**U. S. Environmental Protection Agency**
**E-Clips**
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**EDITORIAL / OP-ED / COMMENTARY / LETTERS**
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**EPA must reverse decision on biomass emissions (*NRToday.com*)**

The News-Review,
An Environmental Protection Agency decision that threatens plans to convert wood waste to fuel is the wrong decision, at the wrong time, for the wrong reasons. We support legislative efforts to have that decision reversed.

Biomass projects have sprung up in several areas of the country as a partial solution to the nation's energy requirements. Just last year the Umpqua National Forest was home to the test of a technique called fast pyrolysis, which converts wood chips into bio-oil and a very beneficial soil amendment called bio-char.

County Commissioner Joe Laurance has called Douglas County the Saudi Arabia of biomass as he promotes conversion of the enormous stores of wood debris and wood waste in the county to energy.

Fast pyrolysis and Douglas County are small players right now for those who hope to find an inexpensive, renewable, clean source of energy to reduce our reliance upon oil — especially foreign oil. Projects and plants are started or planned in many rural communities around the country.

In fact, about the time the EPA was issuing its decision to treat biomass emissions the same way it treats those from fossil fuels — raising the complexity and cost of the nascent industry — Gov. Ted Kulongoski was awarding $3 million in federal grants for bio-fuels: $1.7 million to Lakeview Cogeneration in Lake County to produce electricity and heat from wood wastes; $1 million for Farm Power in Tillamook to produce electricity from manure and dairy waste; and $275,000 for Integrated Biomass Energy in Wallowa County.

Biomass projects across the country are imperiled by the decision, which appears to be largely a response to those who are concerned about the possibility of additional timber operations and who argue the process is detrimental to the environment.

Those who object to the decision make the case that enormous quantities of biomass burn every year, in the open with no opportunity for the use of air scrubbers, due to naturally occurring fires and as the by-product of logging operations.

Oregon Rep. Peter DeFazio, who few would consider to be a shill for the timber industry, said, “Recycling wood waste from our national forests to produce local, clean energy and create rural jobs is a no-brainer. But these efforts have been undermined by pressure from misguided environmental groups on (the) EPA to classify renewable biomass as a pollutant on par with dirty coal.”

We think he has it right. The EPA needs to reconsider this decision and allow the effort a chance to succeed.

**AIR**

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July 13, 2010

**Kerry Looking to Strike Deal With Utilities on Carbon Emissions Cap (*New York Times)***

By ROBIN BRAVENDER AND JOSH VOORHEES of ClimateWire
Senate Democrats are searching for a way to entice the utility sector to sign on to an industrywide emissions cap in a final bid to salvage President Obama's goal of pricing carbon this year.

Sen. John Kerry (D-Mass.) told reporters yesterday that conversations between Democrats and utilities are ongoing and that he remained optimistic that they could strike a deal. Convincing the electric power industry to back a scaled-down carbon cap as part of a utility-only proposal is widely seen as the Senate's best shot at directly limiting greenhouse gas emissions this year.

"I think one could work out some formula that appeals to industry," said Kerry, who is the co-author of a sweeping cap-and-trade bill that prices carbon emissions across multiple sectors of the economy, including utilities.

"I think there's something hopefully we'll be able to do that moves in the right direction," Kerry said of efforts to include carbon-pricing language in the broad energy and climate package Democrats hope to bring to the floor in the coming weeks. "I can't tell you what it is yet."

Kerry and other senators are hoping to convince Senate Majority Leader Harry Reid (D-Nev.) to include a carbon pricing mechanism in the final energy package that Reid is planning to send to the floor this month. Kerry has been working with Sens. Joe Lieberman (I-Conn.) and Olympia Snowe (R-Maine) on climate language to be added to an energy bill, according to a Senate aide familiar with the discussions. That could take the form of a cap on only electric utilities, the aide said.

