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**E-Clips**
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## ADMINISTRATOR JACKSON

Jul. 12, 2010
Vegas Review-Journal
DOUG ELFMAN:

**Oil spill, politics upset Maher (*Las Vegas Review-Journal*)**

Bill Maher would "bet the house" Mitt Romney will win the Republican presidential nomination in 2012.

More surprising, Maher -- one of liberal Americans' beacons -- thinks Romney has a "50-50" shot at beating President Barack Obama.

Maher thinks Romney is a dumb "bimbo." So why him?

"They've got nobody else. He looks like a president. He ran last time, and Republicans are big on giving the nomination to the guy who has stood in line. They gave it to (Bob) Dole. They gave it to (John) McCain.

"And who's going to beat him? I don't think (Mike) Huckabee. I don't think Sarah Palin. Even Republicans know she's a joke," says Maher, who performs Friday and Saturday at The Orleans.

Obama seems beatable now because:

"The country is very unhappy, and people are very dumb, and Obama has been a disappointment in a number of different ways," Maher, HBO's "Real Time" host, tells me.

Maher credits Obama for signing three laws: health care reform, financial reform and economic stimulus.

"He did stave off a depression this country was heading straight towards. Those are three pretty big accomplishments," Maher says.

"If he could get some kind of climate bill passed, and move us in that direction, I would have to say it's a pretty successful first term."

On the other hand, Obama (as Arianna Huffington puts her finger on it) trusts everyone from banks to BP to do the right thing. He seems to have zero skepticism of authority figures.

Plus, various Obama policies mirror Republican policies.

"It amazes me the press is always obsessed with this idea of: 'There's too much partisanship, and we're too polarized.' Too polarized? Quite the opposite! We're too alike.

"If both parties are for oil drilling, if both parties are for using the army to fight terrorism in Afghanistan and Iraq, then we're not polarized. We have one party."

This oil spill has depressed Maher "more than any story I've ever covered," he says.

"It's not only the destruction of nature, but also the futility -- this constant reminder that we can't solve problems -- I just find so depressing.

"I don't see this giant tragedy changing peoples' minds enough. People are still for drilling," he says.

One of those people, Sen. David Vitter, R-La., keeps saying it could be devastating if we stop drilling, even though the oil spill is, actually, already devastating.

"Only a Republican can look at a dead ocean and say, 'Boy, I hope the government doesn't turn this into something bad,'" Maher says.

Yet, it's not like Democrats in office are coalescing behind a replacement energy plan. No major politician in either party will say: Maybe it's time to focus heavily on other resources and phase out oil-drilling jobs.

"If your job is in some industry that's killing things -- maybe you're in the wrong line of work! Maybe we shouldn't have those jobs," Maher says.

"They'll never say that because oil is macho and windmills are 'gay.' Better to die in a manly fashion than to live by getting your power from wind," Maher mocks.

Maher wishes Obama would clean his environmental house and fire Secretary of the Interior Ken Salazar and EPA chief Lisa Jackson, for starters.

But he's not hopeful.

"Since BP turned the Gulf of Mexico into the pit at Jiffy Lube, I'm a little cranky."

Doug Elfman's column appears on Mondays, Tuesdays and Fridays. Contact him at 383-0391 or e-mail him at delfman@reviewjournal.com. He also blogs at reviewjournal.com/elfman.

## EDITORIAL / OP-ED /COMMENTARY / LETTERS

**Texas energy industry under fire from administration (*Fort Worth Business Press*)**

BY ALEX MILLS
July 12, 2010
The current administration and environmental extremists have declared that they intend to end the "tyranny of oil," as President Obama has proclaimed.

The attacks come from the administration's Justice Department, Environmental Protection Agency (EPA), Interior Department, Treasury Department and Department of Energy. They are using the legislative process, the federal budget, the courts and regulatory agencies to attack the domestic oil and natural gas industry.

Obama recommended in his 2010 and 2011 budgets that the tax law be changed, which would result in an increase in taxes by an estimated $35 billion for domestic oil and gas industry. Most of the tax increase would come from small independent producers, who drilled 96 percent of the wells in Texas in 2008 and produced 88 percent of the oil and natural gas.

The Justice Department has appealed a U.S. District Court ruling against the Obama administration's moratorium on drilling in the Gulf of Mexico because of the blowout. The moratorium would cause serious economic damage to the offshore exploration industry in Louisiana and Texas. The district judge noted that the airline industry is not shut down following an airplane crash, and the offshore exploration industry should not be shut down because of one incident in the last 40 years.

On the environmental front, EPA has proclaimed carbon dioxide a "pollutant" and wants to bypass Congress because it cannot pass a cap-and-trade bill.

In Texas, EPA Region 6 Director Al Armendariz has decided that EPA can regulate air emissions from the petroleum industry better than Texas regulators, and he has declared that Texas refineries must obtain a federal permit. States have the authority to issue air permits under the Clean Air Act, and EPA has approved Texas' permitting process for more than 15 years until last week.

EPA also has decided to conduct another "study" of hydraulic fracturing even though there has never been a confirmed instance where groundwater has been contaminated by the fracturing process. EPA held a hearing in Fort Worth on July 8 and learned that hydraulic fracturing occurs thousands of feet below fresh water zones. For example, the average well in the Barnett Shale is more than 8,000 feet below the fresh water table. That's more than a mile and a half of solid rock between the fractured zone and the fresh water zone. Put another way, you could stack the five tallest buildings in North America – the CN Tower in Toronto, the Sears Tower in Chicago, the Trump Tower in Chicago, the John Hancock Building in Chicago and the Empire State Building in New York, which total 7,797 feet in height – and still not equal the distance between the fresh water zone and most fractured zones.

Additionally, during the past 25 years, the Congress, federal regulatory agencies, state regulatory agencies, state legislatures, and the courts have examined hydraulic fracturing extensively. Yet, not one case of contamination by hydraulic fracturing has been proven.

In 1995, EPA Administrator Carol Browner, who currently serves as Obama's energy and environmental czar, wrote that hydraulic fracturing was closely regulated by the states and, "EPA is not legally required to regulate hydraulic fracturing." Most importantly, she further wrote that there was "no evidence that hydraulic fracturing resulted in any drinking water contamination" in the litigation involved. Also, two EPA officials testified just a few months ago that they did not know of any contamination caused by hydraulic fracturing.

All of these actions against the number one industry in Texas have made some wonder if the results of EPA's "study" have been pre-determined even though state regulators still have not found a case where hydraulic fracturing has contaminated ground water.

Additionally, many Texans are concerned that the actions of the federal government will send the oil and gas industry into a tailspin and damage the entire economy of Texas.

Alex Mills is president of the Texas Alliance of Energy Producers. The opinions expressed are solely of the author

**Note to EPA: 'Coal' isn't a dirty word (*POLITICO*)**

By: Rep. Shelley Moore Capito
July 12, 2010 04:44 AM EDT
Through the Environmental Protection Agency, Washington continues to push an anti-coal agenda. It amounts to an assault on an industry that employs more than 500,000 hardworking Americans and supplies nearly half of America's electricity.

The EPA's attempts to control climate change through regulation and stall the approval of mining permits can only lead to coal states like West Virginia bearing the brunt of poorly thought-out policies that translate into greater job loss and higher energy costs.

President Barack Obama is intent on passing legislation to cap greenhouse gas emissions. Should Congress fail to act, the EPA will exert its regulatory authority in an unprecedented manner that will have far-reaching effects on nearly every sector of the U.S. economy — from higher prices at the gas pump to skyrocketing utility bills.

The EPA cannot unilaterally set an agenda without the buy in of the American people. Decisions made by the EPA must take into account the real cost to families, their livelihoods and plans for the future.

West Virginia already is feeling the burden of excessive regulation with no consideration of our future.

In an effort to punish the coal industry, the EPA has essentially halted the review and approval of mining permits across the Appalachian region. Consequently, tens of thousands of jobs in my state and across the country are at risk because the EPA has been purposefully slow to act.

According to a recent study by the Senate Environment and Public Works Committee's minority staff, the Appalachian region could lose one-fourth of its coal-mining jobs if the EPA continues its delay tactics. Workers in the transportation, equipment manufacturing and utility industries will also see a reduction in demand if the coal industry is dismantled.

With national unemployment still hovering around 10 percent, and no relief in sight, families can ill afford to lose these good-paying jobs.

We absolutely cannot afford a scenario where delayed policy decisions lead to a slow bleed of jobs and planned investment throughout America's coal country. Energy producers expect and deserve certainty and clarity to conduct their business, but the current administration continues to turn a blind eye and a deaf ear to their concerns.

We all agree that we must pass an energy policy that respects our environment and produces energy in an environmentally friendly way. But we also must encourage job growth, economic prosperity and innovation in energy technology.

The out-of-control regulation authority will cost American jobs, increase energy prices and threaten our national security. We must all work to end our dependence on foreign oil and expand our energy sources, and that starts with taking advantage of resources that are affordable and abundant right here in America.

Rep. Shelley Moore Capito (R-W.Va.) is co-founder of the Congressional Coal Caucus.

July 12, 2010

**Why N.Y. needs drilling moratorium (*Ithaca Journal*)**

By Christine Applegate
Two bills in the state Legislature propose moratoriums on gas drilling until the industry can be better studied. The oil and gas industry is not pleased. Some landowner coalitions are also pushing to drill here and drill now.

Many area landowners, recognizing that they were deceived by the gas companies, now regret their decision to lease their property. The moratorium gives them a chance to start over.

In 2006, we were offered a $25 per-acre sign-on bonus, 12.5 percent royalty and the standard two-page lease with virtually no built-in protections. The landman didn't let on that we could get more.

He didn't tell us that our land would be disrupted for decades and our lease would be never-ending. He didn't tell us that banks would be leery of granting a mortgage on our property if we decided to sell. The gas companies swooped in under the radar and got Walmart prices around here and few restrictions.

Meanwhile, landowners coalitions are negotiating for $5,000 per acre, 20 percent royalties and the deluxe 38-page lease (with much more protection). If we had signed four years ago, our lease period would be up in 2011. We might decide to renegotiate with the gas company for what our land is really worth — $220,000 for our property at today's prices — not to mention the increased royalties and the peace of mind. In light of all that we have learned about the potential dangers of gas drilling, we might decide that leasing doesn't work for us after all.

That's why a one- or two-year moratorium would be great for landowners. Many of the terrible current leases will expire in the next two years. Meanwhile, the natural gas underground will only increase in value.

The EPA will complete its two-year study on the safety of hydro-fracking, and we can finally get some unbiased facts. Adequate, up-to-date regulations will be developed so that New Yorkers can avoid the mistakes that have been made in other states.

Our towns and counties can lobby for more say over zoning, roads, and environmental protections. Citizens can also lobby the state to repeal the unjust seizure of our private property by Compulsory Integration.

Indeed, the landowner coalitions should come out in support of their friends and neighbors by supporting the moratorium, so that all landowners can benefit from better leases, more income for local and state coffers and better protection for central New York.

A moratorium also gives the 90 percent of the area's population not involved in leasing a voice in decisions that will affect the whole community. Heck, gas companies should support the moratorium - a great marketing strategy to differentiate themselves from BP. We have watched the nightmare unfold in the Gulf. Let's not let the oil and gas industry — the only ones who really benefit from low, low prices and insufficient regulation — play the tune.

## AIR

Monday, July 12, 2010

**Cap and No More Trade (*Wall Street Journal*)**

Market-based environmental programs can work well. But as the acid-rain market shows, they need clear rules set by the government.

By MARK PETERS

After more than a decade of slashing air pollution from power plants, the original U.S. cap-and-trade market has ground to a halt. The final blow likely was delivered by new federal pollution rules announced last week.

