U. S. Environmental Protection Agency
Blog Round-up
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ROUND-UP OF MAJOR BLOGS

AIR

EPA undertakes overdue review on oil, gas rules (*Huffington Post*)

CATHERINE TSAI | August 3, 2010 07:54 PM EST
DENVER — The Environmental Protection Agency is reviewing four air emission rules for oil and natural gas operations, albeit many years later than it should have done so.

The EPA is supposed to review the standards every eight years under the Clean Air Act, but some of the regulations in question haven't been updated since 1985, while others were last fully reviewed in 1999.

WildEarth Guardians and the San Juan Citizens Alliance noticed and sued the EPA to force a review.

"That's kind of a slam dunk. It's hard to win a case like that," said Bruce Moore, senior technical adviser with the EPA's Office of Air Quality, Planning and Standards.

The EPA reached a settlement in which it agreed to propose any changes by Jan. 31 and take final action by Nov. 30, 2011.

The agency is going a step further, though. It also will take a broad look at the oil and gas industry to identify and quantify sources of air pollutants, consider strategies for reducing them, and determine the environmental and economic effects of those strategies.

The EPA held public meetings in Arlington, Texas, on Monday and in Denver on Tuesday to get information from the public and industry representatives to help with its review.

Two regulations the EPA is reviewing cover new gas processing plants. One involves leak detection of volatile organic compounds, and the other involves sulfur dioxide emissions.

The EPA also is reviewing national emissions standards for hazardous air pollutants in oil and gas production, and in natural gas transmission and storage operations.

Regulators have lagged in updating rules, even as new strategies like horizontal drilling and hydraulic fracturing have boosted the amount of natural gas that is considered recoverable.

Elevated ozone levels in the winter in the West have been attributed to volatile organic compounds from the oil and gas industry, Moore said.

While the EPA has rules for some aspects of oil and gas operations, other areas are not covered by current regulations.

Kathleen Sgamma of Western Energy Alliance, a trade group, said at the EPA meeting Tuesday that onerous regulations would make it more difficult to produce energy domestically and lead to more importation. She noted other sources of air pollution and said regulators should focus on industries with higher emissions.

Environmental groups noted that industry has undertaken some voluntary measures to mitigate pollution but said those efforts were insufficient. They also said natural gas is cleaner than coal but that they want to ensure industry makes use of modern technology to reduce emissions.

46,000 Square Miles of Forest Needed For 120 New US Wood-Fired Power Plants (*Treehugger*)

Biomass burning for electricity still looks to be a political and environmental black hole, presenting more dreadful questions than a tree hugger can shake a blog at: Why, for example, are 120 new wood burning power plants being planned in multiple US states? Are banks and managing utilities planning biomass burning generators (a euphemism for wood-fired power mostly) just to meet state-required renewable energy goals? It is coincidental that these projects are scheduled for upgrading mostly for small- to medium-sized existing coal-fired power plants? Mainstream media are 'missing the forest for the trees' on this issue and the underlying reasons may surprise you.

Before we answer those, from Ohio.com, here's some context: Nationally, there are 102 biomass plants that generate electricity in 21 states, according to the Biomass Power Association, a national trade group. Biomass accounts for 1.2 percent of America's electricity.

More than 120 wood-burning biomass power plants have been proposed in the past three years. They would require 46,000 square miles of forests -- an area the size of Pennsylvania -- to be cleared by 2025, according to one national eco-group.

Yes, it is true that renewable energy credits offered by numerous states offer a strong financial incentive to convert, in whole or in part, from coal to wood burning. But, there are far more powerful market and regulatory forces operating in parallel to this incentive.

By my count, here are the top four reasons wood is being fed to boilers originally designed for coal:

Comments & More Questions: Am I suggesting that coal fired electricity is not so bad in comparison to wood fired? No!

I am saying we need to be thoughtful about unintended consequences of air emission regulations.

Look over the preceding list with an eye toward what will happen when the economy rebounds. Wood prices will go up; but so will prices for coal. It's likely a wash.