"There is a lot of work going on with Harry Reid and his staff, and a lot of intervention with a lot of different offices, and there are a bunch of meetings in the next few days," Kerry said. "So hopefully, you know, a piece of legislation comes together. I'm very optimistic that we can pass something here that deals with energy and gets us started in the right direction. If it's the best we can do, it's the best we can do."

Reid will meet with Democratic committee leaders this week to review options for the energy package and hopes to announce a decision by the end of this week, Reid spokesman Jim Manley said.

Reid and other top Senate Democrats will meet with President Obama today to discuss the administration's legislative priorities during the four or five weeks before the August recess. In addition to an energy debate, the president wants the Senate to take up financial regulatory reform, a tax extenders bill, a small business lending package, an arms control agreement and Elena Kagan's Supreme Court nomination, White House press secretary Robert Gibbs said yesterday.

Utilities have been mixed in their reactions to the power plant-first approach. The Edison Electric Institute -- a trade group whose members represent about 70 percent of the U.S. electric power industry -- has not taken a public position on a utility-only emission cap. White House officials met last week to discuss energy and climate legislation with Senate staffers and representatives of EEI, according to a White House aide.

Several utilities, including Duke Energy Corp., have said the plan would offer regulatory certainty as companies look to make significant new investments over the next several decades. Still, broad industry buy-in is seen as critical to moving the legislation.

Kerry said that several concessions could be used to get the industry on board, including pre-empting U.S. EPA climate regulations. The Kerry-Lieberman bill would have blocked EPA from regulating stationary sources under several major Clean Air Act programs.

"You'd have to work on some of the pre-emption pieces," Kerry said. "You'd have to do some pieces, you'd have to make sure it's scaled correctly."

Industry officials are concerned that EPA climate rules for stationary sources, which are expected to kick in next January, will have damaging economic consequences and could be thrown out in court, creating regulatory uncertainty. Environmentalists have indicated a willingness to support pre-emption of some Clean Air Act provisions for sectors given carbon caps capped by Congress but have indicated staunch opposition to pre-empting EPA rules for industries outside of such a cap.

Sen. George Voinovich (R-Ohio) said yesterday that EPA pre-emption would be necessary to win utilities' support to become the first capped sector.

"Utility companies have made it very clear to me that they want as complete a pre-emption as they possibly can get if they're going to buy any kind of their sector-only legislation," Voinovich said.

Still, other lawmakers are dubious about the prospects for any cap on carbon emissions clearing the Senate this year.

Sen. Richard Lugar (R-Ind.), whose energy efficiency bill is among the options the Senate is choosing from as it heads toward a floor debate, said an "energy only" bill that avoids carbon caps is the best way to reach the needed 60 votes. "If you can't get to 60 on that, I suspect you can't get to 60," Lugar said.

Sen. Lamar Alexander (R-Tenn.) said he does not think a measure capping carbon will pass the Senate.

"Someone might offer it as an amendment to an energy bill, but I don't think it will succeed this year, nor do I think it should," Alexander said. "This is not the year to pass an energy tax in the middle of a recession."

Instead, Alexander said, the Senate ought to focus on cleaning up the oil spill in the Gulf of Mexico and take up several energy policies that have bipartisan support, including promoting electric cars, nuclear power and energy research and development. Alexander also wants the Senate to move forward on a bill he is co-sponsoring with Sen. Tom Carper (D-Del.) to slash air pollution from power plants.

"That's a lot to talk about and it would be a substantial achievement this year," Alexander said. "But cap and trade won't work this year."

**Devon Energy needs to provide industry leadearship in Barnett Shale (*Fort Worth Star-Telegram*)**

Texas
July 14, 2010 Wednesday
SECTION: C
Devon Energy needs to provide industry leadership in Barnett Shale

By MITCHELL SCHNURMAN; mschnurman@star-telegram.com
Devon Energy Corp. works the Barnett Shale the right way. It's the biggest natural gas producer in the region and at the same time has become an industry leader on the environment.