Effects of acid rain in Great Smoky Mountains National Park

The acid-rain market has been in a state of disarray for the past two years as utilities, states and investors waited for the Environmental Protection Agency to issue new rules. Now those rules are out, and they set strict new limits on emissions. But they also reduce utilities' ability to trade allowances to meet those tighter standards. As a result, the value of the allowances already on the market are expected to fall to zero, causing a complete collapse of trading.

Hopes are few that the market will recover. And that holds a warning for policy makers hoping to establish a similar market-based approach to curb emissions of carbon, which scientists have linked to global warming. Though they've worked well for years, market-based approaches to reducing air pollution are extremely vulnerable to government actions. And just like in markets in general, investors—and utilities in this case—hate uncertainty.

The cap-and-trade approach was first used to curb pollutants causing acid rain. European carbon markets followed, modeled in part on the acid-rain market's early success. But a federal court in 2008 rejected a complex 2005 plan by the EPA to expand U.S. environmental markets. In response, prices for the pollution allowances that drive emission reductions plunged. Utilities held off on projects to clean up their plants.

Limiting Trading

Now, the rules just issued will restrict trading by utilities further. The changes aren't a signal that the EPA has soured on market-based programs to combat pollution, according to an agency official. But because of the court ruling, the new regulations will require utilities in upwind states to cut their pollution outright in order to ensure that downwind states meet federal air-quality standards. Limited trading will be allowed by utilities to comply as well, but the new rules are far more restrictive than they were in the Bush administration plan. Under the new rules, only a slice of required emission reductions can come from buying allowances, with the rest coming from changes at the plants themselves. And millions of allowances that utilities now hold can't be used under the new program, which will issue its own allowances.

"It is tragic," says Gary Hart, an analyst at ICAP Energy LLC based in Birmingham, Ala., who has worked on environmental markets for two decades. "It is something that worked so well."

The U.S. acid-rain trading program is often cited as the first, large-scale effort by a country to combine environmental goals with a market system. Starting in 1995, the U.S. government put a limit on sulfur-dioxide emissions—essentially the cap in cap and trade. That limit affects mostly coal-fired power plants.

Then officials created a market by handing out a set number of emission allowances to utilities. Plants surrendered one allowance for each ton of sulfur dioxide they emitted into the atmosphere. If utilities cut emissions by switching to low-sulfur coals, increasing efficiency or adding emission-control technology, they could capture new revenue by selling any leftover allowances or avoiding the cost of buying new ones. That's the trade in cap and trade.

An EPA study shows sulfur-dioxide emissions in 2008 were 52% below 1990 levels. Similar reductions came from a regional program the agency later started to cut emissions of nitrogen oxide, a major contributor to smog.

But in 2005 the EPA, with the backing of many utilities and environmental groups, announced changes that sought major new reductions in smog-forming and soot-producing emissions, and expanded the reach of the cap-and-trade system in more than two dozen, mostly Eastern, states.

The new EPA orders, known as the Clean Air Interstate Rule, sought to achieve bigger cuts in part by slashing the future value of allowances handed out to utilities. Under the new rules, starting in 2010 utilities would have to use two allowances instead of one to emit a ton of pollutants.

This was basically an attempt by the Bush administration to tighten the cap on pollutants—by cutting the supply of allowances—without having to write new legislation. Democrats in Congress were pushing for much tighter caps. The utilities knew they were going have to accept something, and they approved of the market-based approach. So, the industry for the most part threw its support behind the rule changes.

Promising Start

Prices of sulfur-dioxide allowances more than doubled soon after the changes were announced, hitting $1,600 a ton in late 2005. State programs to control pollution and other factors such as growing electricity demand also helped to drive emission-allowance prices up. At the same time, the utilities increased investment in pollution controls to prepare for the start of the new rules in 2009 and 2010.

But in 2008, in response to lawsuits filed by a handful of utilities and North Carolina, the U.S. Court of Appeals for the District of Columbia Circuit ruled that the EPA had overstepped its authority in expanding the markets and that parts of the new rules were in conflict with existing Clean Air Act regulations. The court allowed the expansion of the market to take place, but it ordered the EPA to rewrite its rules to comply with existing law. Prices of allowances fell in response, and trading dwindled.

With the release of those revisions last week, curbing trading and enacting strict new state caps, the acid-rain market isn't likely to recover. Requiring utilities to take new steps to cut sulfur-dioxide emissions will cause an already large surplus of allowances to balloon further. Using those allowances from the acid-rain market to meet the limits won't be allowed under the new rules.

"It really feels like prices are going to zero quickly," says Peter Zaborowsky, a managing director of Evolution Markets Inc., a White Plains, N.Y.-based provider of environmental brokerage services for utilities and investors.

U.S. Sen. Thomas Carper, a Democrat from Delaware, has proposed new legislation that would use the existing markets to achieve similar reductions, but the bill faces a Congress focused on broader energy legislation.

Keeping Faith
Utilities and environmental groups generally haven't lost faith in a market-based approach to the problem of air pollution. John Walke, clean air director at the Natural Resources Defense Council, says that the 2008 appeals court decision remained silent on the larger question of the effectiveness of environmental markets, and that the new EPA rules shouldn't be viewed as an abandonment of cap-and-trade.

"The acid-rain market continues to be relevant to the debate over CO2 because it is a successful model," he says.

Mr. Peters is a reporter for
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**We want clean air (*Fredericksburg.com*)**

July 12, 2010 12:35 am
We want clean air
We all value our health. But in the coming weeks, utility industry lobbyists will be pushing the U.S. Senate to weaken the Clean Air Act as negotiations heat up to pass a comprehensive clean energy and climate bill.
For years, the Clean Air Act has helped protect Americans from toxic pollutants like mercury, lead, and arsenic.

Along the way, the electric utility industry has fought tooth and nail to delay the installation of modern pollution controls on coal-fired power plants and other pollution sources.

Even as the BP Gulf disaster has given new urgency to transition to a clean energy economy, the utility industry is working to block the EPA from cutting global warming

pollution from power plants, and is even pushing for weaker standards for smog, soot, and mercury.

Coal-fired power plants create pollution that sickens and kills thousands of Americans with lung and heart disease. We can't afford to be taking steps backwards in the fight to clean up this pollution.

Sens. Webb and Warner recently stood up for clean air and public health, and we urge them to continue their leadership by protecting the Clean Air Act as they work to pass a comprehensive clean energy and climate bill this summer.

Sophie Fried
Richmond
The writer is field associate, Environment Virginia.

7/12/2010

**Cummins Plans to Expand Seymour Plant, Engine Production (*Truckinginfo*)**

Cummins Inc. is expanding its High-Horsepower Technical Center and high-horsepower engine product line at its manufacturing plant in Seymour, Ind. The $100 million investment in the plant's expansion will open the door for Cummins to produce high-horsepower clean diesel and natural gas engines in the future.

With the new investment, Cummins expects to add about 200 engineering and manufacturing jobs over the next five years. The plant currently employs nearly 450 people.

Cummins has also changed the name of the facility to the Seymour Engine Plant from the Cummins Industrial Center, to reflect the company's practice at many of its other engine manufacturing locations.

The company is working on a new, larger-displacement engine. The product investment will increase the plant's capacity and manufacturing capability, including a new assembly line, paint area and production test cells.

The expansion will almost double the current engineering footprint in the facility and increase Cummins high-horsepower mechanical development capability. Other capital expenditures will include additional equipment, test cells and other facility upgrades.

Preparations for the technical center expansion are scheduled to start immediately, and construction is expected to be complete by mid-2011.

"This is an exciting expansion and announcement," said Mark Levett, vice president and general manager of the high-horsepower business. "Cummins was first to market with our EPA Tier 2 high-horsepower engines, meeting both emissions requirements and our customers' needs for reliability, durability and performance."

The Seymour Engine Plant opened in 1976 and is currently manufacturing V903, K19, QSK19 and QST30 diesel and natural gas engines.

**Council praising clean air proposal (*Watertown Daily Times*)**

ADIRONDACKS: Group says acid rain damage would be reduced if law is put in effect
By MARC HELLER
TIMES WASHINGTON CORRESPONDENT
MONDAY, JULY 12, 2010
WASHINGTON — The Adirondack Council is praising a renewed proposal from the Obama administration to cut pollution that causes acid rain in the Northeast.

The proposed cuts in sulfur and nitrogen oxides are deep enough to stop most of the damage acid rain inflicts on the Adirondacks, the Council said in a news release.

Still, the group urged Congress to put the proposed cuts in law, rather than rely on regulations that could face coal industry lawsuits.

The federal Environmental Protection Agency proposed the Clean Air Interstate Rule last week, including a 71 percent cut in sulfur dioxide emissions and a 52 percent cut in nitrogen oxide emissions when combined with other agency actions.
The proposal is open for public comment for 60 days.

A prior Clean Air Interstate Rule proposed by the Bush administration was rescinded by a federal court that demanded better evidence of how the regulations would benefit public health, then reinstated while the EPA revised it.

The new rule, with more strict emissions limits, would cost business about $2.8 billion in 2014, when limits fully take effect. But the EPA said savings in public health would far outweigh the cost to power plant operators.

"The Adirondack Council is pleased with this new rule and congratulates the Obama administration for advancing it," the group said. Any similar law passed by Congress should be "at least as protective" as the new EPA rule, the group said.

Efforts to pass legislation have been complicated by the debate on climate change and carbon dioxide. Democratic leaders have been pushing for legislation to reduce carbon emissions, possibly adding acid rain reduction. But that initiative has been held up in the

Senate, largely because of Republican opposition and concerns about the cost to industry of ordering cuts in carbon emissions.

Aquatic life has been harmed by acid rain in more than 700 Adirondack lakes and ponds, the Adirondack Council reported.

## ARSENIC

### Arsenic collects in top soil, contaminating rice, reducing yield (*Environmental Health News*)

Jul 12, 2010
Asaduzzaman Khan, M, M Rafiqul Islam, GM Panaullah, JM Duxbury, M Jahiruddin and RH Loeppert. 2010. Accumulation of arsenic in soil and rice under wetland condition in Bangladesh. Plant and Soil http://dx.doi.org/10.1007/s11104-010-0340-3.

Synopsis by Thea Edwards

Arsenic carried to rice fields by contaminated irrigation water tends to accumulate in top soil layers where the rice takes it up, contaminating the grain, lowering its nutritional value and exposing large populations who depend on it for food.

Arsenic in irrigation water or soil congregates in the top layers of soil where rice roots grow, allowing the plants to incorporate the toxic metal into the grain. The arsenic tends to stay in the top soil regardless of growing season, type of rice or other farming factors, according to a two-year study comparing water and soil sources of the metal.

While it is known that arsenic accumulates in soil and contaminates rice, this study corroborates others that document how far and under what conditions arsenic moves through the soil. A better understanding of arsenic's absorption and movements through soil and water could improve rice farming techniques in ways that would lessen the toxic metal's accumulation in the food over time.

People are exposed to arsenic primarily through diet and drinking water. Rice is one of the largest sources of arsenic exposure for people in Bangladesh and India. It represents about half the total intake of arsenic, according to the authors, who note that rising arsenic contamination in water and food supplies threatens food security, food safety and quality, and long-term agricultural sustainability of rice crops.

In the United States, drinking water levels of arsenic are regulated at 10 parts per billion (ppb) by the U.S. Environmental Protection Agency (EPA). However, data collected by the EPA from 1980-1998 shows that arsenic concentrations in public water systems can exceed 200 ppb in some states, including California and Alaska.

In Bangladesh, where the rice study was conducted, drinking water arsenic concentrations range from 1 to 450 ppb.

Other sources of arsenic include treated lumber, fertilizers and pesticides, and some medications. Until 2004, arsenic was widely used to preserve wood against pests. Playsets, decks and other home and community projects were built from the lumber, which exposed children and contaminated the underlying soils. Like lead, arsenic creates a legacy of contamination, even if additional arsenic applications are stopped.