Environmental regulations promulgated under the US Clean Air Act may be a primary force behind the biomass power movement. Too soon too tell whether local opposition to such planned projects will hold many of them back. The wild card will be the capitol expenses required for controlling wood fired emissions, also promulgated by USEPA.

And as for biochar, the utility exec asks himself, 'Why burn wood only half the way?'

It would be interesting to see a table for both coal and wood (by species) equating generating capacity with controlled and uncontrolled air emissions and solid waste. Has anyone seen such an animal?

The unknown and the bitter. Where will the fuel destined for these hundreds of biomass burners (wood burners mostly) come from and what will be its form? Private forests? National forest lands? Imports? Pellets vs chips?

Remember the interstate commerce clause: Only the Feds can regulate trans-boundary shipping of biomass. And lobbyists control Washington DC.

FUEL

Law center prepares lawsuit over Mich. oil spill (*Huffington Post*)

MARSHALL, Mich. — A public interest law firm prepared Monday to sue the owners of a pipeline that ruptured in southern Michigan and dumped hundreds of thousands of gallons of oil into a Kalamazoo River tributary, while residents voiced concerns to government officials following a community meeting.

The oil flow has been stopped and government officials say it's been contained in a 25-mile stretch of the river from Marshall westward past Battle Creek. But the Environmental Protection Agency estimates it will take weeks to get the oil out of the river and months to clean it off banks and the flood plain.

"Everybody important right now is paying attention," said Britani Lafferty, 23, whose Marengo Township home near Marshall backs up to the river. "What's going to happen when ... it's no longer a hot story and there's still animals and people still affected?"

Patrick Daniel, chief executive of pipeline owner Enbridge Inc., said claim workers would be set up at a Battle Creek storefront office that would be "open long after cleanup is complete."

Officials from Enbridge, the EPA and other government agencies met with about 500 local residents inside Marshall High School gym Monday evening.

Gina Sterett, 37, of Marshall said the smell of benzene fills the air in her neighborhood along the Kalamazoo River. She and her husband have been sending their three children to stay at her parents' house because of the spill.

"Oh gosh! Half the geese we see, if not 50 percent covered, then they're completely covered with oil," she told The Associated Press. "The shorelines are all black, and you see the oil sheen on the water. It's an ugly sight. It's sad, it's very sad."

People likely will continue to see small patches of oil sheen on the water for some time, EPA deputy incident commander Mark Durno told the meeting. He also said his agency would be in the area for months.

The crowd was polite, even lightly applauding after each official spoke.

Earlier Monday, the Great Lakes Law Center sent Enbridge a notice of intent to file a lawsuit if a settlement isn't reached within 60 days. The letter accuses the company of violating the Clean Water Act. Daniel said he needed to review the letter and would reserve comment until Tuesday.

The Detroit-based law center says Enbridge could face more than $26 million in civil penalties based on the EPA's estimate that the spill exceeds 1 million gallons. The Canadian company estimates it at 820,000 gallons.

About 1.8 million gallons of oil and water mixture had been recovered as of Monday afternoon, Durno said. About 546,000 gallons had shipped away from the site.

Meanwhile, National Transportation Safety Board officials said Enbridge had shut down its pipeline for planned maintenance on July 25, hours before 911 calls started coming in about gas odors in the area. Federal officials said an area Consumers Energy worker reported finding oil on the ground near the pipeline the following morning, July 26. Enbridge said it detected the leak that day.

But the NTSB said it could not link the shutdown to the pipeline rupture and hadn't determined a cause for the rupture itself.

The EPA said it has received approval for up to $13 million to pay for the federal government's response to the spill and can request more money if needed. The government will seek full reimbursement for the money from Enbridge, and company officials have said they intend to pay for cleanup costs.

The cleanup has included rescuing reptiles, mammals and birds. More than 90 oil-covered turtles, birds and animals such as muskrats have been brought to a nearby wildlife animal rehabilitation center and several more have been taken to area wildlife refuges.

