facility is located adjacent to multiple high-risk flood zones. And according to EJSCREENER, the facility is in the 60th percentile

of flood risk nationally. Thus, a severe inundation could affect the facility and expose a significant number of people to petrochemicals.

- b. In 2014, the refinery submitted an [application](#) under the Federal Coastal Zone Management Act for a Consistency Determination for a Shoreline Restoration Project due to “tidal encroachment,” e.g., sea-level rise. “The extent of the shoreline erosion has reached a point where facility infrastructure is at risk,” says the permit application from the company. According to the application, “The record shows that almost 10,000 square feet of the shoreline has been eroded since 1997.” It is not available online whether or not the permit was approved; however, if it was not, it is now 2026, and it can be assumed that the same shoreline erosion has been and is still ongoing.

7. Has the DCR enacted adaptations to climate change?

- a. Other than the aforementioned 12-year-old permit application and a few flood walls/levees/dikes near the FEMA flood zones, there is no compelling evidence that the facility is adapting to the increased risk of inundation and flooding associated with climate change.

8. What are the community impacts of the DCR and relevant organizations?

- a. The area around the refinery is in the 94th-96th percentile, nationally, for toxic wastewater discharge, above the 50th percentile for both rates of heart disease and asthma, and in the 72nd percentile for low life expectancy (EJScreen).
- b. Relevant community organizations include:
 - i. The Delaware Riverkeeper Network - <https://delawariverkeeper.org/>
 - ii. Sierra Club Delaware Chapter - <https://www.sierraclub.org/delaware>
 - iii. The Clean Air Council - <https://cleanair.org/>
 - iv. The Delaware City Environmental Coalition - <https://www.facebook.com/groups/delcityenvironmentalcoalition/>

9. What are the final takeaways for RFF and CLF?

- a. The Delaware City Refinery presents a compelling litigation target characterized by a decades-long, multi-statute pattern of non-compliance that remains actively unresolved. Operating under PBF Energy, a company with over \$49 million in total penalties across 144 violation records since 2000, the facility has

accumulated Clean Air Act, Clean Water Act, and RCRA violations continuously since reopening in 2011, with the most recent violations (a three-week unpermitted sulfur dioxide release and a butane release with deliberately inaccurate reporting) occurring in 2025 and still being actively appealed into 2026. Most notably, the refinery discharged 1.2 million pounds of nitrogen into the Delaware River in a single year. This had them ranked second nationally among refineries and equivalent to the output of roughly ten municipal sewage plants. Yet they did so within the bounds of an outdated permit, a regulatory gap so egregious it prompted a 2023 federal lawsuit against the EPA for CWA inaction that names DCR as a prime example. This sits alongside serious climate vulnerability concerns, as the facility borders multiple FEMA Special Flood Hazard Areas, its own permit applications acknowledge ongoing shoreline erosion threatening infrastructure, and there is no meaningful evidence of climate adaptation measures. The surrounding community bears the burden of all of this, falling in the 94th–96th percentile nationally for toxic wastewater discharge with elevated rates of asthma, heart disease, and reduced life expectancy, making the environmental justice dimension both morally urgent and legally salient. Thus, we strongly recommend this facility as an ideal candidate for legal action under the citizen lawsuit provision via the CWA and/or RCRA.

Chemical	Releases (lb)	RSEI Hazard	Health Effects
Asbestos (friable) (1332-21-4)	606,181	103,050,770,000,000	Cancer
Sulfuric acid (acid aerosols) (7664-93-9)	1,536,581	5,378,033,500	Respiratory
Hydrogen cyanide (74-90-8)	1,017,769	4,472,897,000	Endocrine, Hematological, Neurological, Reproductive
Cobalt (7440-48-4)	765	3,645,544,000	Cancer, Hematological, Respiratory
Nickel compounds (N495)	6,795	3,488,343,371	Body Weight, Cancer, Hematological, Immunological, Respiratory
Benzene (71-43-2)	41,711	1,173,135,777	Cancer, Developmental, Hematological, Immunological, Reproductive
Polycyclic aromatic compounds (N590)	2,095	809,252,700	Cancer
1,3-Butadiene (106-99-0)	2,327	255,990,900	Cancer, Developmental, Reproductive
Hydrogen sulfide (2148878)	140,540	252,971,334	Neurological, Respiratory
Naphthalene (91-20-3)	19,494	233,450,235	Body Weight, Cancer, Neurological, Respiratory
Lead compounds (N420)	2,154	46,463,097	Cancer, Cardiovascular, Developmental, Hematological, Neurological, Renal, Reproductive
Nitrate compounds (water dissociable) (N511)	44,102,264	27,784,426	Developmental, Hematological
Ethylbenzene (100-41-4)	14,417	12,787,230	Cancer, Developmental, Endocrine, Hepatic, Neurological, Renal
Mercury compounds (N458)	564	6,743,498	Developmental, Neurological, Other Systemic, Renal
Dioxin and dioxin-like compounds (N150)	0	4,816,349	Body Weight, Cancer, Cardiovascular, Hematological, Hepatic, Immunological, Other Systemic, Respiratory
Ammonia (7664-41-7)	577,525	3,873,911	Ocular, Other Systemic, Respiratory
Xylene (mixed isomers) (1330-20-7)	57,453	2,009,338	Body Weight, Neurological, Ocular, Other Systemic, Respiratory
Carbonyl sulfide (463-58-1)	5,665	1,982,750	
Molybdenum trioxide (1313-27-5)	116	1,747,425	Cancer
Benzo[g,h,i]perylene (191-24-2)	48	956,920	
n-Hexane (110-54-3)	145,096	726,080	Neurological
1,2,4-Trimethylbenzene (95-63-6)	7,813	455,254	
Certain glycol ethers (N230)	1,546	309,200	
Hydrochloric acid (acid aerosols) (7647-01-0)	1,446	260,249	Respiratory
Cyanide compounds (N106)	1,006	201,200	Endocrine, Reproductive
Tetrachloroethylene (127-18-4)	85	78,678	Body Weight, Cancer, Developmental, Hepatic, Neurological, Ocular, Renal, Respiratory
Cumene (98-82-8)	8,677	76,418	Endocrine, Renal
Cresol (mixed isomers) (1319-77-3)	3,193	63,860	Neurological, Respiratory
Carbon disulfide (75-15-0)	12,737	63,685	Developmental, Hepatic, Neurological, Reproductive
Toluene (108-88-3)	71,094	54,758	Neurological, Ocular, Renal, Respiratory
Propylene (115-07-1)	27,789	33,347	Respiratory
2,4-Dimethylphenol (105-67-9)	655	32,750	Hematological, Neurological, Other Systemic
Phenol (108-95-2)	2,276	17,507	Body Weight, Hepatic, Neurological, Ocular, Respiratory
Ethylene (74-85-1)	28,130	15,753	
Cyclohexane (110-82-7)	17,124	9,932	Body Weight, Developmental
Methanol (67-56-1)	23,689	4,276	Developmental, Hepatic, Neurological, Other Systemic
Ethylene glycol (107-21-1)	1,030	3,005	Developmental, Renal, Respiratory
Sodium nitrite (7632-00-0)	115	1,150	Developmental
Styrene (100-42-5)	137	555	Cancer, Hematological, Hepatic, Neurological, Ocular, Respiratory
Anthracene (120-12-7)	66	217	Hepatic
Creosote (8001-58-9)	137,428	0	Cancer
Phenanthrene (85-01-8)	65	0	