With several initiatives, Devon, based in Oklahoma City, has cut greenhouse gases, limited emissions and recycled more than 400 million gallons of water used in "fracking" wells. Over the past decade, it has won numerous awards for its efforts, which boosted the bottom line as well as the environment.

On older wells, Devon is replacing one part -- a valve about the size of a pinkie finger -- that costs $300 and lets the company capture more gas and rack up carbon credits. One valve cuts methane emissions by 90 percent, which is the equivalent of taking 16 cars off the road.

No one doubts that Devon is a big believer in such initiatives. But last month, Devon wrote the state comptroller to oppose a bill that would require the valve replacements.

Devon also opposed a proposal for "green" well completions, even though it uses the technique on the vast majority of its Barnett Shale wells -- and the process generated $38 million in extra revenue in 2007.

Devon also shot down a call for vapor recovery units for storage tanks and the prospect of replacing combustion engines with electric motors.

The big hang-up? Devon wants the changes to be voluntary , not mandatory.

"There are spots where the technology works and spots where it doesn't," says Darren Smith, a manager of Devon's environmental, health and safety department. "Mandate these activities, and there can be a real business disruption."

In its letter, Devon said the mandates on emissions would ultimately hurt capital investment. It warned of fewer wells and jobs, lower taxes for cities, smaller royalties for residents and the risk that gas companies would shift operations.

Reciting that litany of unintended consequences is a business reflex whenever government proposes more regulation. But it's dismaying that Devon is falling back on that playbook, because right now, the industry needs leaders that will set the bar high -- not just for their companies but for every player.

After the BP spill in the Gulf of Mexico, everybody knows that you can't rely on voluntary compliance for anything. Before that, we had the meltdown on Wall Street, the mortgage lending debacle, the never-ending buildup of housing inventory. All drove home a message that no less an economic authority than Alan Greenspan later articulated: Companies will sacrifice a lot, even their future, for a quick buck.

Closer to home, in the Barnett Shale, there have been reasons to lose faith, too -- or at least to insist that any trust be verified. Several communities, led by the small town of Dish, have said residents are suffering ill effects from the gas business.

Yet state regulators consistently say all is well. This year, the Texas Commission on Environmental Quality lost much of its credibility when it told the Fort Worth City Council that the air was safe -- and failed to disclose that it later learned that three air samples scored high for benzene, a cancer-causing agent.

Follow-up tests showed that contaminant levels fell, but the commission never shared the complete information with city or state leaders. The test results came to light because of an internal complaint and fraud investigation, which was revealed by Forrest Wilder at the Texas Observer .

The disclosure enraged state Sen. Wendy Davis, D-Fort Worth, who had met with the commission's top officials repeatedly and never heard a hint about a discrepancy. Now she may introduce a bill to make it a crime for public officials to withhold information that affects public health.

Fort Worth and Dish are pursuing their own air quality tests because residents don't have confidence in the state's results. Meanwhile, the **Environmental Protection Agency** is also wading in. Wilder reported that environmentalists had pleaded with the **EPA** to intervene in Texas issues because the state agency was far too cozy with industry.

The clash between the state and the feds was on display last week when the **EPA** held a huge public meeting in Fort Worth to hear residents' stories about gas drilling. An **EPA** study is focusing on water issues in fracking, but the **EPA's** Dallas office is also looking into air quality.

The day before, Gov. Rick Perry pre-empted the **EPA** event by launching a Texas initiative on energy. He's pulling together university programs and experts to study the Gulf, gas drilling and more. Perry wants industry to underwrite the program, unbothered by the conflict that creates.

How low is the trust factor in the Barnett Shale? It says a lot when separate government entities -- the environmental commission, the **EPA** and individual cities -- are spending taxpayer money on the same thing.

In this setting, gas companies can't hew to the "voluntary, not mandatory" line, not if they hope to win public support. Devon may have the money and wherewithal to adopt eco-friendly policies, but others don't.

The solution is not to let companies off the hook. Force them to figure out ways to meet higher standards.