Arsenic exposure can cause stomach pain, nausea, nerve damage and blindness. It is linked to several forms of cancer. Arsenic is also associated with poor cognitive development in children, and low birth weights related to poor fetal muscle development.

The World Health Organization recommends that daily arsenic intake be limited to 2.1 µg/kg body weight, equivalent to approximately 1 µg/pound. So a person who weighs 160 pounds should not exceed 160 µg of arsenic per day, or 13 grams, which is about one serving of the most contaminated rice from this study.

In the two-year study, researchers grew two varieties of rice in PVC tubes under five separate treatments: irrigation water spiked with arsenic at 1 or 2 parts per million (ppm), top soil with arsenic added at 10 or 20 ppm or control plots with no arsenic. For comparison, the irrigation water in this study had arsenic concentrations that were 2 to 10 times higher than some drinking water sources in the United States and Bangladesh.

The two-year, two-crop farming cycle used in the study mimicked Bangledesh's rice farming rotations during the annual rainy and dry seasons, when crops are irrigated. After harvesting, the rice was dried and analyzed for nutrients. Soil samples were collected after the second year and analyzed for arsenic in 5-centimeter increments to a depth of 40 centimeters.

Arsenic – whether mixed with the soil or applied through irrigation water – concentrated in the top soil layers above 20 centimeters. Amounts measured were seven times higher than control levels. Between 51 and 57 percent of the arsenic was retained in this level, regardless of treatment type.

This is the depth that is plowed and where the rice roots grow. Indeed, arsenic levels measured in the roots varied with depth and treatment: more was measured at higher treatments and in the roots at the lower levels of 5-10 centimeters than the 0- to 5-centimeter depth. Less than 16 percent of the applied arsenic was detected in the 20- to 40-centimeter layers.

The applied arsenic also made its way into the rice grains, husks and straw. Arsenic was measured at concentrations between 0.2–12.5 micrograms per gram (µg/g).

Yield was reduced by up to 80 percent and nutritional value was lowered. Yield drops depended on the type of rice, the season in which it was grown and the arsenic treatment.

## BP SPILL

### In the gulf, burn teams send oil up in smoke (*Los Angeles Times*)

July 12, 2010 Monday
Home Edition
MAIN NEWS; National Desk; Part A; Pg. 1
ByBob Drogin
THE GULF OF MEXICO
Wearing purple fireproof gloves, George Ross leaned over the side of a small boat and gingerly placed his igniter package -- essentially a modified Molotov cocktail -- into a syrupy pool of black oil that had bubbled up from the BP spill site a few miles away.

The fuse sputtered, then a marine flare spit flames between two half-gallon plastic jugs filled with diesel gel and lashed together with foam and tape. In seconds, a blaze roared up, black smoke poured skyward and the air sizzled with the sound of burning oil.

"Accch, she's got the fire now," said Ross, a grizzled Scotsman who works on oil spills around the world. "Listen to her snarling and spitting and crackling."

It was the 13th burn of the day Saturday for the teams doing arguably the most dangerous and controversial work in the cleanup. In the three months since the Deepwater Horizon rig exploded and sank, killing 11 people, they have lit 329 fires at sea and burned more than 10.3 million gallons of oil.

No one has ever burned oil in U.S. waters after a spill, so government agencies, oil companies and environmental groups are watching closely.

"We've burned more oil than the Exxon Valdez spilled" off Alaska in 1989, said Ross, who helped clean up that disaster too. "No one can deny this is a success."

Coast officials and oil spill experts describe the offshore burns as a crucial tool to destroy oil before it can reach shore. The burning is likely to increase now that BP has lifted a containment cap from the wellhead, allowing oil to gush without hindrance, with the goal of installing a tighter seal by Sunday. Officials say they may be able to permanently close the well by early August.

But confusion and delays still plague the oil-burn program, and may hinder its utility in the weeks ahead.

The burns resumed last Friday after a break that began June 21, when environmental groups filed a federal lawsuit charging that young sea turtles may have been burned alive between the fireproof booms used to corral the oil.

The reptiles, most of them endangered species, forage and hide in beds of sargassum seaweed, which float on the currents that aggregate the oil. No one could confirm that any turtles had been incinerated, but the issue led to a public outcry.

BP and the Coast Guard agreed to place wildlife biologists with long-handled nets aboard the igniter boats to grab any turtles before a burn. Then rough weather forced more delays.

Coast Guard Senior Chief Andrew Jaeger led the first boat back out last Monday to resume the oil infernos. But another storm moved in before the 30-boat burn fleet torched any oil, forcing it to return to port.

Jaeger said the oil must lie at least blanket-thick on the surface, and that only a super-hot igniter can set it ablaze. The thicker the oil, the more efficient the burn.

"It's impossible to light with a match or fireworks," he said. "Is it possible to light the oil by accident? No, it is not. This absolutely can be done safely."

Fire-resistant boom has been rushed to Louisiana from Algeria, Brazil and elsewhere. "We've nearly depleted the world's supply of fire boom," Jaeger said. "We're destroying them at a faster rate than they're designed for in tests."

Jaeger led the mission back to the burn zone Saturday, four hours by boat from the nearest port, Venice, La. When the continental shelf dropped away, the gulf appeared royal blue, but reddish streaks of oil sometimes stained the waves.

More than 50 miles from shore, ground zero for the BP spill, a frenzy of activity was visible in every direction.

Some 28 shrimp boats worked in pairs, towing both ends of 500 feet of fire-resistant boom to corral oil in U shapes, called burn boxes. The igniter boats, smaller aluminum-hulled craft and speedy red Zodiac inflatables, darted about to set the blazes.

Small spotter planes circled overhead to radio new sightings of oil patches. Dozens of skimmers and other cleanup or repair vessels, as well as oil rigs and tankers, dotted the horizon.

Wildlife observers hired from a Virginia company, East Coast Observers, rode in the igniter boats, closest to the burn boxes. No one had reported spotting any turtles since the fires resumed.

The morning saw a giant sludge burn that shot flames high in the sky and lasted more than two hours. A dozen smaller fires followed.

"We're rewriting the book here," said Donnie Wilson, president of Elastec/American Marine, which makes oil spill equipment, as he monitored the operation from a command ship. "We can take a few boats and boom and burn more oil in a day than all the skimmer boats out here can collect."

Wilson's son recently visited and produced a short video of successful burns to the tune of "Ring of Fire," the country classic by Johnny Cash.

"It's become our theme song," Wilson said.

But the igniter crews struggled as an afternoon breeze kicked up foot-high waves. The surface oil became more emulsified, and thus frothy and difficult to light.

The fire lit by Ross, the Scotsman, fizzled out after a few minutes. He tried several times, but the pool of oil refused to catch fire. Even moving a 200-foot command boat to block the wind didn't help.

"It's been a rough day," Dino Bertrando, the captain, said later. "This operation needs glassy water."

Others were also frustrated. Two scientists from the **Environmental Protection Agency** rode to the burn site with plans to launch two helium balloons, each 15 feet in diameter, to take air samples directly from the smoke plumes.

A package of sensors attached to each balloon is designed to help determine if burning oil on salt water produces more hazardous byproducts than burning oil on land, as some scientists fear.

But after the **EPA** scientists left port, the project was postponed for at least two days amid confusion about the mission, whether it was safe, and who had approved it.

So far, air monitoring stations along the Gulf Coast have detected no toxic pollution blowing ashore.

Jaeger, a 20-year Coast Guard veteran, postponed deploying 10 more shrimp boats that were supposed to help with the burns. It wasn't clear how many of the captains, all Vietnamese, speak English, he said.

"It's already seen as a bit of a wild card, burning oil at sea," Jaeger said. "We don't want anyone to think we're out here on a joyride. Because we're not."

bob.drogin@latimes.com

**Digging deep after the oil spill (*Washington Post*)**

Monday, July 12, 2010; A06
The April 20 explosion on the Deepwater Horizon rig and the massive oil spill that has stemmed from the accident have prompted nine formal investigations, and more could be coming.
Probe National Commission on the BP Deepwater Horizon Oil Spill and Offshore D rilling, a bipartisan team created by executive order of the president.
Who's in charge: Seven-member team co-chaired by former Florida governor and former U.S. senator Bob Graham, and former Environmental Protection Agency administrator William K. Reilly.
Focus: Commission is tasked with providing recommendations on how to prevent -- and mitigate the impact of -- any future spills that result from offshore drilling.
Status: Initial hearings being held Monday and Tuesday.
Marine Board of Investigation.

Who's in charge: Coast Guard and Bureau of Ocean Energy Management, Regulation and Enforcement (formerly known as the Minerals Management Service).

Focus: To identify the factors leading to the explosion of the Deepwater Horizon rig.

Status of investigation: Two sessions of hearings in May. A third session is scheduled for later this month. First session investigated the circumstances surrounding the fire, explosion, pollution and sinking of the rig. Second session focused on gathering information on the rig's materiel condition, crew qualifications, emergency preparedness and casualty timeline. The third session of hearings will focus on the "how" and the "why."

Highlights: Documents and testimony showed that work on the well was behind schedule and over budget, that the well plan was changed several times shortly before the accident, and that BP decided not to perform a test on the mud at the bottom of the well before starting to place the final cement lining, which experts think was a likely source of the gas that eventually blew out the well.

*House Energy and Commerce Committee.*

Who's in charge: The panel's chairman, Henry A. Waxman (D-Calif.), along with two subcommittee chairmen, Bart Stupak (D-Mich.) and Edward J. Markey (D-Mass.).

Focus: The cause of the accident, the extent and impact of the oil spill, and the response to it.

Status of investigation: The panel held eight hearings in May and June.

Highlights: Panel found that the blowout preventer that failed to stop the oil spill had a dead battery in its control pod, leaks in its hydraulic system, a "useless" test version of a key component and a cutting tool that wasn't strong enough to shear through steel joints in the well pipe and stop the flow of oil. In a scathing letter to BP, Waxman and Stupak accused the company of taking shortcuts to speed up finishing the well, which may have led to the explosion.

*House Natural Resources Committee.*

Who's in charge: The committee's chairman, Nick J. Rahall (D-W.Va.).

Focus: Problems in how the MMS exercised oversight over offshore oil drilling.

Status of investigation: Held seven hearings in May and June.

Highlights: Panel is first investigative committee to produce legislation. It is scheduled to mark up the Carbon Limits and Energy for America's Renewal (CLEAR) Act on Wednesday.

*House Oversight and Government Reform Committee*.

Who's in charge: The committee's chairman, Edolphus Towns (D-N.Y.).

Focus: Potential lapses in oversight by the MMS in the years leading up to the Deepwater Horizon explosion and what Towns has called "'revolving door' issues, conflicts of interest within MMS, and its apparent lack of oversight of offshore oil rigs."

Status of investigation: The panel is gathering information.

*Interior Department Outer Continental Shelf Safety Oversight Board.*

Who's in charge: Assistant Secretary for Land and Minerals Management Wilma Lewis, Interior Department Inspector General Mary Kendall and Assistant Secretary for Policy, Management and Budget Rhea Suh.

Focus: Safety rules and oversight for offshore drilling.

Status of investigation: The board issued a report May 27.

Highlights: The board is recommending several measures aimed at ensuring redundancy in blowout preventers, promoting the integrity of wells, enhancing well control and fostering a "culture of safety" in offshore drilling operations. It proposed requiring mandatory inspection of each preventer to be used on floating drilling operations, requiring that these have two sets of blind shear rams spaced at least four feet apart to prevent failure. New design, installation, testing, operations and training

requirements relating to casing, cement or other elements that make up an exploratory well.

*Internal BP investigation.*

Who's in charge: BP head of safety and operations Mark Bly, who runs a unit that is independent from the business lines and reports directly to BP chief executive Tony Hayward.

Focus: The cause of the explosion at Deepwater Horizon and the failure of the blowout preventer.

Status of investigation:Release of preliminary report anticipated in August.