Figure 11.

Total chemical releases ranked by relative RSEI hazard scores to human health, and potential health effects of releases at the Delaware City Refinery from 2015 to 2024.

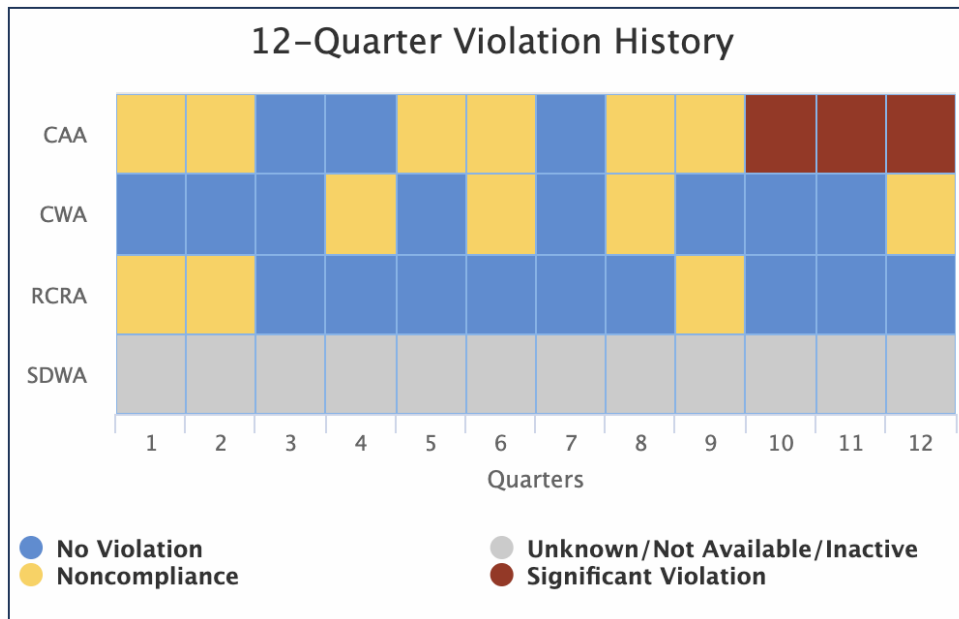


Figure 12.

12-Quarter Violation History of Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act, and Safe Drinking Water Act for the Delaware City Refinery.

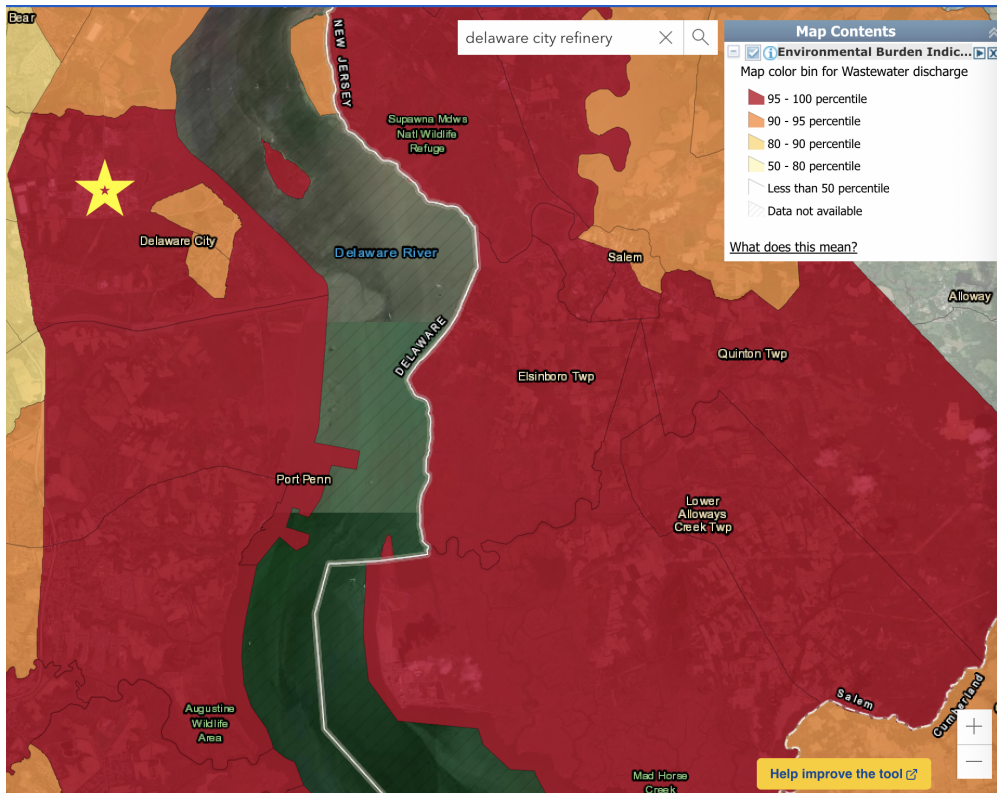


Figure 13.