Many who attended Monday evening's meeting stayed afterward to speak with experts from various local, state and federal offices. Some left more disappointed than angry.

"We wanted more detailed information. What we got was a recap," said Julie Taylor, whose Marshall home is about 600 feet from Talmedge Creek. "I'm concerned about the long-term effects."

Bobby Lewis, 67, said his chief concern was how the spill and cleanup would impact the value of his $200,000 home just 30 feet from the creek.

"My life is invested in that," the retiree said. "I wanted to know if it's going to be worth two cents."

Many people had questions about water quality and groundwater contamination, said Kimberly Fish of the Michigan Department of Natural Resources and Environment.

"We're trying to gather data as quickly as we can," she said.

Associated Press Writer Jeff Karoub contributed to this report from Detroit.

Today on Planet 100: EPA Rejects Cleanup (*Treehugger*)

Plans to clean up Michigan's Kalamazoo River—after one of the world's longest oil pipelines burst—have been rejected by the EPA.

The EPA issued a notice of disapproval to Enbridge Energy Partners for "deficient" long-term plans regarding the cleanup of an estimated 1 million gallons of oil which spilled into a tributary of the Kalamazoo River. Crews are working to excavate the entire pipe to pinpoint the source of the break.

CEO Patrick Daniel promises to return the river to the same condition as it was before the spill.

TOXICS

Posted: August 3, 2010

Don't Frack Organic Food (*Huffington Post*)

By Leah Zerbe, online editor for Rodale.com, a daily health and environmental news site.

A leading fuel life-cycle analysis expert says turning to hydraulic fracturing for natural gas as a major national energy source would be "disastrous."

As certified organic farmer Greg Schwartz spoke to me on the phone last week from his front porch in picturesque Damascus, Pennsylvania, he lamented over the big natural gas drilling rig staring him down just 0.31 miles from his home at Willow Wisp Farm. It's not just his home but also a farm that provides a diverse array of healthy vegetables for hundreds of families in a way that keeps toxic contaminants out of the soil and drinking water supply of his neighbors. The water he uses to grow food comes from the Delaware River watershed and is among the cleanest in the entire country. This watershed provides clean drinking water for nearly 16 million people.

Natural gas drillers want to mix some of that clean water resource with hundreds of toxic and sometimes cancer-causing chemicals in order to inject it at high pressure (known as hydraulic fracturing, or fracking) deep into the ground to release deep natural gas deposits. So far, more than 200,000 acres surrounding Schwartz's farm are under lease to natural gas companies. Not exactly the prime place to grow organic veggies.

The industrial sight looming before him in such a pretty, rural area is ugly, he says, but the eyesore component is the least of his worries. If regulators allow the fossil fuel operation to move forward beyond exploratory well status and into actual hydraulic fracturing mode in his watershed, he will be out of business, and the local community and neighboring New York state will lose access to high-quality organic food. "We may be forced out of business because I can't in good conscious sell food in an area that's contaminated or potentially contaminated," says Schwartz. "I can't feed that to my family, either."

Other heavily fracked areas out West, such as Colorado, Wyoming, and Texas, and now different parts of Pennsylvania and West Virginia, have suffered serious air and water contamination as a result of this resource-draining fuel extraction method. Exploding wellheads, worker fatalities, flammable tap water, toxic flowback spewing into a state forest -- we're starting to know the drill.

But what is most alarming about this drilling practice, which is exempt from virtually all public health laws meant to protect us, is that there's a push to embrace it as our country's new clean energy, or at the very least, as a cleaner bridge fuel that will hold us over until we decide to start using solar and wind on a grander scale. Are we really prepared to trade our domestic clean water, air, and national food supply in order to keep fossil fuel companies in business a few more decades?

(More info: What's the fuss about fracking?)

Meanwhile, biochemist and fuel life-cycle analysis expert Robert Howarth, PhD, professor of ecology and environmental biology at Cornell University, says that a national shift toward natural gas would be "disastrous."