"What Devon does is not the norm in the industry," says Ramon Alvarez, senior scientist at the Environmental Defense Fund in Austin. "That's why regulations are worth having -- to bring the whole industry along."

By design, Devon avoided drilling in Pennsylvania, New York and Colorado, where opposition emerged with a vengeance. That was a savvy business move, but the controversy has come home now.

So why not champion the solutions?

Mitchell Schnurman's column appears Sundays and Wednesdays. 817-390-7821

**EPA seeks comment in Denver on fracking study (*Associated Press*)**

By CATHERINE TSAI (AP)
DENVER — Natural gas industry groups on Tuesday urged the Environmental Protection Agency to limit the scope of an upcoming study on the effects of a natural gas extraction process known as fracking.
Some environmental groups want the federal agency to also examine eventual effects on air quality. The EPA held the second of four public meetings to gather comments about its upcoming study on how drinking water might be affected by a method of extracting natural gas.

The process — called hydraulic fracturing, or fracking — pumps water and chemicals underground at high pressure to help extract trapped oil and natural gas. The fluids help open fractures in shale formations, allowing natural gas to flow from the breaks into a well.

Fracking has been around for decades, but amid a natural gas drilling boom, members of Congress have questioned whether it could taint drinking water or harm human health. Critics said a 2004 EPA study that found no evidence of threats to drinking water was flawed.

The EPA doesn't regulate fracking, leaving that process to states. U.S. Reps. Diana DeGette and Jared Polis, both Colorado Democrats, are among those pushing for federal oversight.

Besides potential effects on drinking water, critics have raised concerns including whether fracking, which can use millions of gallons of water, could deplete aquifers.

America's Natural Gas Alliance, an advocacy group for the gas industry, submitted comments last week that, in part, supported focusing the study on effects on drinking water. It also sought input on the makeup of EPA study and advisory panels.

"History demonstrates that hydraulic fracturing can generate abundant, secure energy supplies, without adverse consequences to drinking water," alliance President and CEO Regina Hopper said in a letter to the EPA.

Las Animas County resident Tracy Dahl, though, suspects that his southern Colorado well, which has produced clean, clear drinking water for the last seven years, was muddied by fracking at an adjacent property June 30.

"That evening, we checked the cistern and there was 500 gallons of murky, nasty water where it had always been clean before," Dahl said before the meeting. "Seems to me to be a pretty direct correlation. Whether we can prove it or not is another matter."

He said he is now driving 80 miles roundtrip to Trinidad to get drinking water.

"I saw this coming years ago. I was petitioning every politician I could think of to try to come up with stronger regulations to prevent this. Then to have to just see it happen anyway, it's fantastically frustrating," said Dahl, a 51-year-old technical specialist in renewable energy.

Colorado Oil and Gas Conversation Commission Director Dave Neslin said most of Colorado's 42,000 active oil and gas wells rely on fracking and that the commission has investigated hundreds of groundwater complaints over the years but found no verified instance of fracking harming groundwater.

The EPA held its first public meetings on the study last week in Fort Worth, Texas. Other meetings are scheduled July 22 in Canonsburg, Pa., and Aug. 12 in Binghamton, N.Y.

July 14, 2010

**EPA approves Manitowoc County air quality (*Herald Times Reporter*)**

Herald Times Reporter
MANITOWOC — Manitowoc and Door counties are in compliance with federal standards for ozone, Gov. Jim Doyle's office said Tuesday.

The counties were redesignated as in attainment with health standards for ozone, or smog, by the U.S. Environmental Protection Agency. The compliance was shown by outdoor air monitoring from 2006 to 2009.

In fall 2009, Doyle requested the EPA redesignate nine Wisconsin counties as in attainment of the ozone standard. Other counties the agency is expected to act on are Sheboygan, Ozaukee, Washington, Milwaukee, Kenosha, Racine and Waukesha counties. Kewaunee County previously was designated as in compliance.