EJScreen map of the national percentile of toxic wastewater discharge in Delaware City and neighboring downstream communities. The Delaware City Refinery is represented by the yellow star.



Figure 14.
Delaware City Refinery birds-eye view.

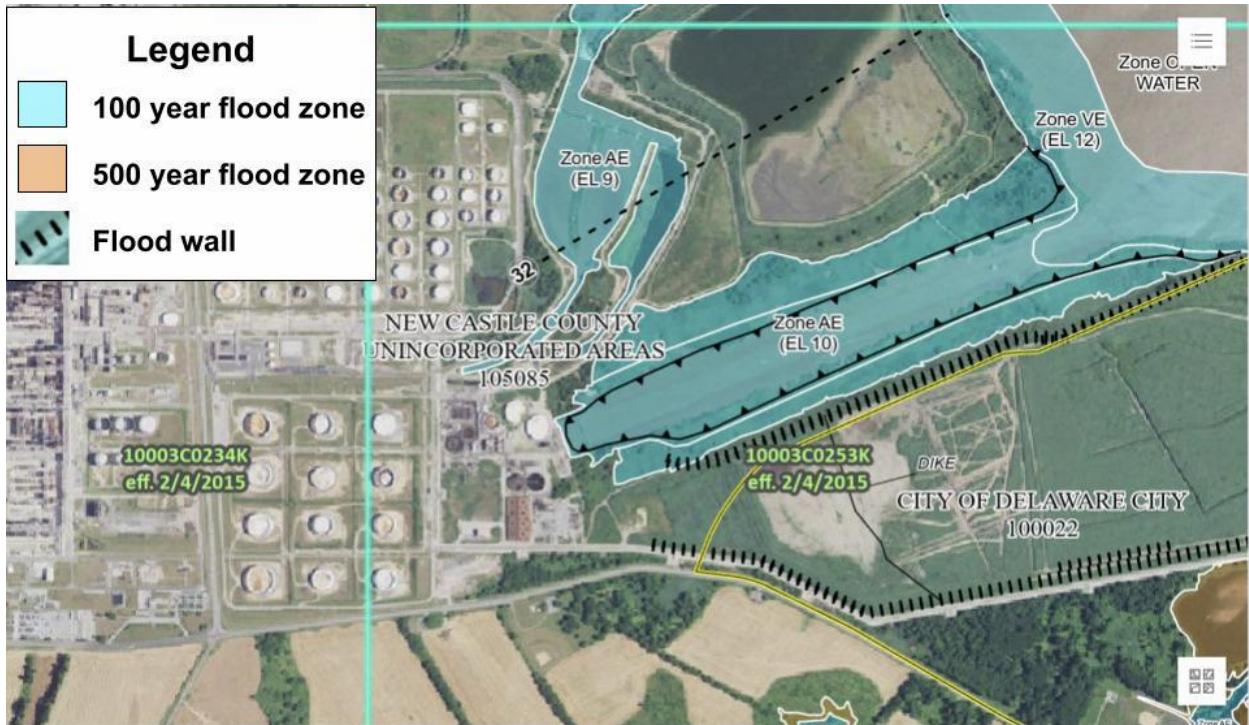


Figure 15.
FEMA flood map of Delaware City Refinery, Delaware City, DE.

Research on District Courts & Attorney Generals

This section aims to outline some research on the level of sympathy among the state attorneys general of the three selected facilities (Chemours in North Carolina, Monroe Energy in Pennsylvania, and Delaware City Refinery in Delaware). We aimed to demonstrate how relevant lawsuits spearheaded by the attorneys general can signal how a citizen lawsuit against any of the three facilities should be framed to gain their support. The support of the attorney general yields significant weight as their legal resources and political capital elevate a lawsuit's profile and ensure the case will be litigated all the way to trial.

North Carolina (Jeff Jackson, Attorney General)

North Carolina federal district courts handle Clean Water Act (CWA) citizen suits focusing on NPDES permit violations, particularly regarding stormwater and industrial discharges. Key precedents emphasize strict 60-day notice requirements, Article III standing challenges, and the use of consent decrees to resolve violations, such as in [*Sound Rivers, Inc. v. Clayton Properties Group, Inc.*](#) (2025).

The Chemours plant in Fayetteville falls under the jurisdiction of the United States District Court for the Eastern District of North Carolina.

Relevant Precedent Cases & Trends

- Standing and Mootness ([*Friends of the Earth, Inc. v. Laidlaw Environmental Services, Inc.*](#), 2000): While a Supreme Court case, this landmark ruling originated in the Fourth Circuit (covering NC) and established that environmental groups have standing if members show "reasonable concerns" about harm to their interests, and that compliance after a lawsuit is filed does not automatically render the case moot.
- Stormwater/Erosion Control ([*Sound Rivers, Inc. v. Clayton Properties Group, Inc.*](#), 2025): A Consent Decree in North Carolina addressed failures to manage stormwater and sediment, highlighting the use of citizen suits to enforce NPDES stormwater permits. This is a benefit to a litigation against Chemours if it is found that the facility has expired stormwater permits.
- Standing Challenges ([*Center for Biological Diversity v. University of North Carolina*](#), 2021): A NC federal court dismissed Clean Air Act claims (often applied to CWA) on standing grounds, emphasizing that plaintiffs must prove "concrete and particularized"

injury under *Spokeo v. Robins*. This precedent case shows there is a strict standard for proving injury, which means that any litigation brought against Chemours must be thorough in its tracking/tracing of the pollutant. There must be evidence that can be shown that proves there was an impediment to recreation, health, or aesthetics.