*National Academy of Engineering.*

Who's in charge: An independently appointed group of unpaid academy members from around the world.

Focus: Analysis and technical assessment of the cause of the accident.

Status of investigation: Study is underway, and preliminary report is expected no later than Oct. 31, with a final report due by June 1.

*The White House Council of Environmental Quality and the Interior Department.*

Who's in charge: Council chairwoman Nancy Sutley.

Focus: Review of how the MMS conducted its procedures under the National Environmental Policy Act.

Status of investigation: The report has been completed and is undergoing internal administrative review. It should be released in a matter of weeks.

*Legislative action:*

-- Senate Energy and Natural Resources Committee passed a measure that would raise the civil and criminal penalties for a spill, require more safety equipment redundancies, boost the number of federal safety inspectors and demand additional precautions for deep-water drilling.

-- Senate Environment and Public Works Committee passed a measure that would remove oil companies' $75 million liability limit and retroactively remove the liability cap for BP and the Deepwater Horizon explosion.

Both measures are pending full Senate approval.

**-- Juliet Eilperin and Madonna Lebling**

**Presidential commission to meet on oil disaster (*CNN*)**

By Shelby Lin Erdman, CNN Radio
(CNN) -- The presidential commission tasked with investigating the Gulf oil gusher and making recommendations about the future of offshore drilling will hold its first public meeting Monday.
The National Oil Spill Commission has six months to determine what happened when the Deepwater Horizon oil rig exploded April 20, leading to the worst environmental disaster in U.S. history -- and how to prevent something similar from ever happening again.

Committee co-chairman, William K. Reilly, said it was hard to believe that more progress has not been made in responding to oil spills.

"The oil industry has developed breathtaking technology in terms of what it can do: go down 5,000 feet, go out in all directions from below the sea sub-surface," he said. "And one has to ask the question, "Why this big difference? Why haven't we done better in putting resources into response? ... We ought to have been better equipped to deal with oil on the surface of the ocean than we are. And that's my principal reaction to the response."

Reilly, a former Environmental Protection Agency administrator, said he was disappointed in the response, but withholding judgment.

"Given the resources that were around, which as I say I think were wholly inadequate to the challenge, I'll wait and form my judgment after I do a little more homework," he said.

But he said the same problems that occurred during the clean-up of the Exxon Valdez disaster 20 years ago are still happening now: "The skimmers that don't work in the open ocean, the booms that break up readily for the same reason after they're laid, the arguments about the dispersants and whether they're toxic or whether it would be better for the fish to let the oil come to the surface."

His remarks came as BP said Sunday that it was pleased with how the operation to place a new cap on its ruptured undersea well was proceeding.

Officials hope the containment cap will stop oil from gushing into the Gulf of Mexico. But while robots replace the old cap, crude is flowing freely.

The procedure -- expected to take four to seven days -- continued to progress Sunday as crews worked to position a transition spool over the gushing well to prepare for the new connection, BP Senior Vice President Kent Wells said.

Officials have said the new containment cap would be a temporary fix, and the permanent solution would still be completion of a relief well. There are two relief wells under construction -- one of which could intercept the ruptured well as early as the end of July, Wells said.

BP said Monday that the cost of its response to date amounts to about $3.5 billion.

Over the next two to three weeks, 60,000 to 80,000 barrels (2.52 million to 3.36 million gallons) a day should be collected as part of the containment process, Wells said. Scientists estimate that 35,000 to 60,000 barrels of oil are spewing daily from BP's breached well.

Two more oil skimmers were added to the Gulf on Sunday, bringing the total to 48 collecting an oil and water mix from the surface, BP officials said. And 15 more burns were conducted in calm seas.

"It was a good day in trying to contain the oil that made it out to the surface," Wells said.

While crews worked to recover oil, the seven-member National Oil Spill Commission spent the weekend touring different areas of the Gulf Coast impacted by the oil disaster, ahead of their first two meetings in New Orleans on Monday and Tuesday. Reilly visited Gulfport, Mississippi, to talk with disaster victims and inspect recovery efforts.

Reilly said he went on an aerial tour, talked with fishermen and had lunch with a large group of people from the seafood and tourism industry to learn how residents have been personally impacted by the massive oil disaster, and what they think of the recovery efforts so far.

The visits and meetings will help the commission "begin to lay the groundwork for our efforts going forward, to determine what really to concentrate on and where to put our priorities and, very importantly, what the people most affected by all of this think about how effective the response has been," Reilly said.

But even as the commission holds its first meeting Monday, a group of protesters plans to picket outside, demanding a quicker response to the disaster and more openness from government and BP officials.

The advocacy group Emergency Committee to Stop Gulf Oil Disaster said it would protest the opening of the public hearings.

"We call on people everywhere to question the government and BP's response, and to demand transparency," committee member and New Orleans resident Elizabeth Cook said in a statement released early Monday.

President Obama established the bipartisan commission last month to investigate the oil catastrophe in the Gulf of Mexico.

Its members will listen to public comments and official testimony from BP, the U.S. Coast Guard and the National Oceanic and Atmospheric Administration on the recovery efforts.

Despite the limited timeframe, Reilly said he was not worried.

"I think we can meet the president's expectations, and I hope those of the American people, to get to the bottom of this in some kind of definitive way that is reassuring about the future," he said.

CNN Radio's John Lisk contributed to this report.

Article published July 12, 2010

**Gains made in capping Gulf oil leak (*Toledo Blade*)**

Crude will flow freely until new seal is in place
BLADE NEWS SERVICES
WASHINGTON - In a complicated undersea dance involving robots and hardware, BP made progress Sunday in its effort to install a new, secure cap on the gushing oil well at the bottom of the Gulf of Mexico.

"We're pleased with our progress," BP senior vice president Kent Wells said.

Company officials said it is early in the project and the oil is spewing as skimmers try to capture the newly vigorous flow of crude.

BP engineers hope that by week's end they will have placed a perfect seal over the well, which began pouring oil into the gulf after an April 20 explosion on the Deepwater Horizon rig, in which 11 workers died.

"We did an extensive amount of preparation work in terms of planning and installation, and we're pleased at this point on how it's going," Mr. Wells said.

He was referring to the removal early Sunday of the top flange on the leaking well and the installation of a device that will connect the new cap to the well.

Officials won't be satisfied the new cap is working until they've run tests on whether it can withstand the tremendous pressure of oil pushing up from below the seafloor, Mr. Wells said.

"We've tried to work out as many of the bugs as we can. The challenge will come with something unexpected," he said.

The British energy giant, which is also drilling two relief wells to try to permanently plug the leak, hopes the new containment sys-tem will funnel as much as 80,000 barrels per day of oil to vessels on the surface - more than three times the current amount.

BP officials expect the first relief well to be complete by the end of July, a first step in plugging the well by early to mid-August.

David Axelrod, a senior adviser for the Obama Administration, was asked on Fox News Sunday about hopes the spill will be contained by the end of July.

He said officials are "reasonably confident but obviously this thing is uncharted waters."

On Day 83 of the disaster, U.S. Attorney General Eric Holder said the Justice Department has started interviewing witnesses as part of a criminal and civil investigation into the worst oil spill in U.S. history.

Mr. Holder said the U.S. investigation could apply to other companies involved in the drilling of the damaged well.

"We are in the process of accumulating documents, talking to witnesses on both the criminal side as well as the civil side," he said on CBS' Face the Nation.

The investigation is aimed at ensuring no tax dollars pay for the cleanup "and to make sure that we hold accountable anybody who was responsible for the spill," Mr. Holder said.

If the Justice Department finds violations, penalties could be in the billions of dollars.

Meanwhile, a presidential commission appointed to study the causes of the spill and to recommend improvements for offshore drilling will hold its first hearings Monday and tomorrow in New Orleans.

Created by President Obama in a May 22 executive order, the commission already faces questions about whether it has the expertise and objectivity to deliver credible recommendations.

The New Orleans sessions start a six-month clock for delivering a final report to the President.

Members will tour communities in Louisiana, Mississippi, Alabama, and Florida, which commission co-chairman William Reilly said will "give voice to the region."

The closing hours of each session will be devoted to testimony from local people and state officials affected by the spill.

Mr. Reilly was administrator of the Environmental Protection Agency under President George H.W. Bush during the 1989 Exxon Valdez oil spill. He sits on the board of directors of ConocoPhillips, from which he has taken a temporary leave.

His co-chairman is Bob Graham, the former governor and later senator from Florida who led efforts against offshore drilling on that state's coasts.

The commission begins work without its own budget, without subpoena power, and while it is still filling its expected 35 full-time staff slots.

Mr. Obama asked Congress to approve $15 million for the commission, which was cut to $12 million by the House and is under debate in the Senate.

For now, the commission is relying on $4 million that came through the Energy Department.

In London, the Sunday Times reported that BP is in talks to sell about $10 billion in assets, including a share of its Alaska oil production, to Apache, a large U.S. independent oil company.

A sale that size would cover about half the amount of money BP has promised to put in an escrow fund to cover claims related to the spill.

BP owns 26 percent of the Prudhoe Bay field, the biggest in the United States, and five other fields on Alaska's North Slope. But the field is past its prime.

In Gulf Shores, Ala., tens of thousands of people sang and danced at a free Jimmy Buffett concert meant to help the region through the oil spill crisis.

## Pulse of The People: Better off with Groucho(*Troy Record*)

Monday, July 12, 2010

The phrase “dead in the water” has a lot of meaning when it comes to Barack Obama’s presidency. His chances for re-election sank like a tar ball in the Gulf. Not that he wasn’t floundering already.

When someone is elected president in the United States, he should at least have some experience and background. Obama has none. You don’t “learn on the job” without

some background.

It was bad enough when he buddied up to Hugo Chavez, kissed the King of Saudi Arabia's hand, and later publicly and rudely snubbed the president of Israel in the White House but now his inactions are damaging 40 percent of America's fisheries.

BP's chief executive is mainly responsible for the debacle in the Gulf. His policies in ignoring BP's long standing safety practices. However, the federal government has a huge responsibility here also. Where was the oversight and inspection?

Nonetheless, after it happened when didn't they burn the oil off? They could have. EPA said no. So wildlife and fisheries are being ruined.

They dropped dispersants. The EPA stopped that too. The reason? They didn't know what happened to the oil after it broke up and fell to the floor of the Gulf. The wildlife and fisheries are being ruined. Now they're botching the clean up.

Just wait. After most of the fisheries in the Gulf are ruined, and everyone is blamed for the chaos, the federal government will burn the floating oil and spray dispersants.

I have a question. Are the incompetent foul balls in the White House out to ruin the country? We haven't seen more slapstick comedy routine since Vaudeville died. Obama makes Jimmy Carter look like Jimmy was only just below average.

First they took over General Motors and Chrysler. Chrysler was bought by Fiat. The United Auto Workers were forced to take a pay cut to merely $55 per hour, except for Ford who must pay $75 per hour (the cost of success). As a reward, the UAW's 'Cadillac' Health Care Plan is exempt from the taxes all other Cadillac plans have to pay, as are all government workers exempt.

Then they went after the banks, even though it was the feds who were responsible for the mortgage crisis.

They had already attacked tobacco, but just enough to make sure they kept getting their $13 billion per year in taxes.

They tried to get the gun industry. That didn't work.

Agriculture has been in their pocket since the depression.

Now they're after Wall Street. If they screw up Wall Street, the engine that runs the world may stall. Disaster.

The insurance industry will be bankrupt once the government health care plan goes into effect.

Marxists reign supreme in Washington, D.C. Actually, we would be better off if the Marx we were referring to was Groucho Marx instead of Karl Marx.

Well, anyway, we've still got the U.S. Constitution, democracy, capitalism, and Christianity. God Bless America.