His team's preliminary research is finding that natural gas fracking is as energy intensive as coal, long regarded as the dirtiest form of energy. His major concern is over the amount of methane, a

potent greenhouse gas that unavoidably seeps into the atmosphere from drilling sites. There's virtually no one policing the methane blowing off into the atmosphere from these sites. "There is no national reporting or monitoring system," he says. "Houses are blowing up in Pennsylvania. That's probably the tip of the iceberg in terms of methane leaking into the atmosphere."

Howarth's research has found that a 5 percent leakage rate over a 20-year period equates to methane being 72-fold more portent a greenhouse gas than carbon dioxide. In terms of energy, he contends, "It's a lousy alternative."

"It's being sold as something that's good for the fight against global warming. That's not true," Howarth explains. "Instead, we're flooding the market with cheap gas that is every bit as bad [as coal and oil] and could be aggravating global warming.

The Environmental Protection Agency has kicked off a 2-year study to investigate natural gas' effect on drinking water, but the natural gas industry contends that the process is safe, and no further studies are needed. Drilling continues in many parts of the country despite the fact that there have been no long-term studies looking at its effect on human or environmental health.

"It's unregulated. It's crazy to push ahead with this industrial activity without better federal control and oversight," he adds

WATER

Corexit and the Underwater Plumes, the Worst is Yet to Come (*DAILY KOS*)

The headlines are piling up and the evidence is frightening to say the least even though the EPA is saying everything's fine, Citing Tests, E.P.A. Says It Was Wise to Use Oil Dispersant.

Spraying dispersants on oily water in the Gulf of Mexico doesn't make the mixture any more toxic than the water was with Louisiana sweet crude alone, the Environmental Protection Agency said Monday.

Paul Anastas, the agency's assistant administrator for research and development, said that the toxicity of the mix of oil and dispersant sprayed to combat the gulf oil spill was generally in the range of moderate, comparable to the effects of the oil.

Then why was corexit banned in the UK more than ten years ago if it was so nifty?

We learned about the U.K. ban from a mention on The New York Times' website. (The reference was cut from later versions of the article, so we can't link to the Times, but we found the piece elsewhere.) The Times flagged a letter that Rep. Edward Markey, chairman of the House Subcommittee on Energy and Environment, sent to the EPA on Monday. The letter pointed out that both the Corexit products currently being used in the Gulf were removed from a list of approved treatments for oil spills in the U.K. more than a decade ago. (Here's the letter.)

So it was banned, it's been cut from a New York Times piece that it was banned and now the EPA is defending its used. It even rubberstamped its used after having issued a warning to BP to only use it sparingly. I wrote about this weekend with very little fanfare but felt it was important.

The dispersant has caused more issues as BP tries to say that the worst is over and it is not. It's not.

Scientists Find Evidence That Oil And Dispersant Mix Is Making Its Way Into The Foodchain.

Scientists have found signs of an oil-and-dispersant mix under the shells of tiny blue crab larvae in the Gulf of Mexico, the first clear indication that the unprecedented use of dispersants in the BP oil spill has broken up the oil into toxic droplets so tiny that they can easily enter the foodchain.

Marine biologists started finding orange blobs under the translucent shells of crab larvae in May, and have continued to find them "in almost all" of the larvae they collect, all the way from Grand Isle, Louisiana, to Pensacola, Fla. -- more than 300 miles of coastline -- said Harriet Perry, a biologist with the University of Southern Mississippi's Gulf Coast Research Laboratory

With BP's well possibly capped for good, and the surface slick shrinking, some observers of the Gulf disaster are starting to let down their guard, with some journalists even asking: Where is the oil?

But the answer is clear: In part due to the1.8 million gallons of dispersant that BP used, a lot of the estimated 200 million or more gallons of oil that spewed out of the blown well remains under the surface of the Gulf in plumes of tiny toxic droplets. And it's short- and long-term effects could be profound.

And profound is just one way of putting it. And fisherman are being told they can go back to their work, shrimpers, etc. But they aren't buying it, as the new CEO says he would serve gulf fish to his family.