- Permit Challenges (*NC Shellfish Growers Ass'n v. Holly Ridge Associates*, 2004): A crucial case where developers were held liable for discharging sediment into wetlands without proper permits, showcasing the application of CWA Section 505 for civil penalties and attorney fees.
- 60-Day Notice Requirement (*Environmental Defense Fund v. Tidwell*, 1993): Solidified that citizen suits cannot proceed without proper 60-day notice to the EPA, state, and alleged violator. This is typical of most citizen lawsuits; the 60-day notice rule is strictly applied.

Pennsylvania (Dave Sunday, Attorney General)

- Diligent Prosecution Bar: *Group Against Smog and Pollution, Inc. v. Shenango Inc.* (3d Cir. 2016) is a vital precedent. Though often applied to the Clean Air Act, it establishes that if an administrative agency is “diligently prosecuting” a violation, citizen suits are barred. The Third Circuit deemed this a 12(b)(6) dismissal issue rather than jurisdictional.
 - Third Circuit Review: Procedural trends show a tendency to defer to agency prosecution, making it harder for citizens to intervene unless they can show a lack of diligence.
 - Procedural Hurdles: Citizen groups must overcome strict standing requirements (proving injury and causation) and prove that their claims are not "diligent prosecution" gaps that state agencies, such as the Pennsylvania Department of Environmental Protection, fill.
- Stormwater/NPDES Violations: *Michael D. Moss v. Sal Lapio, Inc., et al.* (E.D. Pa. 2020) addressed a citizen suit against developers for discharging sediment-laden stormwater into waterways without proper erosion control, emphasizing citizens' ability to enforce NPDES permit violations.

Delaware (Kathy Jennings, Attorney General)

Environmental Record & Litigation Strategy:

Jennings' environmental posture is best understood as liability-driven climate governance. She aligns Delaware with the broader state AG climate litigation movement, but with a strong coastal vulnerability narrative (sea-level rise, flooding).

2020 Climate Deception Lawsuit

Jennings filed one of the key state-level cases against oil majors. Defendants included ExxonMobil, Chevron, BP, Shell, and the American Petroleum Institute. The claims were nuisance, trespass, failure to warn, and consumer fraud. Theory was a decades-long deception about climate risks and the externalization of costs. The key framing was climate change as state-level economic harm (infrastructure, property, agriculture), with explicit focus on sea-level rise risk in Delaware. This places Delaware squarely within the "climate damages and deception" litigation model also used by Rhode Island, New Jersey, and Massachusetts.

PFAS and Toxic Tort Enforcement

Jennings has been particularly aggressive on industrial contamination (PFAS, AFFF, legacy chemicals). She has sued chemical manufacturers (e.g., 3M) for contamination of groundwater, soil, and ecosystems. Claims include natural resource damages, public health costs, and funding for long-term monitoring and remediation. She has secured a major settlement with DuPont/Chemours/Corteva with tens of millions directed toward environmental restoration and public health programs.

Environmental Federalism & Coalition Litigation

Jennings regularly participates in multi-state AG coalitions to challenge federal rollbacks of environmental protections and force compliance with interstate pollution obligations (e.g., Chesapeake Bay cleanup litigation). This reflects a cooperative federalism strategy, in which states use litigation to compel EPA enforcement rather than merely resist it.

Clean Energy Advocacy (Affirmative Litigation)

Beyond defensive/regulatory litigation, Jennings has filed briefs supporting offshore wind development and joined lawsuits blocking federal efforts to halt renewable energy permitting. This indicates a pro-energy-transition stance, not just anti-pollution enforcement.

Recommendations for Future Research on District Courts & Attorney Generals

1. We were never able to get in direct contact with AGs or their offices.
 - a. Thus, we recommend that future work on these topics include attempts at establishing direct lines of communication with AGs or AG staff members. The same applies to District Courts (judges, clerks, other staff).

Interviews & Communication with Community Members and Legal Experts

A core aspect of our process involved speaking with professors, legal experts, and community members. This part of our process helped us figure out the next steps throughout our semester by seeking guidance on various resources and engaging in meaningful conversations about their work. Below are a few pieces of information we learned through this process, drawn from a selection of our interviews and communications.

Chris Brooks (Environmental Law Professor at UVM)

Chris assisted us early in our research to understand the legal mechanisms embedded in the citizen-suit provisions of CWA and RCRA, as well as other relevant legal information, such as the APA and FOIA. He helped explain the role of the EPA and state agencies in this landscape. He reviewed the NPDES permitting system with us, as well as other statutes, such as the Emergency Planning and Community Right-to-Know Act, noting that groundwater regulation is primarily state-based and often addressed through frameworks.

Charles McPhedran (Senior Attorney at EarthJustice)

Charles McPhedran has 36 years of experience in the field and has provided key guidance on navigating our task at hand. McPhedran advised us on the importance of in-person community engagement through local/regional advocacy groups, the essential criteria for targeting refineries as strong candidates, and raised a key question about how to verify whether EPA's "diligent prosecution" bars citizen suits at facilities already under enforcement.

Wilmington City Council (Dupont/Chemours Facility, North Carolina)

Through email engagement, we learned about the impacts of PFAS contamination associated with the Chemours facility near Wilmington. According to the Wilmington City Council, there has been significant and ongoing concern among residents across the Cape Fear River Basin, including New Hanover County and surrounding areas. Community concerns largely center on long-term health impacts, drinking water safety, environmental justice implications, and the adequacy of current regulatory protections. While the Wilmington City Council has not filed its own lawsuit against Chemours, it has played a supportive and strategic role in ongoing legal efforts. The primary litigation has been led by the Cape Fear Public Utility Authority (CFPUA), which is seeking to recover costs related to PFAS contamination in the region's water supply. In addition to legal and regulatory considerations, Chemours indirectly

affects the interbasin transfer (IBT) request from Fuquay-Varina due to water quality concerns in the Cape Fear River. PFAS discharges into the river already impact downstream drinking water supplies. The IBT proposal would withdraw significant volumes of water from the basin, reducing the amount of water available to dilute existing contaminants. This has raised concerns that lower river flow could increase PFAS concentrations downstream, potentially worsening water quality and increasing treatment costs for communities that rely on the river. The Wilmington City Council also provided valuable resources and connections to impacted communities, including Cape Fear River Watch, Clean Cape Fear, and the Cape Fear Public Utility Authority.