July 13, 2010

**Heavy-duty trucks must reduce idling under new NC rule (*Citizen-Times*)**

STAFF REPORTS
Operators of heavy-duty trucks must reduce unnecessary idling to help improve air quality in North Carolina, under a new rule that took effect this week.

The state Environmental Management Commission adopted the rule in July 2009, but its effective date was delayed until the end of the 2010 session of the General Assembly. The EMC adopted the rule as part of the state's efforts to reduce air pollution

in order to meet more stringent federal air quality standards. The rule applies to on-road gasoline and diesel-powered motor vehicles with a loaded weight greater than 10,000 pounds.

Under the rule, operators should not idle their vehicles more than five consecutive minutes in any 60-minute period except for instances dealing with safety, health and economic concerns. For example, trucks and buses can idle if necessary to perform essential functions such as refrigerating, hoisting, loading and responding to emergencies. The rule also exempts farm and military trucks.

“Exhaust from idling trucks is a significant source of air pollution that we can’t ignore,” said Sheila Holman, director of the N.C. Division of Air Quality. “The idle rule will help improve air quality while conserving large amounts of fuel.”

The state Division of Air Quality estimates the rule will reduce nitrogen oxide, or NOx, emissions, the primary cause of ozone in North Carolina, by up to 1,300 tons per year. In comparison, two coal-fired power plant units in the Asheville area emitted 485 tons of NOx in 2007.

The Environmental Protection Agency adopted more stringent standards for ozone in 2008 and particle pollution in 2006. The agency is expected to adopt an even stricter ozone standard in August. Many of North Carolina’s counties currently are not meeting the 2008 ozone standard, and that number is likely to increase when the EPA strengthens the standard. The EPA is expected to designate a number of counties as non-attainment for ozone, and such areas could face tougher restrictions on industry.

Although complying with the idle rule may involve some costs or inconveniences for truckers, those costs should be more than offset by fuel savings, in addition to the improvements in air quality. The Division of Air Quality estimates the idle rule will save up to 9 million gallons of fuel per year overall. The rule also could reduce emissions of carbon dioxide, the most common greenhouse gas, by as much as 100,000 tons per year.

Many truckers idle their trucks to provide power for air conditioners, refrigerators and other equipment while stopping to rest. However, truckers can avoid such idling by resting at truck stops that provide electricity and other services or by installing auxiliary power units, or APUs, to provide their own electricity.

Even though APUs can cost as much as $10,000 to install in a truck, the Division of Air Quality estimates that the fuel and wear-and-tear savings from reduced idling would offset those costs in about one to two years for most trucks, depending on fuel costs. In addition, the Division of Air Quality is offering rebates to some truckers who install APUs in their vehicles. Information about APU rebates can be found at http://www.ncair.org/motor/Rebates/.

In addition to the idle rule, the state Division of Air Quality started a public awareness effort to reduce unnecessary idling voluntarily for cars and trucks. As part of that effort, the state agency is distributing free signs that urge drivers to reduce idling at schools and other areas. More information about the idle reduction program can be found at www.ncair.org/motor/idle.

**EPA Proposal Targets Power Plant Pollution in 31 States (*Epoch Times*)**

By Conan Milner
Epoch Times Staff
Created: Jul 13, 2010 Last Updated: Jul 13, 2010
Coal-fired power plants in 31 states may soon face a new set of regulations. The U.S. Environmental Protection Agency (EPA) has recently proposed a plan to cut pollution. (Jeff Haynes/Getty Images) Coal-fired power plants in 31 states may soon face a new set of regulations. The U.S. Environmental Protection Agency (EPA) has recently proposed a plan to cut pollution said to impair air quality and harm the health of people living downwind.

The proposal, announced on July 6, aims to reduce smog and soot emissions of coal-fired facilities, which contribute to poor air quality. Known as the Transport Rule, the regulations work with existing local and state pollution controls to help mostly Eastern states and the District of Columbia meet existing national air-quality standards.