Philip R. McNamara
Troy

**Oil spill may influence climate bill (*Politico*)**

Samuelsohn
July 12, 2010 04:43 AM EDT
The 40th anniversary of Earth Day will go down in history as the start of perhaps the country's worst environmental disaster. But will the BP oil spill — now on Day 84 — actually change any environmental laws or lead to new ones?

If history is any guide, the answer is probably yes. Major catastrophes and large-scale events involving air, water and waste pollution swayed Congress significantly in the late 1960s and throughout the 1970s to enact the bulk of the nation's environmental laws, including the Clean Water Act, Clean Air Act and Superfund, which created a waste-management program during that period.

Lawmakers responded because Americans saw images in their newspapers and on nightly newscasts of oil spills, rivers on fire, deadly air pollution and toxic waste buried underneath a suburban neighborhood.

"It's been a pattern in much of the environmental legislative history that there were things the media could seize on and highlight," said Thomas Jorling, a former Environmental Protection Agency assistant administrator during the Carter administration. "They pop a balloon. They cause a different kind of reaction than the reasoning and data."

The list of major environmental catastrophes is well-documented, as is the relatively fast response from Congress.

Major oil spills off the coasts of Santa Barbara, Calif.; Puerto Rico; and Tampa Bay, Fla. (home to then-Rep. William Cramer, a holdout GOP opponent and ranking member of the House Public Works Committee) helped drive the passage of the Water Quality Improvement Act of 1970, which established strict liability for companies responsible for oil spills.

About the same time, fires on the Cuyahoga River near Cleveland and heavy pollution in Lake Erie prompted the creation of the EPA by executive order, as well as the passage of the National Environmental Policy Act of 1969 and the Clean Water Act of 1972.

In 1978, local activists and the media discovered 21,000 tons of hazardous waste buried beneath Love Canal, a neighborhood in Niagara Falls, N.Y. Two years later, in December 1980, lame-duck President Jimmy Carter signed the Comprehensive Environmental Response, Compensation and Liability Act, commonly known as Superfund, a law that holds polluters responsible for their damages.

Similarly, after the 1984 toxic industrial explosion in Bhopal, India, which killed more than 3,000 people, several states and U.S. lawmakers responded with a series of public disclosure laws.

Congress also addressed the Exxon Valdez oil spill of March 1989 with the Oil Pollution Act, signed in August 1990, which set new restrictions for ships operating in Prince William Sound, Alaska, and imposed the $75 million liability cap for cleanup and damages now being re-examined in the wake of the Gulf disaster.

Fast-forward to 2010, as some Senate Democratic lawmakers and their environmental allies try to link the BP oil spill with the long-fought bid to cap greenhouse gas emissions — a controversial leap that has generated heated debate on and off Capitol Hill.

“I think it is a reason,” said Michigan Sen. Debbie Stabenow. “I absolutely think this bill is why America needs a comprehensive energy strategy that’s focused on more renewables, more use of natural gas and on more use of a number of different forms of energy. It’s absolutely a reason to pass an energy and climate bill.”
Sen. Ben Cardin (D-Md.) said he expects to build support for climate legislation as constituents see more and more images of the oil-saturated Gulf. “It’s getting pretty visual as to what’s happening,” he said.

Former EPA Administrator Russell Train said there are clear parallels between recent events in the Gulf and the environmental laws he helped implement during his time in the federal government from 1973 to 1977 under Presidents Richard Nixon and Gerald Ford.

“When you focus on an oil spill, what are you going to do?” Train said. “I think there’s got to be fundamental change in demand of all kinds to address both climate and energy.”

With early environmental laws, experts said that Congress often battled less over whether they should pass and more over the details, like mandatory deadlines or a specific definition.

“The challenges came in the context of the legislation, not the fundamental basis for the legislation,” said Leon G. Billings, a top Democratic aide on the Senate Environment and Public Works Committee from 1966 to 1978.

Opponents of climate legislation are now taking issue as advocates of the legislation try to draw parallels to help them get it passed.

“Forget about being a senator; as a resident of the state where this stuff is washing up, I think that’s pretty callous, quite frankly, when there’s an ongoing flow and an ongoing crisis,” said Sen. David Vitter (R-La.). “I think it’s pretty reasonable to say, let’s solve that problem first. Let’s not just politicize it for whatever gain in whatever direction you can.”

“They’re searching for anything because they know cap and trade is dead; any way to resurrect it,” said Sen. Jim Inhofe (R-Okla.), the ranking member of the Environment and Public Works Committee and an outspoken skeptic on the science linking humans to global warming. “Some of them — I hate to say this, but I know they’re out there — are really glad it happened. The same thing was true with the Exxon Valdez. I remember they were rejoicing up there.”

Even some traditional environmental allies are split on Congress’s response to the spill. Sen. Frank Lautenberg (D-N.J.) told reporters before the July 4 recess that he thinks the Senate needs to focus on the Gulf of Mexico and related offshore-drilling safety issues and then address climate later.

“It’s a stand-alone problem that needs to be solved,” Lautenberg said. “Let us get through this. The climate bill deserves its time, but it’s, frankly, at the moment, a separate issue.”

Billings, who also served in the Maryland state Legislature for a dozen years, said that the push to pass climate legislation because of the oil spill won’t work because it “evokes a whole separate set of political reactions” from the public.

“If you asked me, ‘Do I think that the oil disaster in the Gulf would be a basis for passing major energy conservation and modernization legislation?’ I’d say yes,” he said. “But I don’t think it’s a basis for passing legislation on climate change.”

## CHILDREN HEALTH

### Kids learning how great green can be (*Dayton Daily News*)

Families are using creative ideas and fun activities to teach young ones to take care of the planet.

By Meredith Moss, Staff Writer
Updated 3:08 AM Monday, July 12, 2010

Imagine turning over the keys to your house to the next generation, but leaving the whole house dirty and trashy, with water that doesn't work, and air that smells bad.

In effect, that's what we'll be doing, warns Tom Hissong, if adults don't teach kids to care about the environment.

Hissong, education coordinator for Aullwood Audubon Center and Farm in Butler Twp., believes its an apt analogy if you consider the planet "our real and only home."

"It's important for parents to instill that idea in their children and to teach them that they'll need to take care of it so that when they pass it along to their own children, they'll be turning over a clean house," he says.

Families are being confronted every day with the devastating effects of the recent oil spill — from water contamination to the destruction of wildlife and their habitats.

Many are getting the message.

While the amount of solid waste generated between 1980 and 2008 has increased from 3.66 to 4.50 pounds per person per day in the U.S., the recycling rate has also increased — from less than 10 percent in 1980 to over 33 percent in 2008 according to the Environmental Protection Agency. Disposal of waste to a landfill has decreased from 89 percent of the amount generated in 1980 to 54 percent in 2008.

Locally young people are taking environmental matters into their own hands. Kyle Kissock, 19, grew up in a green house and is now teaching preschoolers at Aullwood many of the important environmental lessons he learned as a child. He says his parents, Gretchen and Kelly Kissock, have always done a lot to "go green."

"We turn out the lights, we don't waste water, we compost and use that compost on our own organic garden and we don't use fertilizer," says Kissock, who grew up walking to school and riding his bike. Now he drives a Prius to work.

His dad, who teaches mechanical engineering at the University of Dayton, specializes in energy efficiency, working with companies and factories to find ways to conserve energy. Last fall, Kissock helped his dad weatherize their Oakwood home.

"He brought home a heat sensing camera from work that looked like something they might use on the show 'Ghost Hunters,'" he explains. "When we pointed it at a wall or window, it showed where the heat was, and consequently where it was escaping. We used caulk and weather stripping to seal the spaces between doors and windows where air could escape."

Like his parents Kissock says he grew up outdoors and is committed to being a good steward of the planet ---- a message he is trying to pass on to the next generation.

“It’s important that we don’t overwhelm kids with facts and give them a sense of gloom and doom about global warming,” he advises. “Instead we try to instill a sense of wonder about the outdoors and show them how much fun it can be to go outside and explore nature instead of sitting in front of the TV and playing video games.”

“Going green,” insists Kyle, “ doesn’t have to be boring.”

Grandparents are also finding that to be true. When she learned that her granddaughter, Madison and three of her friends were trying to start a recycling program at Southdale Elementary School in Kettering, Judy Hayes of Dayton View found a creative way to be supportive.

The result is “Randolph, the Green-Nosed Reindeer,” a CD and ebook published by Hayes and associate Tim Hall. The two are now working on an animated version of the story (www.randolphsays.com).

Another grandma, Helen Deffenbacher of Omaha, has co-authored and published a book with her two grandchildren– “Green Philanthropy for Families: 160 Simple Earth Honoring Gifts, Actions, Activities and Projects.” The trio has collected all kinds of green-friendly ideas and is now working on a second book (www.greenphilanthropyforfamilies.org).

“My husband and I wanted to pass on the free-range spirit of joy and wonder that we experienced in our youth to our grandkids,” says Deffembacher. “We know how important this is, we’ve read studies that show the one factor people most often credit for having had the greatest influence on their attitude toward the environment and conservation was their direct experience with nature while growing up.”

Tips in their book range from conserving birds in your own backyard to having a simplicity day.

Sue Sackhouse of Clay Township, near Phillipsburg, can relate. She says her family’s whole life “has been about living green and living simply.”

For the past 30 years, she and her husband and their four children have grown much of their own food on a three-acre farm, canning and freezing produce. They heat with wood, they compost and use public transportation.

“We live without air conditioning, cook from scratch, use a clothes line and buy second-hand,” Sackhouse says. “We’ve never been to Disneyland or Las Vegas, instead we go camping. Perhaps most would think our life too extreme, but I have some pretty special kids who have some pretty unique skills, and we love it.”

Tom Hissong thinks it would be great if every family displayed a poster in their home of the earth, the kind of beautiful photograph the astronauts take from space.

“People just don’t think about this planet as having limited resources but I compare us to fish in an aquarium or an astronaut in a space station — they have limited amount of air, water, food resources — and that’s the same way with planet Earth.”

Contact this reporter at (937) 225-2440 or MMoss@DaytonDailyNews.com.

## CLIMATE CHANGE

July 12, 2010

**Tri-County Electric holds annual meeting (*Mt. Vernon Register News*)**

Effect of climate change legislation on rates discussed; patronage checks dispersed
By TESA CULLI
tesa.culli@register-news.com

MT. VERNON — Members of Tri-County Electric Cooperative who had been on the system in 1979 or 1980 received patronage credit checks during the annual cooperative meeting on Saturday.

“Because we are a cooperative, any margins made in those years, the amounts are returned to the customers,” Tri-County Electric Cooperative Director Marcia Scott explained. “This year we returned $533,000 to cooperative members.”

Scott said last year, about 7,324 patronage checks were issued to Cooperative members. Those who did not attend the business meeting on Saturday but are eligible to receive a check, will receive it in the mail next week, Scott said.

About 2,000 people attended the 2010 Annual Tri-County Electric Cooperative meeting, receiving updates on business matters with the Coop and voting for representatives. Scott said no rate increases are expected in the next year, however, those in the industry are watching climate change legislation and efforts on the part of the U.S. Environmental Protection Agency to regulate greenhouse gases. Scott said proposals for regulation change on a regular basis, but most of the plans presented at this time would increase rates for electric customers.

All who attended the meeting received a postcard to send to legislators, which stated those sending the card, “believe that Congress, and not EPA, should be the body that determines greenhouse gas policy that is fair and affordable for all Americans. In that regard, I respectfully request that you support current legislation that would prevent EPA

from using the Clean Air Act (which I understand was never intended or designed to deal with climate change) as a tool for reducing greenhouse gas emissions."

In addition to the business meeting, a free breakfast and lunch, children's area and demonstrations were held during the event. Tri-County Electric linemen Brad Ahlers and Dan Paschal presented a live line demonstration, which emphasizes safety when dealing with electrical lines.