Cape Fear River Watch (Wilmington, NC)

We spoke with Kemp Burdette, the Cape Fear Riverkeeper and Executive Director, who outlined how the 2019 consent order required Chemours to reduce PFAS air emissions, address groundwater seeps, comply with NPDES discharge requirements, conduct site remediation, and improve protections for drinking water sources. The case highlighted how PFAS contamination spread not only through groundwater but also through airborne emissions from smokestacks, which settled onto land and water through rain and atmospheric deposition. Private wells across the region were contaminated, and similar PFAS signatures later appeared nearly 100 miles away in Wilmington.

Investigators determined the contamination was not moving directly through aquifers, but was instead introduced through wastewater systems and drinking water infrastructure, with contaminated pipes seeping into the lower Cape Fear River Basin. Chemours is required to test portions of the lower Cape Fear River and nearby counties, but advocates argue the testing framework remains inadequate. While Chemours currently pays for testing, residents whose wells fall just below regulatory thresholds are often left in a “grey area”: their water may still be unsafe, yet they must personally pay for reverse osmosis or other filtration systems.

Environmental monitoring has revealed alarming contamination in fish populations throughout the Cape Fear watershed. CFRW and researchers such as Kemp Burdette have collected fish samples from the Northeast Cape Fear River and downstream areas where communities regularly consume fish despite not relying on the river for drinking water. Some fish samples contained PFOS concentrations eight to twelve times higher than state advisory

thresholds, while fish from the Northeast Cape Fear River tested at levels as high as twenty times the threshold. These findings have intensified concerns around fish consumption advisories and long-term public health risks.

PFAS contamination is also increasingly linked to wastewater treatment systems and biosolids management. Wastewater treatment plants concentrate PFAS in sewage sludge, which is then applied to agricultural fields as fertilizer. During rain events, PFAS-contaminated runoff enters nearby streams and waterways, perpetuating contamination cycles. Advocates argue that wastewater utilities should bear greater responsibility for safely disposing of contaminated sludge rather than allowing it to be released back into the environment.

Community-based monitoring has become a central strategy for documenting contamination. CFRW staff and laboratory partners routinely sample facility seeps, wastewater discharges, and river water, while residents are given testing kits to sample private wells and waterways themselves, including during paddling trips. Fish testing remains especially difficult because of the high costs involved.

Clean Air Council (Monroe Energy, Pennsylvania)

The Clean Air Council is an environmental law and advocacy organization with a strong litigation track record, including successfully filing and winning lawsuits against Monroe and other cases around Pennsylvania. CAC builds infrastructure on the ground by working directly with residents, demonstrating how the organization benefits from insider information, strong resident relationships, and an on-the-ground presence. Key legal and regulatory work includes commenting on permits, enforcement actions, and challenging new permits at the state level. CAC brings standing to cases by representing residents directly experiencing harm. Our discussion with the Clean Air Council highlighted some core essentials in building community engagement: trust, having power on the ground, and building strong networks. We also learned that CAC is open to partnering as co-counsel with other organizations to pursue larger-scale, high-impact litigation. Therefore, this impactful conversation with CAC highlighted the importance of targeting multiple regulatory angles and tackling broader environmental and public health concerns. Tools & data for future use included a [pollution tracker](#) created by the

CAC community. The pollution tracker highlights “Action Alerts” indicating whether the facility has a known recent permit violation, and “Pending” tags indicating a pending permit.

Outreach to Journalists and Reporters

As part of our effort to identify affected community members and develop pathways to establish legal standing, we reached out to several journalists and media outlets that had previously reported on the facilities under investigation. This was based on the assumption that reporters would have expertise in detailed, site-specific information because they have gone through the investigative journalism process. Additionally, they may have established relationships with affected residents, which could provide a pathway for us to contact community members willing to share their stories. Thus, CLF could represent them in court. This process, if successful, could prove especially useful, not only getting incredibly accurate local information from people who have already researched the sites and looked into community impacts, but also by finding community members who could help build a case to fruition by eventually providing testimony against these oil facilities that are violating their personal and legal responsibilities. This testimony from impacted community members is often the essential element of the case that pushes it over the edge to success.

For us, this process proved very difficult due to the lack of responsiveness. All in all, while this step seemed crucial and had tremendous upside if someone responded, it proved not very fruitful, so we eventually pivoted to strategies that seemed more useful and preserved our limited working time. Unresponsiveness may have been due to heavy caseloads or a lack of monitoring of company emails, particularly regarding major news outlets that had reported on some of these facilities.

As a result, we reallocated effort toward more direct and reliable channels of engagement, particularly established advocacy organizations and community groups with a history of involvement in environmental litigation. Organizations such as Clean Air Council and Earthjustice proved more accessible and better positioned to facilitate connections with affected communities and provide legally relevant information, and were very eager to meet and discuss our project. Although this outreach strategy did not produce immediate results, it remains a potentially valuable approach for future research, particularly if pursued over a longer time horizon or in coordination with institutional partners.

Reuters

Selected due to coverage of refinery operations and recent developments in fuel production. Outreach focused on obtaining context regarding operational changes and potential community impacts.

Outcome: No response.

National Public Radio

Selected based on prior reporting on environmental health risks and industrial pollution of hydrofluoric acid. Outreach aimed to identify potential connections to affected residents or prior investigative findings.

Outcome: No response.

Local/regional journalist covering the Delaware City refinery

Selected due to geographic proximity and likely familiarity with community-level impacts. Outreach emphasized potential connections to local stakeholders and ongoing concerns.

Outcome: No response.

Other Facilities

In addition to the three major facilities we identified as ideal candidates for a successful citizen lawsuit (Delaware City Refinery, Monroe Energy Trainer Facility, and Chemours & DuPont), we also researched other facilities before focusing on the three major ones.

