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Marlboro in fierce fight against landfill

'You'll mess up the water. You can't breathe. And I don't want to look out and see buzzards flying everywhere'

By SAMMY FRETWELL
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Jars of pickled vegetables and canned goods arrived at lawyer Amy Armstrong's office one day last summer.

She later found a used Volkswagen parked in the driveway of her nonprofit legal practice.

The modest gifts came from a group of Marlboro County citizens with little money but a big desire to keep a mega-garbage dump out of their community. It was their way of saying thanks for helping them fight the landfill.

"These are just salt-of-the-earth people," Armstrong said. "This was touching, to say the least."

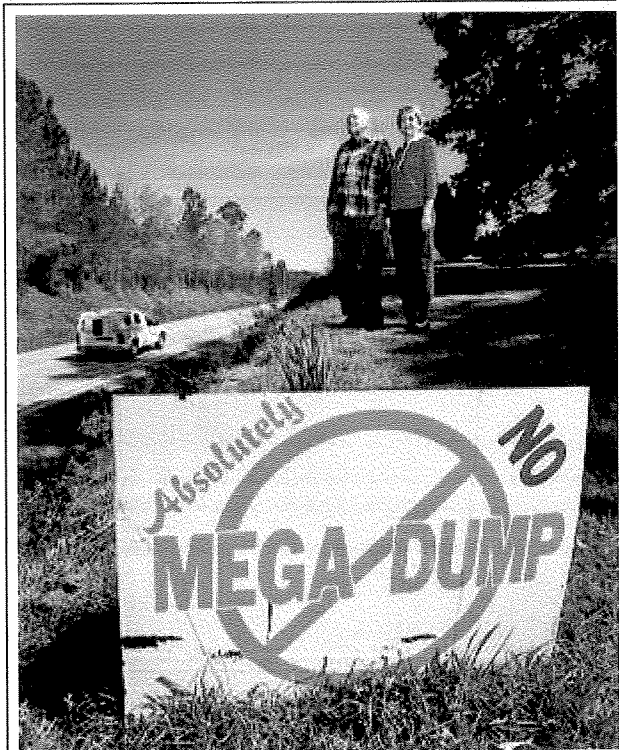
For five years, the small group of residents has waged a war against MRR Southern, a Raleigh company interested in building a landfill on the South Carolina-North Carolina border near Wallace.

Folks have passed the collection plate at community gatherings, digging into their own modest earnings to raise money for the fight. They've been kicked out of local government meetings for raising a ruckus. They've drawn suspicious stares from security guards for waving anti-landfill signs on the State House steps in Columbia.

And for two years, they have lived under the cloud of a libel lawsuit, filed by MRR Southern. The company sued the residents' community group for making what it said were malicious, false and defamatory statements.

To the group's relief, a judge threw the libel case out of court last week — but they realize more battles must be won if they are to stop the landfill. Many of those fights are in courtrooms. While the residents aren't directly involved in those cases, they've followed them closely and faithfully attended hearings to lend support to Marlboro County Council's effort to block the garbage dump.

"This battle is going to continue for years and years until we can get a final determination," said Tom



Residents have fought a giant landfill in tiny Marlboro County for years, but they won't give up despite intense pressure from a waste disposal corporation. For Bobby and Mary Baker, the landfill could adjoin some of their land.

- Tim Dominick /tdominick@thestate.com

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[A federal jury Friday awarded \\$2.3 million to six Lee County residents who say a stinky landfill has ruined their lives and their property values.](#)

['We are the pay toilet of the nation': The State newspaper's 2008 report on national waste industries' push to move into the state.](#)

Wood, a 72-year-old ball of energy who lives about two miles from the proposed landfill site.

At least two disputes between the county and MRR are among those being fought in court. The outcome of those cases, over zoning decisions, could determine whether the huge waste site is ever developed.

State regulators say they can't make a final decision on the dump unless the county gives local zoning approval. And Marlboro County leaders are trying to decide whether to appeal a judge's ruling last week against a county challenge to state landfill regulations.

Despite the obstacles, landfill opponents believe they have turned public opinion against a disposal site that could pile 1 million tons of garbage each year on the sandy plain of Marlboro County.

"Marlboro County is a poor little county, and that is what the landfill companies target," garbage dump opponent Belvin Sweatt said. "They think they can just come in and show themselves and say, 'We're here and we are going to do what we want to do.'"

Pesky citizens

The property where the Marlboro landfill would be located is off S.C. 177 near the North Carolina border, about a two-hour drive east of Columbia.

Just outside the crossroads of Wallace, the lightly populated area is dominated by farm fields, blackwater swamps and deep forests. The median household income is about \$26,000.

Leading the charge against the landfill are Wood, a onetime Navy man and retired teacher, and 62-year-old Sweatt, a soft-spoken former convenience store executive from nearby Bennettsville.

In addition to speaking at legislative hearings about the need for tougher state landfill regulations, Wood and Sweatt have spent hours doing research on the Internet and raising public awareness about landfills on behalf of their 30-member group, Citizens for Marlboro County.

The clamor in Marlboro has been so loud that people in many corners of South Carolina have heard about the landfill and its potential impact on the Wallace area of Marlboro County. Just last summer, Sweatt and Wood made the nearly two-hour drive to Pelion to encourage residents in southern Lexington County who are fighting to close a two-decades-old sewage dump.

Those efforts resonate with some folks. South Carolina has a history of accepting household garbage, toxic waste, sewer sludge and nuclear refuse from across the country, but people have become increasingly skeptical of the practice as they've become more aware of it.

Shelley Robbins, who tracks landfill issues for the environmental group Upstate Forever, said Citizens for Marlboro County is a shining example of how community groups can make a difference in fighting mega-dumps.