But who would you trust, this guy, or the people who live there and work there and who have been living this nightmare for the past three months? Not Even Gulf Fishermen Buy The Government's 'Smell Test' Policy On Oil-Exposed Seafood.

VENICE, La. — Seafood from some parts of the oil-fouled Gulf of Mexico has been declared safe to eat by the government, based in part on human smell tests. But even some Gulf fishermen are questioning whether the fish and shrimp are OK to feed to their own families.

Some are turning up their noses at the smell tests – in which inspectors sniff seafood for chemical odors – and are demanding more thorough testing to reassure the buying public about the effects of the oil and the dispersants used to fight the slick.

"If I put fish in a barrel of water and poured oil and Dove detergent over that, and mixed it up,

would you eat that fish?" asked Rusty Graybill, an oysterman and shrimp and crab fisherman from Louisiana's St. Bernard Parish. "I wouldn't feed it to you or my family. I'm afraid someone's going to get sick."

But BP and Nalco, the maker of Corexit are on a full court press to make sure this is seen as a victory for them, to cut losses and their stock portfolio's, it would make sense that you would find this at Market Watch...

Nalco Statement on EPA's Second Round of Dispersant Test Results.

Nalco is pleased to see continuing scientific review and analysis of the conditions in the Gulf of Mexico relating to the oil spill. Among other things, the findings of today's U.S. Environmental Protection Agency's peer reviewed report indicate:

-- that dispersed oil is generally no more toxic than oil,

-- that dispersants appear to increase the efficiency of natural

biodegradation by 50 percent,

-- there is no evidence of harm to wildlife from the dispersants used in the Gulf.

This is just not the case though, the emergency is not over, we have much to be concerned about. The two concerns are the underwater plumes of dispersed oil and their long term effects.

Dispersants Used in Oil Disaster Creating New Crisis.

It's a new crisis unfolding and it will continue to do so. And as we learn that the amount of oil gushing into the Gulf was always underestimated, we're to believe there is nothing to worry about?

Since this is a press release, I am going to include it all.

Toxic chemical components from crude may pose serious problems for fisheries

NEW ORLEANS, July 30 PRNewswire -- A Statement from Attorneys Stuart Smith and Mike Stag, and Toxicologist Dr. William Sawyer:

"Most southeast Louisiana residents know by now that BP is using chemical dispersants in the Gulf to help make the oil go away. Unfortunately, dispersants do not 'make the oil go away' – quite the reverse, dispersants merely conceal a portion of the oil underwater.

"Dispersants also leave behind a witch's brew of other potentially-dangerous chemicals after interacting with crude oil in water. Not only do these toxic components damage the environment, but they introduce potentially-serious human health and marine environmental problems.

"Louisianans can expect to experience long-term effects for some time, not only to their health, but also their ecosystem and way of life. And the real problems can't necessarily be seen.

"When you fly over the Macondo site where the Deepwater Horizon rig was located, the water looks like a gelatinous toxic soup thanks to this mix of dispersants and oil.

"Dispersants were meant to be used at the surface of oil spills. The millions of gallons of Corexit used at the Macondo wellhead site to prevent the oil spill from surfacing have caused as much as 70 percent of the spill to remain hidden from view.

"BP's use of dispersants deep underwater, and on such a large scale, represents the first time these chemicals have been used in this manner.

Normally, dispersants are applied in small quantities at the surface and the chemical toxins of their use become sufficiently diluted over time so as to pose only minimal health risks. However, because of the volume of dispersants applied, the volume of oil involved, and because the dispersants were applied deep underwater, what remains afterward can be dangerous to human life and deadly with respect to marine reproduction.

"These toxic chemicals, known carcinogens, are just lingering, invading marine life and the ecosystem of the Gulf. The long-term impact on wildlife and many residents' way of life hasn't been fully estimated. If the result of using these chemicals sterilizes our fisheries, what will it do to those of us who eat this seafood?