"It's mainly a safety demonstration," explained Brad Grubb, Tri-County Electric superintendent of operations. "It shows people what can happen when things come into contact with a line and teaches people what to do."

The main thing to do — stay away and call the electric cooperative.

"Call us, and keep other people away until we get there," Grubb said. "Our typical distribution lines are 12,470 volts. That's not very forgiving."

Grubb said the demonstration is also done for school children, contractors, building workers and others in the community to raise awareness of electrical safety issues.

## PESTICIDES

### Grower guide error costs Monsanto (*Ecotextile News*)

ST LOUIS – [12.07.10] Monsanto has been hit with a fine of US$2.5 million for failing to inform US cotton farmers about restrictions imposed by the Environmental Protection Agency on its genetically-modified Bt cotton.

The Reuters news agency reports that Monsanto, the world's largest seed company, violated the US Insecticide, Fungicide and Rodenticide Act when it sold and distributed some cotton seed products in a way that violated restrictions Monsanto had told the US Environmental Protection Agency it would adhere to.

The EPA limits the planting and selling of this GM cotton seed to protect the environment from the 'potential harm associated with the uncontrolled spread of the genetically engineered component of these pesticides, Bacillus thuringiensis (BT).'

It is reported that over a five year period to 2007, Monsanto distributed or sold Bollgard and Bollgard II cotton seed, which contained genetically engineered pesticides without the planting restrictions required by the EPA to protect against pest resistance, more than 1,700 times nationwide.

"People who manufacture and distribute pesticide products must follow the federal

registration requirements," said Steve Owens, assistant administrator for EPA's Office of Chemical Safety and Pollution Prevention. "These requirements are critical to preventing the development and spread of insect resistance."

Monsanto said the problems stemmed from an oversight in issuing a grower guide that was supposed to contain a statement prohibiting planting the cotton in 10 specific counties in Texas where insect resistance management was a concern and Monsanto's biotech cotton was not allowed. The grower guide did not contain the required language. Monsanto said it discovered the error in 2006 and reported it to EPA.

"As a result of this matter, we have implemented new internal review processes to prevent such errors in the future," said Rob Nixon, head of Monsanto's stewardship program.

St. Louis-based Monsanto said subsequent evaluation determined that no resistance had occurred in the counties in question, and in 2008 the EPA lifted the restriction and authorised the planting of Bollgard II in those counties.

Elsewhere, a recent report suggests that GM cotton grown in China, designed to resist insect attack, has had an unintended consequence: reduced insecticide use has allowed outbreaks of non-target organisms to infest crops across the agricultural landscape and emerge as new pests.

**TOXICS**

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July 12, 2010

**State, federal lawmakers look to toughen chemical pollution standards (*Louisville Courier-Journal*)**

ByJames Bruggers
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Legislation in Washington, D.C., and Frankfort, seeks to reduce pollution by pharmaceuticals and other chemicals.
Kentucky state Rep. Joni Jenkins, D-Louisville, introduced a bill earlier this year banning health care facilities from flushing drugs into toilets. It died in committee. But she said she will be back with a different approach to keeping drugs out of the environment next year.

"I am looking at an unwanted drug collection program," she said, adding that legislation might also require pharmaceutical companies to take back unused drugs. "It's time for us to at least be aware of what we are putting in the water and the implications."

Brad Hall, executive director of the Kentucky Pharmacists Association, said hospitals aren't flushing drugs down toilets. He said most work with "reverse distributors" that either return the drugs to the manufacturer for disposal or have them incinerated.

But he said his group wants to work with Jenkins on a system that allows patients to safely get rid of their unwanted medicines - and to develop an incinerator in Kentucky to encourage proper disposal.

In Washington, there's a push to bring federal Toxic Substances Control Act of 1976 up to date.

That law offers very little control over the 83,000 chemicals used in industry and consumer goods, many of which are also making it into our bodies, according to the General Accountability Office, the investigative arm of Congress.

In the 34 years since Congress passed the toxic substances law, the U.S. Environmental Protection Agency has only been able to use it to control just five. One reason is that the law requires EPA to prove a chemical is unsafe.

But that could change under legislation introduced this year in Congress by Sen. Frank Lautenberg, D-New Jersey. A draft of similar legislation in the House by Rep. Bobby L. Rush, D-Ill.

"EPA does not have the tools to act on dangerous chemicals and the chemical industry has asked for stronger laws so that their customers are assured their products are safe," Lautenberg said last April, when he introduced the Safe Chemicals Act of 2010.

The nation's chemical industry is ready for what it calls modernization of the toxic chemicals law, said Sarah Brozena, senior director of regulatory and technical affairs for the American Chemistry County, a national lobby group. But she said it will be important to get it right because chemistry permeates the nation's economy.

Lautenberg's bill would shift the burden to the chemical manufacturers by requiring them to demonstrate to the EPA why they believe a chemical is safe.

Reporter James Bruggers can be reached at (502) 582-4645.

**EPA investigating leaking chemicals (*Spokesman Review*)**

REXBURG, Idaho – Investigators with the Environmental Protection Agency are examining an eastern Idaho property that’s been designated a crime scene by local authorities who say they found hundreds of drums leaking chemicals.
The Standard Journal reported that the federal officials arrived Saturday to examine the property that contains 1-gallon, 5-gallon and 55-gallon drums.

Officials are concerned the chemicals could make it into well water or a nearby canal. Two wetlands are also nearby.
Owner Max Spatig contends there is no spill and is disputing the crime scene designation that prevents him from living on the residence.

**Builders to sue EPA over lead-paint rule (*Inman News*)**

Change would add to cost of work, builders say
By Inman News, Monday, July 12, 2010.
Inman News
The National Association of Home Builders will sue the federal Environmental Protection Agency (EPA) for removing an "opt-out" provision in its lead paint regulations, the group announced.

In April 2008, the EPA issued a Lead Renovation, Repair and Painting rule, which required "lead-safe" work practices in homes built before 1978 -- the year the federal government officially banned lead paint.
A provision to the rule had allowed owner-occupants of such homes to have their contractors forgo certain work practices required by the rule if they certified there were no children under 6 or pregnant women in the home. The EPA removed that provision in April and the amended rule went into effect July 6.
"Removing the opt-out provision more than doubles the number of homes subject to the regulation," said Bob Jones, NAHB chairman, in a statement.

"About 79 million homes are affected, even though (the) EPA estimates that only 38 million homes contain lead-based paint. Removing the opt-out provision extends the rule to consumers who need no protection."
Builders estimate the average cost of additional lead-safe practices will amount to about $2,400 per job, depending on the size and type of job. The association fears the additional cost will deter homeowners from renovating their homes to make them more energy efficient, or that homeowners will resort to cheaper, uncertified contractors.
Other housing industry groups -- the Hearth, Patio and Barbecue Association, the National Lumber and Building Material Dealers Association, and the Window and Door Manufacturers Association -- will join NAHB in filing the suit.
According to NAHB, the regulation was amended "without any new scientific data" and "provides no additional protection to the people who are most vulnerable to lead-based paint hazards."
According to the EPA, the rule will now require all renovation, repair, and painting work on pre-1978 homes to follow certain work and record-keeping practices, including dust control, site clean up, and work area containment.
"At present, almost a million children have elevated blood lead levels as a result of exposure to lead hazards, which can lead to lower intelligence, learning disabilities, and behavior issues. Adults exposed to lead hazards can suffer from high blood pressure and headaches," the agency said in a press release announcing the rule change.

"EPA has eliminated the so-called opt-out provision because improper renovations in older homes can create lead hazards resulting in harmful health effects for residents and visitors in these homes, regardless of age. The result will better protect children and adult occupants during and after renovation, repair and painting projects."

NEWS UPDATE:

**GCC offers EPA certification workshop for renovators (*Pacific Daily News*)**

Pacific Daily News • news@guampdn.com • July 12, 2010
In partnership with National Econ Corporation, the Guam Community College is offering classes for construction firms to certify their workers as U.S. Environmental Protection Agency-certified renovators. The workshop will be on Aug. 7 and 14.

Quantcast

The certification classes are being offered in order to provide contractors and companies with the opportunity to comply with a new federal regulation.

As of April 22, 2010, the U.S. EPA federal regulation 40 CFR Part 745 requires anyone who disturbs lead based paint in homes or child care facilities built prior to 1978 to be certified.

The certification also requires the use of lead-safe work practices, and non-compliance could mean harsh civil or criminal penalties.

The EPA Certified Renovator courses will run from 8:30 am to 12:30 pm on Aug. 7 and 14, in the GCC Technology Center, Room 1107.

The instructor will be Bruce Concepcion, a certified federal lead inspector and instructor with National Econ Corp. who has been accredited by the U.S. Environmental Protection Agency to provide the required Renovation, Repair and Painting certification training under a new federal regulation. The cost for initial certification is $410; recertification is $285.

To register for the EPA Certified Renovators course on either Aug. 7 or 14, contact the GCC Continuing Education Department at 735-5574.

For more information about the new regulation, go to www.epa.gov.

**Feinstein's call to ban chemical riles lobbies (*San Francisco Chronicle*)**

(California)
July 12, 2010 Monday
FINAL Edition
Main News; Pg. A1
Feinstein's call to ban chemical riles lobbies;
FOOD SAFETY
BYCarolyn Lochhead, Chronicle Washington Bureau
DATELINE: Washington
Sen. Dianne Feinstein's insistence that a sweeping food safety bill include a ban on bisphenol A, a chemical widely used to line food cans, threatens a top White House priority.

The California Democrat contends that any legislation aimed at protecting food safety should include limits on the compound, known as BPA.

If she succeeds, the food and chemical industries have promised to defeat the food safety bill, which would expand the powers of the Food and Drug Administration over food processing and production to prevent food contamination, trace outbreaks and enforce recalls.

The California Assembly recently passed a ban on the chemical similar to the one Feinstein wants nationwide.

"No chemical should be used in food products until it is proved safe," Feinstein said.

BPA is integral to the epoxy resins used to line metal food cans and lids of glass jars, as well as reusable clear plastic water and baby bottles.

Feinstein cites studies claiming a link between BPA, which can mimic the effects of the female hormone estrogen, to "precocious puberty" in American girls, who are developing breasts at about age 9 1/2 - about a year earlier than prior generations.

She and other advocates of a ban also contend that low-dose animal studies, including some on monkeys, have linked the chemical to conditions from reduced sperm counts and neurological problems to diabetes and heart disease. Feinstein said the chemical is so ubiquitous that it can be detected in the bodies of 93 percent of Americans.

Feinstein has support from major consumer and environmental groups. The White House has not taken a position. A White House aide, who declined to be identified, said the administration is "working with the Senate on various provisions."

FDA has 'some concern'

The Food and Drug Administration has not declared BPA a risk to public health at

current levels. The agency said studies using standard toxicity tests "have thus far supported the safety of current low levels of human exposure to BPA." It said new tests using "novel approaches to test for subtle effects" raise "some concern" and called for more studies.

"Some concern" is a regulatory term falling midway between "negligible concern" and "serious concern." It represents something of a retreat by the Obama administration from the FDA's 2008 declaration that BPA is safe.

Still, the agency has not warned consumers of any risks. On the contrary, Dr. Joshua Sharfstein, the FDA's second-in-command, said at a news conference in January: "If we thought it was unsafe, we would be taking strong regulatory action."

The Natural Resources Defense Council, an environmental group, filed a lawsuit against the administration on June 29, alleging that the FDA has refused to take proper action to ban the chemical.

With no viable alternative for can liners, an immediate ban would be equivalent to banning canned foods.

But Feinstein's legislation would put pressure on the industry to find an alternative by granting companies a renewable one-year waiver while they try to find a substitute and requiring in the meantime that they label their products as containing the chemical.

Thirty major chemical and food manufacturing industry groups have banded together to defeat Feinstein's efforts.

They point to findings by the World Health Organization and food safety agencies in Europe and Japan that have found the chemical safe.