"This is sending the message to the solid-waste industry that when citizens stand up, they are not going to back down," Robbins said. "We are developing a reputation for persistence."

Sweatt and Wood say their opposition to the landfill wasn't always popular with local politicians. But their push against MRR's waste dump eventually helped persuade the county to hold a public vote in 2008 on having the landfill, Sweatt and Wood say.

More than 90 percent of the people said they did not want the dump. After that, the Marlboro County Council denied the zoning needed for the landfill and hired attorneys to defend its position in court.

WHAT'S AT STAKE

If MRR Southern wins in court, it potentially could build the largest landfill in the state.

Company officials have said the landfill won't threaten the environment and would bring in millions of dollars in tax revenues for Marlboro County. The site is considered ideal because of its proximity to a rail line and major highways in nearby North Carolina.

Citizens for Marlboro County, a group with about 30 active members, doesn't believe that.

Unpleasant odors and the threat of groundwater pollution loom if the landfill is ever built, they say. They blame MRR for trying to move into their community and the state Department of Health and Environmental Control for not doing more to help them.

Major concerns about the Marlboro landfill are how it would affect groundwater that feeds backyard wells in the rural farming community of ranch-style houses and mobile homes. Others question whether rotting garbage would saturate the air with strong odors.

If approved under state regulations, the landfill could become one of the largest in the state, rivaling a huge dump in Lee County that imports more waste to South Carolina than any other.

Marlboro County landfill opponents say the Lee County dump is a perfect example of what could happen in their community. A federal jury on Friday ordered the Lee landfill's operator to pay \$2.3 million in damages for failing to control a stench that keeps neighbors indoors on many days.

"I'm so glad they won," Wood said of the Lee County residents.

The site of the Marlboro landfill is owned by the Pate family, which has extensive land holdings in North Carolina. The family's company would consider selling about 1,000 acres for the landfill if it is sure the site would be safe, said family spokesman David Burns.

Attempts to reach officials with MRR Southern were unsuccessful. The company is a privately held solid-waste firm. A major investor is D.H. Griffin, one of the region's largest demolition companies.

Buzzards and odor

Persistence is the word that describes Minnie Holmes, one of the most outspoken citizens opposing the landfill.

The 72-year-old retired teacher said she has too many family memories invested in her land near the disposal site. A landfill would ruin that, she said.

"It's comfortable out here. Everybody knows each other," she said. "But when you wake up in the morning and smell all that stuff and people are scared to death to drink their water, that doesn't make sense."

Holmes remembers as a youngster playing with her cousins and eating family meals at her grandparents' house, just up the road from where she lives now. The cornbread cooked on her grandmother's wood stove is a mouth-watering memory. Later, Holmes picked cotton and tobacco to help her family earn a living. She returned to Marlboro after graduating from college in 1961, and for most of her life has resided on the same land her parents lived on.

The country road outside her front door sees relatively few cars. At times, the sound of song birds calling is about all that can be heard.

But when she looks out the front door of her brick home, she sees a clearing in the forest across the street. It's the beginning, she fears, of what will become MRR's landfill.

"It's right at my door," Holmes said. "Why do you want to put all this in here? You'll mess up the water. You can't breathe. And I don't want to look out and see buzzards flying everywhere."

Front-yard signs

A close look at Bobby and Mary Baker's front yard reveals a small sign on the edge of their expansive lawn along S.C. 177.

The sign blasts the proposed landfill, which they say would be next door to their house.

Why, they ask, would they embrace a mega-dump? Now retired, the Bakers spend their days puttering around the property outside their neatly kept home, attending to their azalea bushes and enjoying their yard.

Bobby Baker, 75, said he won't give up the fight because the property also holds special meaning to him. The dump would be an area that locals call "The Fruit Farm" for its legacy of growing crops. Baker said he has hunted quail nearby. He worries most about how the landfill would affect creeks and the groundwater that feeds the couple's well.

"Contamination is the biggest concern for me," he said. "That hillside the landfill is going to be on top of is just honeycombed with springheads and stuff like that. All that runs in the creek."

White Creek, which drains into the Great Pee Dee River, is a blackwater stream that expands into a hardwood swamp below the Bakers' house. On a cool afternoon last week, water gurgled over a beaver

dam on its way to the river. The water was so clear it was easy to see the sandy bottom from a bridge on White Creek Road. Baker's family once used the stream to provide water to hogs and cattle.

For Tom Wood, the landfill is an almost daily issue. As he drove down a country road near his house last week, he fielded calls about the landfill and the citizens group's victory last week in the libel lawsuit.

"Yes, sir, it sure is good news," Wood told a county councilman with a hearty smile.

Sweatt and Wood, who gave depositions in the case, came under fire from MRR over a website their group established and a series of advertisements published in local newspapers decrying the proposed landfill. The ads and the website noted problems at another landfill in North Carolina and said MRR's landfill practices would cause leaks and offensive odors in Marlboro County. MRR strongly denied the charges.

But in her decision Monday, U.S. District Judge J. Michelle Childs said MRR Southern "failed to identify specific evidence establishing that (Citizens for Marlboro County) knew of false statements in its publications or entertained serious doubts as to the truthfulness of the publications."

Armstrong, who represented Citizens for Marlboro County, said the lawsuit was an attempt to intimidate Wood, Sweatt and their fellow citizens against speaking up.

Wood and Sweatt said the suit was a bit daunting at first. But their concerns didn't last long. "For them to do this just reinforced my belief that we were doing the right thing," Wood said. "It galvanized the majority of our group. It made us feel like we needed to work harder. It really brought us closer together."