“This rule is designed to cut pollution that spreads hundreds of miles and has enormous negative impacts on millions of Americans,” said EPA Administrator Lisa P. Jackson in a press release.

“We’re working to limit pollution at its source, rather than waiting for it to move across the country. The reductions we’re proposing will save billions in health costs, help increase American educational and economic productivity, and—most importantly—save lives,” she said.

Power-plant pollution causes tens of thousands of premature deaths each year, according to the American Lung Association. These emissions are linked to thousands of asthma cases and heart attacks and almost 2 million lost school or work days.

The Transport Rule promises to create health benefits for millions of Americans and is projected to prevent between 14,000 and 36,000 premature deaths annually, based on an EPA analysis.

The EPA says the new regulations would reduce power plant emissions of sulfur dioxide (SO2) and nitrogen oxides (NOx) to meet state-by-state emission reductions. By 2014, the rule and other state and EPA actions would reduce SO2 emissions by 71 percent over 2005 levels. NOx emissions would drop by 52 percent.

The Transport Rule would replace the Clean Air Interstate Rule (CAIR), which was struck down by the U.S. Circuit Court of Appeals for the D.C. Circuit in 2008. While the court ordered the EPA to revise its proposal, it allowed CAIR to remain in place temporarily until the Transport Rule could be finalized.

The new proposal includes the same 28 states targeted in CAIR, as well as Kansas, Nebraska, and Oklahoma.

The EPA expects that the emission reductions can be accomplished by proven and readily available pollution-control technologies already in place at many power plants across the country.

Agency estimates suggest the plan could cost as much as $2.8 billion in 2014, but the agency argues that the resulting health care savings will far outweigh the cost of the new regulations.

Agency officials say the measure could produce $120 billion in annual health benefits in 2014, including avoiding an estimated 14,000 to 36,000 premature deaths, 23,000 nonfatal heart attacks, 21,000 cases of acute bronchitis, 240,000 cases of aggravated asthma, and 1.9 million days when people miss school or work due to symptoms caused by ozone and particle pollution.

“The harmful pollution coal-fired power plants emit into the air does not just endanger people in the immediate vicinity of the plant. Pollution from coal plants is carried downwind, endangering people throughout the entire eastern United States.

This rule addresses the reality that dangerous pollution doesn’t recognize state borders. Just as the oil gusher has now hit every Gulf state, the pollution from coal-fired power plants drifts downwind into people’s lungs throughout a region,” said Bruce Nilles, deputy conservation director of the Sierra Club in a statement supporting the measure.

The EPA claims the Transport Rule would also help to improve visibility in state and national parks and increase protection for ecosystems that are sensitive to pollution.

The proposal must still undergo a thorough review and comment period. The EPA will take public comment on the proposal for 60 days after the rule has been published in the Federal Register. The agency will soon announce dates and locations for public hearings.

**Ute tribe at odds with Questar and judge over gas plant (*Deseret News*)**

By Geoff Liesik

For the Deseret News
Published: Tuesday, July 13, 2010 10:14 a.m. MDT
FORT DUCHESNE, UINTAH COUNTY — A federal judge may have told construction crews they could go back to work, but attorneys for both the Ute Indian Tribe and Questar Gas Management aren't finished fighting over the expansion of the Stagecoach natural gas processing plant.
Attorneys for the tribe said Monday that they plan to ask two federal agencies to address "outrageous conduct" by Questar with regard to the company's alleged failure to secure the proper permits for construction of the Stagecoach plant expansion.

Work on the plant, which was shut down late last month by tribal authorities, has resumed thanks to a federal injunction against the tribe that was issued July 1. But in court papers filed Monday, attorneys for Questar claim the tribe has failed to comply with the judge's order.

"(The tribe) has told QGM contractors and subcontractors not to come to the Iron Horse site, has ordered them to leave the site, and has threatened them with fines, trespassing citations and vehicle impoundment if they enter the reservation without 'access permits,'" George Haley, an attorney for QGM wrote before requesting that the tribe be held in contempt of court for its alleged actions.