Industry minimizes risk

Dr. Steven Hentges, a chemist and executive director of the polycarbonate/BPA group at the American Chemistry Council, said BPA is one of the most studied chemical compounds in existence and that banning it would make food less safe because there is no viable alternative to line cans and jars.

The industry contends the substance is the only thing standing between canned food and the toxic metal and bacterial contamination that would occur if food came in contact with metal cans and lids.

An average adult consumer would have to eat more than 500 pounds of canned food every day for a lifetime to exceed the limits of what the **Environmental Protection Agency** has deemed a safe amount, the industry claims.

Feinstein is not the only one holding up the legislation. Major push-back is also coming

from small farmers and their advocates in the sustainable food movement who fear that the Senate and House versions of the food safety legislation would bring small farms under the FDA's purview for the first time.

The bills have stirred fierce grass-roots opposition among small-farm advocates who have labeled both bills a "totalitarian" attack on small farms.

President Obama has made an overhaul of food safety rules a priority, forming a Food Safety Working Group headed by Health and Human Services Secretary Kathleen Sebelius and Agriculture Secretary Tom Vilsack within three months of taking office to address outbreaks of e. coli, salmonella and other food-borne illnesses. The group called for an overhaul of food safety laws a year ago.

With time for action in this Congress fast running out, Obama last week issued a statement urging the Senate to pass its bill.

"No chemical should be used in food products until it is proved safe." "

Sen. Dianne Feinstein

## WATER

### For The Record (*Los Angeles Times*)

July 12, 2010 Monday
Home Edition
MAIN NEWS; News Desk; Part A; Pg. 4
FOR THE RECORD
Los Angeles River designation: An article in Thursday's LATExtra section about the U.S. EPA designation of the Los Angeles River as "traditional navigable waters" said that a 4-acre soft-bottom section of Compton Creek was acquired with $1.5 million of Proposition 8 funds and that it is controlled by a joint powers entity of the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy. The section was acquired with $1.5 million of Proposition A funds and is controlled by the joint powers entity Mountains Recreation and Conservation Authority.

July 12, 2010

### Dash for Gas Raises Environmental Worries (*New York Times*)

By KATE GALBRAITH

FORT WORTH, TEXAS — American politicians often extol natural gas as abundant, cleaner-burning than other fossil fuels, and domestically produced, unlike Middle Eastern oil. But the process of extracting it is raising concerns among people with wells in their backyards.

Anger and fear were on display last week at a public meeting convened by the U.S. Environmental Protection Agency in Fort Worth, a gas-drilling hub. Dozens of local residents took turns at the microphone to voice concerns about potential contamination of drinking water.

A film called “Gasland,” released last month on the cable channel HBO, showed people in drilling areas lighting their tap water on fire, as gas found its way into their water supply.

“I am frustrated and angry,” said State Representative Lon Burnam, Democrat of Fort Worth, who spoke at the meeting and decried the “inadequacies” of state regulators.

At issue is a procedure known as hydraulic fracturing, or fracking, which has been adopted widely in the United States over the past 10 years to extract gas trapped in shale formations. It is just starting to spread to other parts of the world, including Europe, China and Australia.

Fracking involves shooting a mixture of water, sand and chemicals deep underground, to break up rock and release the gas. The technique has vastly expanded access to shale-gas reserves in the United States, including deposits in Pennsylvania, New York, Texas and Louisiana.

More than 20,000 wells of this nature have been drilled in the past 10 years, according to a study of natural gas released last month by the Massachusetts Institute of Technology. (Natural gas accounts for 23 percent of U.S. electricity generation, and a number of politicians are calling for increased use of the fuel in vehicles.)

In Europe and Asia, large-scale recovery of shale gas is likely to happen within 10 years, according to Amy M. Jaffe, the director of the Baker Institute Energy Forum at Rice University in Houston.

Poland, for example, is “already tendering for exploration of shale gas,” she said. Canada is also speeding up its shale development, Ms. Jaffe said.

The industry said it operated far below aquifer levels, so fracking would do no harm to water. Hydraulic fracturing is a “safe, proven technology that has been used over one million times over 60 years,” Angie Burckhalter, the vice president of regulatory affairs for the Oklahoma Independent Petroleum Association, said at the Fort Worth meeting.

But people with homes in the gas fields increasingly dispute that.

Tim Ruggiero, a Texas resident who also spoke at the meeting, said that after drilling began near his home, a test on his water turned up an unknown substance that resembled MTBE, a gasoline additive.

In New York, state officials are moving aggressively to protect the watershed supplying New York City with drinking water from potential contamination from hydraulic fracturing.

Part of the problem, according to environmentalists, is that gas companies do not disclose at the wellheads what chemicals they are using. They also argue that regulations, which in the United States are mostly the responsibility of state governments rather than the national government, tend to be weak — especially in drilling-friendly places like Texas.

On the national level, the industry obtained an explicit exemption for hydraulic fracturing from a key provision of the Safe Drinking Water Act, as part of 2005 energy legislation.

Hydraulic fracturing requires an immense amount of water, another concern in water-constrained regions.

The experience of the United States may foreshadow that of other parts of the world. Europe, for example, would love to reduce its dependence on natural gas from Russia, and discussions about exploring for shale-gas reserves are taking place in Germany, Hungary and Romania, as well as Poland.

There is a lot of talk about a “dash for gas” in Europe, said Mark Walker, a London-based energy partner in the law firm Allen & Overy. New sources of generation are needed to meet growing demand for electricity, he said, especially as old coal or nuclear plants reach the end of their life or get shut down because of European environmental legislation, particularly in the case of coal.

Companies like Exxon Mobil, ConocoPhillips, Marathon Oil and Chevron have already signed or negotiated for deals in Poland to explore shale deposits.

The U.S. government is encouraging their efforts, through research partnerships with other countries. Last November, President Barack Obama and President Hu Jintao of China announced a U.S.-China Shale Gas Resource Initiative, aimed at promoting “environmentally sustainable development of shale gas resources” and doing joint technical studies.

A similar initiative was just formed with Poland.

As American companies begin scouting for shale-gas overseas, the regulatory environment for hydraulic fracturing at home seems poised to tighten, especially in the wake of the BP oil spill in the Gulf of Mexico, which has increased public skepticism about the oil and gas industry’s safety assurances.

The Environmental Protection Agency, at the request of Congress, is about to start studying the effects of fracking on groundwater; initial findings should be ready by late 2012.

The purpose of the meeting in Fort Worth last week was to hear feedback from the public about the study; a similar meeting is be held Tuesday in Denver, followed by two more, in Pennsylvania and New York.

Ms. Jaffe of the Baker Institute said that gas companies were developing nontoxic drilling fluids. She suggested the adoption of policies that would take away drilling licenses from companies shown to have “negligent disposal procedures” for water used in the drilling process.

Last week, Timothy Wirth, the president of the United Nations Foundation and a former senator from Colorado, told the Colorado Oil and Gas Association that while natural gas remained a crucial fuel, the regulatory status quo must change.

“Responsible regulation rewards the good performers and weeds out the bad — and that is a good thing for any industry,” Mr. Wirth said.

More regulation cannot come soon enough for some Texans.

“When is E.P.A. going to quit with these meetings and roll up its sleeves and get to work?” asked Robert Snoke, the head of a neighborhood association in Fort Worth, at the meeting last week.

July 12, 2010

**Ohio River study finds drugs, chemicals that slip through waste treatment (*Louisville Courier Journal*)**

By James Bruggers
jbruggers@courier-journal.com
Dozens of chemicals and pharmaceuticals -- antidepressants, veterinary hormones, even cocaine -- have been detected in the Ohio River upstream and downstream from Louisville.

Researchers who conducted the study downplayed the potential effects for the 5 million people along the 981-mile river who use it for drinking water. The contaminants, they said, are in extremely low concentrations.

But outside scientists who reviewed the data noted that some of the pollutants have been tied to feminization of male fish, effects that should serve as a warning to people.

"When we see something this basic being altered in fish, we should be concerned about what it's doing to our own health," said biologist Peter DeFur, a research associate professor at Virginia Commonwealth University who specializes in chemical contaminants in the environment and was not involved in the study.

The drugs and chemicals were found in a survey by the eight-state Ohio River Valley Water Sanitation Commission even though sewage treatment efforts screen out a significant percentage of the contaminants.

The sampling at 22 locations from Pittsburgh to Paducah is the first to determine such a widespread presence in the Ohio of what are called "contaminants of emerging concern" and are a new focus of the U.S. Environmental Protection Agency.

The sanitation commission, which was established by Congress and Ohio River states in 1948, and its partner in the study, the EPA, say there's little information available regarding human health risks of what they found.

Outside scientists said there are legitimate concerns that the contaminants, including medications that pass through people and into the sewage system, may pose health risks to people.

Several drugs were detected at trace levels in Louisville Water Co. tap water in 2004 as part of a separate national survey. Experts said it's likely that at least some drugs and chemicals in the river are still routinely passing through treatment systems into drinking water.

"I don't like the idea of taking somebody else's medication through my water supply," said Leonard Buckner, a Louisville Water Co. customer. "It seems like we need to understand this better."

Some home filter systems claim to remove many of the pharmaceuticals. But those claims have not yet been verified, said Tom Bruursema, who manages a water treatment certification program for NSF International, a nonprofit public health and safety agency that tests and sets standards for water treatment systems.

**'The big unknown'**

"Just because you find it doesn't mean it's a problem," said Erich Emery, a biologist and research manager working on the study for the commission, commonly known as ORSANCO. "We have the ability to detect (almost) anything we want now."

ORSANCO's 279-page screening survey is almost entirely made up of raw data. ORSANCO staff and the EPA are working on a final report to be completed early next year.

The Cincinnati-based commission this spring gave the data to its member states. It also provided a copy to The Courier-Journal, which reviewed it with several outside environmental health experts, including Theo Colborn, who said some of the detected chemicals are considered endocrine disrupters. They can mimic or interfere with hormones in the body, possibly affecting tissues and organs.

The 1996 book Colborn co-authored, "Our Stolen Future," brought international attention to the issue, and she said research has suggested potential links between endocrine disrupters and such medical conditions as attention deficit hyperactivity disorder, obesity, early puberty and infertility.

"The big unknown is the mixture of these things being taken together," said DeFur, the Virginia Commonwealth biologist. "We have no idea how to even think about what that means."

DeFur said the sampling results are a confirmation of what has previously been found in states such as Delaware, Minnesota and California, and nationally by the U.S. Geological Survey.

He and others spoke of the need for a precautionary approach.

"When you are faced with an unknown and you believe there is potential for harm, you err on the side of human health," said Dr. David Tollerud, chairman of the department of environmental and occupational health sciences at the University of Louisville's School of Public Health.

**Nearly indestructible**

The $85,000 study was designed to look for 158 contaminants, including 118 pharmaceuticals, hormones and personal care products. It also looked for perfluorinated compounds, which have been widely used in nonstick coatings for pots and pans and in stain- and grease-proof coatings for food packaging and fabric.

All are essentially unregulated in the nation's waterways and drinking water supplies and are among thousands of chemicals made by humans that are of potential concern.

Terry Collins, who leads Carnegie Mellon University's Institute for Green Science in Pittsburgh and reviewed the ORSANCO data for the newspaper, called it "a very good study" that sheds light "on a large number of compounds."

"... Some of them are coming back in our drinking water," he said.

He said the perfluorinated compounds, or PFCs, are nearly indestructible, and they build up in humans and animals.

The federal Centers for Disease Control and Prevention, which has found as many as 12 PFCs in a national survey of human blood serum, says people are likely exposed by consuming them in food or water or by using products that contain them.

Some PFCs have been linked to liver toxicity in fish and liver cancer in rodents, Collins said.