Port Hamilton, Puerto Rico

- Long history of lawsuits by the EPA
- Shutdown (2021) due to environmental/safety concerns
- Regulatory and judicial conflict over reopening (EPA vs. court)
- As of early 2026, the facility appears inactive, and hazardous materials have been removed

- CWA requires ongoing or intermittent discharge, even if the facility is not operating
- Hazardous materials have been largely removed or moved offsite (but with inaccurate reporting and record keeping)
- If there is no active discharge, the CWA claim is weak, but legacy discharge is possible under RCRA
- RCRA includes that past or present handling “may present an imminent and substantial endangerment.” However, an endangerment pathway may only be likely argued in court if it reopens

AES Puerto Rico

The AES Puerto Rico coal-fired power plant in Guayama has contaminated local groundwater and soil with toxic heavy metals from uncovered coal ash piles. The facility's now largely banned. “Agremax” coal ash byproducts have been linked to elevated levels of arsenic, molybdenum, and selenium in local water sources, leading to EPA settlements requiring cleanup in environmental justice communities. Moreover, there have been previous settlements due to RCRA violations due to improper groundwater monitoring and reporting. These polluted lands in Guayama could be Superfund sites, but they are not listed on the National Priorities List (NPL).

- Key Clean Water Act Violations:
 - a. Groundwater testing has revealed high levels of arsenic, selenium, boron, chromium, lithium, and molybdenum. These are all toxic metals associated with coal combustion residuals. If contaminants seep into groundwater, they could contaminate drinking water aquifers. Rainwater infiltrates, or leaches, through huge, uncovered piles of coal ash and storage areas, carrying contaminants directly into the underlying aquifer. In the Guayama and Salinas regions, residents rely on private and municipal wells.
 - b. Environmental Justice Concerns: Residents and activists have reported that the coal ash was also used as fill material for construction projects in the community, further spreading the pollution. Women residing in the Puente de Jobos or Miramar communities of Guayama are six times more likely to suffer a

miscarriage than women of reproductive age in the municipality of Fajardo. Likewise, adults living in Guayama are up to nine times more likely to suffer from chronic bronchitis than their counterparts in the Land of the Cariduros, even though the two towns are separated by less than two hours of driving.

United Refining Company in Warren, PA

- a. Several past issues regarding environmental compliance, high injury rates, and community concerns over emissions. Recent reports include a 2024 silica material release, Clean Air Act violations, and odor complaints from residents.
- b. The refinery topped the list for most injuries among workers, with federal data showing 119 injuries over five years.
- c. Litigation has been primarily involved with Clean Air Act violations, worker safety, and contract disputes.
- d. Their permit has expired for the Clean Water Act, and a notice of violation was sent in 2022 for CWA.

Energy Transfer (ET) - Upper Makefield Township, PA

- a. A jet fuel pipeline leak from the Energy Transfer (Sunoco) pipeline in Upper Makefield Township, PA, was discovered on January 31, 2025. It [contaminated residential wells and spurred ongoing cleanup](#). Residents noticed the smell of gasoline in their private wells, contaminating their main source of drinking water. The company faces litigation and scrutiny over the effectiveness of its cleanup, with federal and state authorities requiring remediation.
- b. The Mariner East 2 Pipeline: The Mariner East 2 (ME2) project is a 300+ mile pipeline system operated by Sunoco Pipeline (Energy Transfer), designed to transport natural gas liquids (ethane, propane, butane) from the Marcellus/Utica Shales in Ohio and Pennsylvania to the Marcus Hook Industrial Complex for processing and export.

West Penn Oil – Warren, PA

- a. West Penn Oil in Warren, Pennsylvania, is a small- to medium-sized company that manufactures various oils, greases, and other lubricants. They have a shipping yard with several violations, which is why it came up in our ECHO database filtering process. These violations included major ones for its size:
- b. Under RCRA §7002(a)(1)(B), there is “imminent and substantial endangerment”, including 3 quarters of noncompliance and significant RCRA violations. Under the CWA citizen-lawsuit provision, there are evident ongoing permit violations and unlawful discharges (maximum daily loads), including 4 quarters of noncompliance and significant CWA violations.
- c. The plant is situated in a very rural area of Pennsylvania with few residents and low population density in the vicinity, but it appears to be leaking into nearby water sources. Most of the pollution appears to be glycol and benzene, which pose potential health complications, but due to the facility's size, we discounted it as a viable target for CLF.

Recommendations:

We recommend that the Rockefeller Family Fund and Conservation Law Foundation continue researching the following facilities: Chemours and DuPont in Wilmington, North Carolina; the Delaware City Refinery in Delaware City, Delaware; and Monroe Energy in

Trainer, Pennsylvania. We have examined these three facilities using our step-by-step methodology framework to assess their probability of ongoing toxic inundation in their respective communities. In addition to our research findings, we have also sourced facility information from recent journalism, town boards, advocacy groups, and state regulatory agencies.

We invite CLF, RFF, and future students (both in the senior practicum and beyond) to add to, revise, or weigh the different components of the methodology differently as they begin identifying communities that need legal representation due to toxic inundation. More community outreach and trust-building are the next steps in constructing an affidavit and a compelling case against polluters, which cannot be accomplished without in-person site visits. We recommend in-person interviews, conversations, and public input sessions to reach as many residents as possible.

The next steps for researching whether there is standing and causation for the three facilities include:

Chemours and DuPont in Wilmington, North Carolina:

- Talk to officials in the Cape Fear Public Utility Authority to discuss previous and ongoing litigation efforts against Chemours to recover costs related to PFAS contamination in the region's water supply
- Look into the Interbasin Transfer (IBT) proposal: Chemours indirectly affects the interbasin transfer (IBT) request from North Carolina's Town of Fuquay-Varina through water quality concerns in the Cape Fear River. PFAS discharges into the river already impact downstream drinking water supplies.
- For recent updates to PFAS water testing, source data from the Lower Cape Fear Water and Sewer Authority (LCFWSA) to determine whether Chemours and Depont are violating CWA by discharging short-chain PFAS into the Cape Fear River Basin.
 - Issue with Genx PFAS and short-chain PFAS:
 - SELC and allied organizations are actively challenging these permits while continuing efforts to identify and trace emerging PFAS compounds back to industrial sources. Cape Fear River Watch (CFRW) emphasized that there is room for CLF and RFF to collaborate with CFRW and the Southern Environmental

Law Center on these petitions against the permit extensions and on national action alerts.