"Based upon a published efficacy study of Corexit 9500 on southern Louisiana crude at 70 percent efficacy, it is estimated that approximately 1/10th of a billion gallons of crude has been suspended underwater. However, what remains is not normal crude, but highly toxic fractions of what was once crude.

"Because these chemical concentrations are underwater, the insidious effects of their presence are not clearly visible to the naked eye, and the large scope of application and the vast geography of the Gulf make it exceedingly difficult to track.

"Only by conscientiously following through and professionally monitoring and analyzing the effects of these toxic chemicals can we accurately assess the true impacts of BP's introduction and potential misuse of dispersants into what was a short time ago a pristine marine environment."

Much of the deepwater findings referred to by Mr. Smith are based on official NOAA testing data and the results of independent testing. To insure that laboratory findings were both accurate and impartial, Mr. Smith hired well-known experts to gather data and study the air and water quality of the area. This effort, spearheaded by Chief Toxicologist Dr. William Sawyer, has produced some alarming facts:

This is not just the health of the Gulf residents, their livelihoods and their economy, this could profoundly affect the health of the oceans, the food chain and those who buy the food caught in

the Gulf. This has much far reaching consequences and it will for decades.

But the EPA says it's fine, BP says it's fine, why am I still concerned? Because of things I've read, studies, Rikki Ott and her tremendous efforts to educate people about what happened in the wake of the Exxon Valdez. And we cannot turn a blind eye to the health of those who are living in the Gulf. And then you have whistleblower Hugh Kaufman, who was featured in a Mother Jones article about just what the EPA doesn't want to admit.

An Environmental Protection Agency staff member is accusing his employer of being coy when it comes to dispersant use in the Gulf. Career whistleblower Hugh Kaufman says EPA officials know that the chemicals present a threat to public health and the Gulf ecosystem and should be banned; they just don't want to say so.

Kaufman, a senior policy analyst in the EPA's Office of Solid Waste and Emergency Response, alleges that agency administrator Lisa Jackson sidestepped the issue last week in her answers to questions about whether the agency has the authority to call off use of dispersants in the Gulf. The agency, he says, is deliberately downplaying the threat—and its own role in regulating the chemicals—to protect itself from liability and keep the public from getting too alarmed.

But Kaufman is not alone in his concern. According to Ruch, at least 10 other EPA staffers, including several toxicologists, have come to PEER to raise concerns about dispersants and other health problems in the Gulf, claiming that their superiors at the agency are not doing due diligence when it comes to dispersants. "[EPA] appears to be making decisions at the behest of BP and not exercising much, if any, independent judgment," says Ruch.

And just last week Kaufman was featured on Countdown as a guess to explain his concerns regarding the use of Corexit.

There is much to be concerned about and it will be up to us to keep an eye on things, just as the Gulf Watchers do, remember to rec the latest Mothership and to keep your eyes on what is happening in the Gulf, we must continue to make sure that the residents of the Gulf are not forgotten, the crisis is not over, even if the well is capped.

This is what happens when the worst case scenario has no plan, or in this case was so poorly planned for that everyone thought there was a plan.

It's obvious there wasn't and BP threw everything they knew at this problem as they tried to figure out how to cap the well. Booming and dispersants don't mix. The Berms, the skimmers, the burning of oil.

Years of technology on drilling and nothing on how to collect oil if things go awry.

Banned toxic chemicals in amounts never used before, sprayed, "carpet bombed" and poured into the oceans in hopes of hiding the oil. What plumes?

Over and over again, BP has downplayed this spill to be slapped up side the head by scientists

saying, wait a minute, no that's not RIGHT.

And now a public relations front say that it's all fine, don't worry.

We need more than that, we deserve more than that. If the food chain is compromised, then the workers in the Gulf should receive more assistance rather than being forced to smell the food before selling it to a wary public.

We can do better than this.

Our dependence on fossil fuels still puts us at environment risks, this spill will cost us more than we can ever imagine and we must learn from this if we are every going to actually evolve and grow to a new energy future.

One of the worst outcomes would be for nothing at all to change.