The drugs that were detected in the river water include some of the most commonly prescribed medications, said Dr. George Bosse, medical director of the Kentucky Regional Poison Center in Louisville. The study found medications used to fight depression, anxiety, high blood pressure, diabetes, heart disease and infection.

Also frequently detected was caffeine, as well as evidence of cocaine and nicotine from tobacco products.

Our bodies don't use all the medication we take, and some gets excreted in human waste. Drugs also enter the environment when people flush unwanted medication down toilets. Of those two sources, the Food and Drug Administration says human excretion produces more drug contaminants.

Other sources of drugs in the environment include runoff from farms and water that passes through landfills.

The drugs found in the Ohio River include three prescriptions in the medicine cabinet of St. Matthews resident and longtime water quality advocate Winnie Hepler. The 82-year-old is battling chronic obstructive pulmonary disease and high blood pressure.

The medications, she said, allow her to go on daily walks and attend public events.

"I think I'd be confined to crawling around in my apartment otherwise," she said.

But she also said she hopes the research leads to efforts to reduce the contaminants in the water.

"We really need to know what we are doing," she said. "We don't want to do harm."

**Plant discharges**

Many of the samples were taken above and below the wastewater treatment plants of cities along the river. In most cases, including Louisville, the concentrations were higher in the effluent.

For example, concentrations of the anti-convulsive and mood stabilizer carbamazepine, sold under brand names including Tegretol, increased 31 percent just below Louisville's Morris Forman treatment plant on the Ohio River. The concentration of the PFC known

as PFPeA was 58 percent higher; and the concentration of atenolol, a blood pressure drug, was 25 percent higher.

The study also found the concentration of benzoylecgonine, the urinary breakdown product of cocaine, was 117 percent higher in the Morris Forman effluent plume, while caffeine was 59 percent higher, and the level of DEET, the insect repellent, was 81 percent higher. The increase in the cocaine indicator in effluent plumes of Cincinnati and Pittsburgh was even bigger -- in the 200 percent range.

Wastewater treatment plants are not designed to remove all contaminants, said Collins, the Carnegie Mellon chemist.

"The fact that you are seeing spikes and you can trace them to a treatment plant is a promising thing," he said. "We can do better. We can lower those concentrations."

**Future filtering**

For their part, ORSANCO officials say they are not sure that the levels of what they found in the river need to come down.

"It would be nice if we had a better sense of which chemicals to worry about," said Peter Tennant, deputy director of the commission.

The regulatory system is not set up to deal with such a large inventory of potential threats, Tennant said, adding that the EPA typically issues just three or four new water quality standards per year.

"That kind of pace just isn't going to cut it for the thousands of chemicals that are of emerging concern," Tennant said.

EPA officials declined to be interviewed. But in a statement from EPA spokeswoman Enesta Jones, they said they are studying a list of 104 contaminants -- including, for the first time, pharmaceuticals -- for potential drinking water limits.

In August, the EPA said it will launch a survey looking for some 200 drugs and other chemicals in the source and tap waters of about 50 drinking water utilities across the United States, with the results anticipated by late 2011.

At both the Louisville Water Co. and the Metropolitan Sewer District, officials said their current treatment already removes some contaminants identified by ORSANCO.

Water company officials say what comes out the taps of its customers meets all current water quality standards, and officials at MSD say they are meeting current discharge standards.

Representatives from both said the contaminants could be reduced further as they upgrade their plants to meet new standards for unrelated pollutants.

For example, the Louisville Water Co.'s new, $50million riverbank-filtration system that is scheduled to come fully online at its Payne Treatment Plant near Prospect should be able to remove 90 percent of drugs and other chemical compounds, said Rengao Song, manager of water quality and research for the city-owned company. Payne supplies about 30 percent of the city's water.

He said the company is studying additional treatment options at its main Crescent Hill plant. It has budgeted up $200 million toward that work, which would be done over the next decade, said Vince Guenthner, a company spokesman.

And MSD just started to look into potential designs and cost of a third layer of treatment at Morris Forman, its largest plant, that would meet potential new effluent limits for chemical elements such as nitrogen and phosphorus.

MSD Operations Director Alex Novak said he will see whether any of the designs might also be effective with drugs and other unregulated chemicals. "If there's a solution that can also incorporate these endocrine disrupters, then that's the way to go," Novak said.

"The anticipation is that we will (eventually) have to do something," he said.

Reporter James Bruggers can be reached at (502) 582-4645.

**Hidden Water in Your Products (*Earth 911.com*)**

by Libuse Binder
Published on July 12th, 2010
According to the EPA, water used to irrigate farm crops, for livestock, dairies, feedlots, fish farms, and other farm needs. Agricultural irrigation accounts for more than 142 billion gallons of fresh water per day. Photo: Flickr/Julien Harneis

By now, most of us are familiar with the usual water-saving tips: don't leave water running unnecessarily, time your showers, install low-flow shower heads and resist the urge to unnecessarily water the lawn or wash the car.

You can also reuse greywater when appropriate (water from rinsing veggies can be used to water plants, for example), landscape with indigenous plants that don't require more water than the location can provide and run the dishwasher with a full load.

But what about all of the water "hidden" in just about every product we buy? Hidden or virtual water is a relatively new term, developed by Professor John Anthony Allen, which

explores the concept of the water needed to grow/feed, manufacture, and process the products we buy, as well as water used in industry in general.

Some everyday products, such as coffee and cotton, have an especially high hidden water content. By being mindful of your virtual water use, you can greatly reduce the total amount of water you use.

**Calculate your waterprint**

As with your carbon footprint, the first step toward reduction is finding out how much water you are using and becoming more aware of the amount of water necessary to create the products you consume. Check out the water footprint calculator at the Water Footprint Network in order to calculate your number.

If your footprint is high, you are in line with the national trend – the United States uses almost twice as much water as the United Kingdom – but there is plenty you can easily do to gain a new approach about how you use one of our most precious commodities.

Once you know your number, it is easy to reduce your waterprint by using only what you need, reusing and buying secondhand, reducing packaging, composting and recycling and striving to buy products with the lowest waterprint.

**Reuse, reduce, recycle**

Everyday products like cotton and paper have a significant water footprint. It takes about 2.5 gallons of water to produce one sheet of paper and about 713 gallons for a single cotton shirt.

While the amount of water embedded in most manufactured products is more difficult to calculate because industrial processes vary widely, it is important to keep in mind that all industrial products have a water footprint.

So when shopping, try to buy products only when necessary and look for those that have gone through the least processing in order to create the finished product. For necessities like clothing, start your search at clothing swaps and secondhand stores. Not only will you save water, you will probably save a significant amount of money too!

**4 items you can recycle to save water**

Recycling actually saves water, because the extraction and manufacturing of virgin raw materials into single-use packaging uses quite a bit of water. Recycling reduces the need for materials from virgin sources and therefore reduces water use. Here are some hard numbers on just how much water is used to make fresh stuff.

**1. Paper**
1,321 gallons for 500 sheets (Bonus: 7,000 gallons of water are saved when you recycle 1 ton)

**Seattle's price tag for clean water: $500 million (*Seattle Post Intelligencer*)**

Fixes must be made which will require rate hikes
Monday, July 12, 2010
Last updated 12:02 a.m. PT
By CHRIS GRYGIEL
SEATTLEPI.COM STAFF
Keeping the water around Seattle clean is going to cost the city half a billion dollars over the next fifteen years.
Seattle Public Utilities will soon begin a federally-mandated, $500 million city-wide infrastructure improvement program designed to reduce storm and wastewater pollution. This will mean higher sewer and drainage bills for people, beginning next year, and for years afterwards.
City officials acknowledge that the Great Recession is not the best time to be raising custome"s rates, but say the expensive work is needed to make sure Seattle complies with U.S. Environmental Protection Agency and state Department of Ecology standards under the Clean Water Act. Other cities face similar requirements.
Between now and 2025, about 15 construction projects will occur with the aim of preventing storm water from entering the water system, increasing capacity at treatment plants and creating more environmentally friendly infrastructure. Affected neighborhoods include Ballard, Wallingford and Montlake.

Currently a typical Seattle family's monthly wastewater bill is $48.57 and the tab for drainage is $19.37. The drainage rate could increase about 10 percent next year, while sewage rates will go up as well, but not by as much, SPU officials say. The City Council will have to approve any rate increases.

The Council's Public Utilities and Neighborhoods committee will begin discussing the infrastructure program on Tuesday. Chairman Mike O'Brien said final decisions about next year's rate increases will be made in the fall, but customers will be looking at gradual bumps for about the next 10 years.

Seattle is farther along in improving its infrastructure than many cities, said O'Brien, who recognized that asking people to pay more money won't be popular. However most people in Seattle support the ultimate goal of the improvements, he said, which is protecting the environment and water resources.

"We want Puget Sound and Lake Washington as clean as possible, and we want to be a leader," O'Brien said.

**The problem**

One third of Seattle's sewer system, much of which was built in the late 19th century, transports wastewater and storm water in one pipe - known as a combined system. During heavy storms combined systems can overflow into rivers and ocean waterways like Elliott Bay, a situation known as a combined sewer overflow.Seattle Public Utilities has 90 permitted CSO pipes - 37 of which don't meet federal requirements, officials say. Currently there are about 200 times a year when untreated sewage and storm water discharges into local waterways - about 100 million gallons annually.

To comply with regulations , SPU has to bring the number of untreated discharges down to about 90 a year and about 40 million gallons of annual discharge. Things are much better than they were in the 1960s, said Andrew Lee, manager of System and Planning operations for SPU. Back then, Seattle and King County discharged between 20 billion and 30 billion gallons of wastewater and storm water annually. Now, that combined figure is about 1 billion, Lee said. The county operates larger CSO outflows, which is why it discharges more each year than the City.

The poor economy has produced benefits for taxpayers, city officials say. Bids are coming in up to 30 percent lower than expected and about 500 jobs will be supported by the infrastructure projects over the next five years. And because Seattle has been making improvements over the decades, it's price tag to meet new requirements, while hefty, is not nearly as large as other cities, officials say. Pittsburgh and St. Louis will have to spend more than $2 billion each to make similar improvements, SPU says.

"Compared to other cities, our costs are going to be considerably less because we've already come so far," said SPU spokesman Andy Ryan.

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**Senate Bill Would Fund R&D for Natural Processes against Stormwater (*Environmental Protection Magazine*)**

Jul 12, 2010
U.S. Sens. Tom Udall (D-N.M.) and Sheldon Whitehouse (D-R.I.) have introduced legislation to help address water quality challenges by encouraging the research, development and promotion of new technologies and designs that use natural processes to combat polluted stormwater runoff.

The Green Infrastructure for Clean Water Act would establish up to five regional centers of excellence that would spearhead the research and development of new stormwater management techniques, which use soil and plant life to filter stormwater polluted by sediments and chemicals on the surface before it reaches nearby waterbodies. The

legislation would also establish a green infrastructure program within the EPA's Office of Water to coordinate and promote the use of new stormwater techniques. EPA's regional offices would complete similar efforts.

The legislation further authorizes technical assistance and project grants to local wastewater utilities for green infrastructure projects that take advantage of these alternative techniques to stormwater management. The legislation does not alter the Clean Water Act's regulatory requirements but rather seeks to expand the options for communities to achieve clean water standards.

The legislation defines "green infrastructure"' as stormwater management techniques that preserve, restore, enhance, or mimic natural hydrology, such as green roofs, porous pavements and ground cover, or vegetated channels and detention areas that reduce the burden of stormwater on wastewater infrastructure and the environment.

The bill is supported by the National Association of Clean Water Agencies; Natural Resources Defense Council; American Rivers; American Public Works Association; Water Environment Federation; Center for Neighborhood Technology; Clean Water Action; and the Association of State and Interstate Water Pollution Control Administrators.

Companion legislation has been introduced in the House by Reps. Donna Edwards (D-Md.), Russ Carnahan (D-Mo.), and Steve Driehaus (D-Ohio).

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