- More public hearings will pressure local lawmakers and state agencies to take a stronger stance on the ongoing toxic inundation. It is a conversation starter and raises salience on an issue. The power of public opinion is strong, and we believe it will be helpful for CLF, RFF, or future 401 groups to visit the sites, talk to affected community members, and attend or lead public hearings.
- Extend research in public health outcomes, such as a push for EPA-supported Community Health Assessment through NC State University. While a GenX exposure study is underway, advocates say there has still not been sufficient research into elevated PFAS blood levels and the long-term health impacts on exposed communities (traceability).
- Underlying many of these conflicts is a broader political struggle over environmental governance in North Carolina. Critics argue that the state's Environmental Management Commission (under the North Carolina DEQ, which writes environmental regulations and is appointed by the governor and General Assembly) has become heavily influenced by pro-industry (chemicals and manufacturing) political interests.
 - There is potentially more lobbying at the state level by tech firms and data centers for development near communities already facing the harms of Dupont/Chemours. The lobbying efforts are something to conduct further research.
- Reopening the Chemours consent order is viewed as a significant opportunity. Environmental advocates note that lawsuits against corporate polluters generally follow two paths: either proceeding through a difficult trial process or ending in a negotiated settlement in which the company pays fines and operates under a consent order (a route industry often prefers because it provides more predictable oversight).
- CFRW also points to other PFAS dischargers in North Carolina that face less scrutiny than Chemours, including Lear Corporation/Guilford Mills, an automotive fabric manufacturer with several NPDES permits up for renewal, creating opportunities for public intervention.

Contacts:

Cape Fear River Watch:

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Clean Cape Fear (info@cleancapefear.org)

Cape Fear Public Utility Authority

City Council of Wilmington

Delaware City Refinery in Delaware City:

- Continue outreach to local organizations (Delaware Riverkeeper Network, Delaware Sierra Club), local journalists who have covered the refinery, local representatives/politicians, and community members
- Following successful contact, a site visit would be advisable to speak with community members about their environmental health narratives.
- Tracking permits by the facility for sulfur dioxide and carbon monoxide release, especially after 2025 maintenance and upgrades
- Scheduling a meeting with a public-facing official or communications representative at the Attorney General's office as they would be sympathetic to the riverkeeper network and citizen suits against DCR.
 - This can include a meeting with the Delaware Department of Natural Resources and Environmental Control (DNREC), which is under scrutiny by local groups for stricter enforcement of permits
- Writing and calling the Speaker of the House, Melissa Minor-Brown, who represents Delaware's 17th Representative District, which includes the refinery and surrounding communities

Contacts:

Delaware Riverkeeper Network: drn@delawareriverkeeper.org

Maya K. van Rossum (Delaware Riverkeeper)

Shaelyn Parker (River Protection and Environmental Rights)

Faith Zerbe (Community Action Coordinator)

Environmental Justice Health Alliance

EJHA (National): Michele Roberts (mroberts@comingcleaninc.org, 202-704-7593)

EJHA Organizer: Stephanie Herron (sherron@comingcleaninc.org, 802-251-0203)

Local Partner: [Delaware Concerned Residents for Environmental Justice](#)
(delawareconcerned4ej@gmail.com)

Delaware City Environmental Coalition

www.facebook.com/groups/delcityenvironmentalcoalition/

Sierra Club Delaware Chapter

Contact link: <https://www.sierraclub.org/delaware/contact-us>

Facebook page: <https://www.facebook.com/delawaresierraclub/>

Instagram page: <https://www.instagram.com/desierraclub/>

Monroe Energy in Trainer, Pennsylvania

- Continue outreach to local and state organizations (Penn Future, Clear Air Action, Marcus Hook Area Neighbors) to both identify affected community members and provide specific local knowledge about the facilities and real-time, on-the-ground pollution events (toxic releases, power outages, oil spills, etc).
- Track pending NPDES permits to see if there have been new permits Munroe has applied for, and if they are updating their permits regularly
- Monitor the pollution tracker created by CAC and report any discrepancies between the TRI and these pollution monitors
- Facilitate a collaborative relationship between CAC and CLF: executive and legal teams can exchange insights into community advocacy strategies.
 - Potential creation of a pollution tracker for communities in Wilmington, Delaware City, and future towns/cities, the next cohort of ENV5 401 students will investigate
 - Using networks that CAC has within the communities to build trust and establish standing for the lawsuit
- Contacting Carol Kazeem, the Pennsylvania State Representative for the 159th district, which includes Marcus Hook Borough.
 - A Democrat, she has represented the district since 2022.

- She has not taken any concrete action on the pollution from the Marcus Hook facility, or endorsed with CAC/legal representatives for a citizen suit. However, she and other state representatives have issued [joint statements](#) on cleanup efforts.

