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CLF, Omya work together

Kevin Kelley

CLF, Omya work together on tailings issue

by Kevin Kelley

Is the bete noire of Vermont's business community actually a potential partner in efforts to resolve environmental controversies?

One company's experience with the Conservation Law Foundation suggests this could be the case.

Omya Inc, which operates marble quarries and a processing facility in central Vermont, used to view CLF in much the same way as do many manufacturers and developers: as a militant, inveterate adversary. Omya President Jim Reddy recalls that CLF, a New England-wide advocacy group specializing in litigation, had once sought to have his company's Act 250 permit revoked as part of a longstanding battle over truck traffic between Omya's marble quarry in Middlebury and its calcium carbonate processing plant in Florence.

But in the course of their conflict, the two sides got to know one another, Reddy recounts, and the relationship gradually shifted from one of confrontation to cooperation.

CLF began working with Omya around the year 2000 to develop rail as an alternative to road transport of the company's materials, Reddy notes. Building on that experience, Omya later asked CLF to mediate a dispute between the company and local opponents of a plan to expand the site for disposal of marble tailings from the Florence plant. The mediation effort failed, but a trusting relationship between Omya and CLF continued to grow.

"I learned you could work with them," Reddy says. "I realized that while CLF came from a different perspective than my own, they did have an attitude of wanting to find solutions, and they did understand that things have to be done in a way that is economically feasible."

And now the former foes have become full-fledged business partners.

Omya announced last month (May) that it has retained CLF Ventures, a consulting arm of the law foundation, to help it meet state requirements for handling of its marble wastes. The arrangement is focused in the short term on Omya's response to a state ruling earlier in May that it must obtain a solid waste permit for disposing of marble tailings that it had been dumping for years in an abandoned quarry.

Environmental Conservation Commissioner Jeffrey Wennberg decided that chemicals contained in the tailings pose a potential threat to public health and the environment.

CLF Ventures, a Boston-based nonprofit, will review technical aspects of the tailings issue while also working to ensure that local residents' concerns are addressed as part of the permitting process, Reddy says.

The consulting firm has been hired on a fee-for-service basis, adds Jim Hamilton, managing director of CLF Ventures. While declining to disclose the financial terms of the contract, Hamilton does say, "We're cheaper than law firms and in the ballpark for environmental consulting firms."

CLF Ventures plows back its surplus revenues into the law foundation, which operates out of offices in Montpelier as well as cities in Maine, Massachusetts, New Hampshire and Rhode Island. The consulting firm gives concrete form to a vision of the future of environmentalism, says CLF spokeswoman Julia Bovey. While we are so grateful for donations from individuals and foundations that permit CLF to do its work, we believe there has to be a way to add value to our work on environmental issues.

The consulting venture also gives expression to changes in attitudes regarding environmental advocacy, Hamilton suggests. Businesses and environmental needs are becoming more intertwined, he says.

Many companies as well as environmentalists no longer think of it as an us versus them situation. There's much more willingness to work together.

CLF Ventures is selling an image as much as actual expertise on specific problems. The firm's six-member staff does not include fulltime engineers, Hamilton says, and so some of its technical work is subcontracted to other environmental consultants.

Companies that contract with us send a market signal that they're serious about environmental improvement, Hamilton says. We don't engage in green-washing.

CLF protects its integrity by stipulating in its consulting contracts that it must report any violation of environmental laws or regulations that it may encounter as part of its work with a particular company, Bovey notes. It's about maintaining trust in us, she says.

Businesses that contract with CLF Ventures in turn gain credibility with their critics.

A company like Omya knows they have a poor perception in the local community and that if they got their own hired-gun consulting firm no one in the community would believe the results, Bovey says.

They have to convince the community that they're independent-minded. And CLF Ventures can help them do that.

At the same time, the consulting firm operates in an entirely businesslike manner, Hamilton says. We lead from a very solid and practical base. This isn't an altruistic enterprise.

The contract with Omya is the first in Vermont for CLF Ventures, but Hamilton says it's exploring a number of in-state opportunities regarding cleanup of brownfields, a term applied to contaminated sites that could potentially be redeveloped.

The current deal with Omya runs through mid-summer, when the company hopes to be ready to apply for a solid waste permit, Reddy says. And that won't necessarily mean the end of what once would have been viewed as an odd-couple arrangement. Reddy says he wants CLF Ventures to evaluate Omya's overall operation, with a view toward recommending enhancements of the company's environmental safeguards.

I have to admit that when I started, my opinion of CLF was no different from that of other businesses in the state, Reddy says. But I came to realize that they're not trying to put us out of business, and I think they came to realize that we're not trying to pollute the air and water. We both saw there were ways to work together.

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