Contacts:

Clean Air Council (click the names on the [staff page](#) to email individual staff)

Alyssa Felix Arreola (Outreach Coordinator): afa@cleanair.org

Sarah Gordon (Staff Attorney): sgordon@cleanair.org

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Penn Future

Jessica O'Neill (Managing Attorney for Litigation): oneill@pennfuture.org

Abigail M. Jones (Vice President, Legal Advocacy): jones@pennfuture.org

Marcus Hook Area Neighbors

MHANPH [Facebook page](#)

Charles McPhedran (Senior Attorney, Clean Air Act focus, EarthJustice):

State Representative [Carol Kazeem](#): (610) 876-6420 and [comment forms](#)

Senator John Fetterman's Office:

Calling the Marcus Hook district office: (215) 241-1090

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Bibliography

Cape Fear Public Utility Authority. (2023). *Cfpuas legal action against Chemours and DuPont* | Cape Fear Public Utility Authority official site.
<https://www.cfpua.org/785/Legal-action-against-Chemours-and-DuPont>

Clean Air Council. (2022). *Due today! Demand the trainer refinery stop polluting the Delaware River* [Press Release].
<https://cleanaircouncil.salsalabs.org/trainerrefinery/index.html>

Clean Air Council. (2026). *Clean Air Council Pollution Tracker*.
<https://pollutiontracker.cleanair.org/>

Delco Times. (2014). PA, western Delco fuel tank farm report major leak of up to. *Delco Times*. <https://www.delcotimes.com/2014/01/28/1000-gallons-of-oil-spill-into-delaware-river-from-monroe-energy-refinery-in-trainer/>

Environmental Protection Agency. (n.d.-a). *EJScreen*. Environmental Justice Screening and Mapping Tool (Version 2.3). Retrieved May 10, 2026, from <https://pedp-ejscreen.azurewebsites.net/>

Environmental Protection Agency. (n.d.-b). *Toxic Release Inventory facility report*. Retrieved May 10, 2026, from <https://enviro.epa.gov/facts/tri/ef-facilities/#/Release/00851HSSLVLMET>

Environmental Protection Agency. (2015, October 27). *Epa's stormwater discharge mapping tools* [Overviews and Factsheets]. <https://www.epa.gov/npdes/epas-stormwater-discharge-mapping-tools>

Environmental Protection Agency. (2019, October 29). *United refining company, warren, pennsylvania refinery—Permitting information* [Other Policies and Guidance]. <https://www.epa.gov/nsr/united-refining-company-warren-pennsylvania-refinery-permitting-information>

Environmental Protection Agency. (2023). *ADMINISTRATIVE COMPLIANCE ORDER AND REQUEST FOR INFORMATION IN REGARDS TO PORT HAMILTON REFINING AND TRANSPORTATION, LLLP*.
<https://www.epa.gov/system/files/documents/2023-08/PHRT%20and%20WIPL%20Clean%20Water%20Act%20Orders%20%28July%2021%202023%29.pdf>

- Environmental Protection Agency. (2024, August 23). *Epa orders phrt to remove additional chemicals from the refinery on st. Croix* [News Release].
<https://www.epa.gov/newsreleases/epa-orders-phrt-remove-additional-chemicals-refinery-st-croix>
- Environmental Protection Agency. (2025). *ECHO Database, Detailed Facility Report*.
<https://echo.epa.gov/detailed-facility-report?fid=110043815690>
- Greenpeace. (2026). *Exxon's Climate Denial History: A Timeline*.
<https://www.greenpeace.org/usa/climate/exxons-climate-denial-history-a-timeline/>
- GreenPort. (n.d.). *Oil and gas compliance report extracts*. Pennsylvania Department of Environmental Protection. Retrieved May 10, 2026, from
<https://greenport.pa.gov/ReportExtracts/OG/OilComplianceReport>
- Hall, P. (2025). *Environmentalists sue EPA to reassess a toxic chemical used at a Pa. Oil refinery*. Pennsylvania Capital Star. <https://penncapital-star.com/energy-environment/environmentalists-sue-epa-to-reassess-a-toxic-chemical-used-at-a-pa-oil-refinery/>
- Jao, N., & Khan, S. (2026). *Monroe Energy Restarts Key Units at Trainer Refinery*. Reuters. <https://www.reuters.com/business/energy/monroe-energy-restarts-key-units-refinery-trainer-pennsylvania-sources-say-2026-03-18/>
- JD Supra. (2023). *Citizen suits under the clean water act – fundamental changes underway?* JD Supra. <https://www.jdsupra.com/legalnews/citizen-suits-under-the-clean-water-act-2506069/>
- Johnston, J., & Cushing, L. (2020). *Chemical exposures, health, and environmental justice in communities living on the fenceline of industry*. *Current Environmental Health Reports*, 7(1), 48–57. <https://doi.org/10.1007/s40572-020-00263-8>
- Kummer, F. (n.d.). *Residents could be given bottled water after a significant amount of gasoline leaked at delco tank farm*. Philadelphia Enquirer. Retrieved May 10, 2026, from <https://www.msn.com/en-us/news/us/residents-could-be-given-bottled-water-after-a-significant-amount-of-gasoline-leaked-at-delco-tank-farm/ar-AA1SYJUd?cvid=694dba56684d459dabc9823e658989b5&ocid=oie8dlpg>
- Oil and Gas Watch. (n.d.). *Small western PA refinery topped list for most injuries among workers, with 119 over five years, federal data show*. Retrieved May 10, 2026, from

<https://news.oilandgaswatch.org/post/small-western-pa-refinery-tops-list-of-153-u-s-refineries-for-injury-counts-federal-data-shows>

Pennsylvania Department of Environmental Protection. (2021). *AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM DISCHARGE REQUIREMENTS FOR INDUSTRIAL WASTEWATER FACILITIES* [NPDES Permit].

https://files.dep.state.pa.us/water/wastewater%20management/EDMRPortalFiles/Permits/PA0012637_NPDES_PERMIT_20250326_Final_V4.pdf

Pennsylvania Department of Environmental Protection. (2023). *NPDES PERMIT FACT SHEET INDIVIDUAL INDUSTRIAL WASTE (IW) AND IW STORMWATER*. Monroe Energy LLC.

https://files.dep.state.pa.us/water/wastewater%20management/EDMRPortalFiles/Permits/PA0012637_FACT_SHEET_20240214_DRAFT_V2.pdf

Read, Z. (2022). Delaware's rivers and streams are the most polluted in the U.S., new report says. *WHYY*. <https://whyy.org/articles/delawares-rivers-and-streams-pollution-environmental-integrity-project-water-safety/>

Soraghan, C. H., Mike. (2019, July 30). *Wheeler plugged record at refinery hit with pollution fines*. E&E News by POLITICO. <https://www.eenews.net/articles/wheeler-plugged-record-at-refinery-hit-with-pollution-fines/>