Alvina Lee, an attorney for the tribe, said the dispute with QGM occurred because the company failed to follow proper procedures when applying for right-of-way access and failed to notify the tribe of the activity it was going to undertake on tribal lands. QGM also did not acquire the necessary air permits from the U.S. Environmental Protection Agency for its work on the Stagecoach plant expansion, Lee said.

Those alleged missteps prompted Ute officials to issue a stop-work order on June 23 at the Iron Horse site in southern Uintah County where the expansion of the Stagecoach plant is being constructed.

QGM sought an injunction against the tribe in federal court, citing a 2005 concession agreement that it argued gives the company "complete access" to certain lands on the Uintah-Ouray Reservation for a period of 20 years. U.S. District Court Judge Dale A. Kimball ruled in favor of QGM and granted the injunction.

Lee said the tribe disagrees with the judge's ruling.

"The tribe does not interpret the concession agreement as granting carte blanche authority for Questar or its affiliate, Questar Gas Management, to enter tribal lands related to oil and gas development," she said. "The tribe is appalled at Questar's actions and the (Ute Tribe) Business Committee has directed the tribe's general counsel to work with BIA and EPA to rectify this outrageous conduct by QGM."

The concession agreement at the center of the dispute was drafted by the tribe's former financial adviser, John Jurrius, and approved by Chet Mills, who was the Bureau of Indian Affairs superintendent for the reservation at the time, according to Ute Tribe Business Committee Chairman Curtis Cesspooch.

A controversial figure on the reservation, Jurrius' departure occurred shortly after Cesspooch and two other tribal members were elected to the Business Committee — the Ute Tribe's executive and legislative body — based on their pledge to sever Jurrius' ties with the tribe.

"(The concession agreement) gave Questar a 20-year agreement in which they practically got complete access (to the reservation), they didn't have to inform the tribe of any expansion," Cesspooch said. "That is the only agreement so far that I've seen where it gives a company so much free reign."

Lee said the tribe has asked the BIA to reevaluate its approval of the concession agreement to "determine if such action was granted in the best interests of the Ute Indian Tribe and in accord with federal law."
Contributing: Lezlee Whiting

**AIR**
**==========**

**EPA seeks comment in Denver on fracking study (*Associated Press*)**

**Story also appeared: *Washington Post***

By CATHERINE TSAI
The Associated Press
Tuesday, July 13, 2010; 10:44 PM

DENVER -- Natural gas industry groups on Tuesday urged the Environmental Protection Agency to limit the scope of an upcoming study on the effects of a natural gas extraction process known as fracking.

Some environmental groups want the federal agency to also examine eventual effects on air quality. The EPA held the second of four public meetings to gather comments about its upcoming study on how drinking water might be affected by a method of extracting natural gas.

The process - called hydraulic fracturing, or fracking - pumps water and chemicals underground at high pressure to help extract trapped oil and natural gas. The fluids help open fractures in shale formations, allowing natural gas to flow from the breaks into a well.

Fracking has been around for decades, but amid a natural gas drilling boom, members of Congress have questioned whether it could taint drinking water or harm human health. Critics said a 2004 EPA study that found no evidence of threats to drinking water was flawed.

The EPA doesn't regulate fracking, leaving that process to states. U.S. Reps. Diana DeGette and Jared Polis, both Colorado Democrats, are among those pushing for federal oversight.

Besides potential effects on drinking water, critics have raised concerns including whether fracking, which can use millions of gallons of water, could deplete aquifers.

America's Natural Gas Alliance, an advocacy group for the gas industry, submitted comments last week that, in part, supported focusing the study on effects on drinking water. It also sought input on the makeup of EPA study and advisory panels.

"History demonstrates that hydraulic fracturing can generate abundant, secure energy supplies, without adverse consequences to drinking water," alliance President and CEO Regina Hopper said in a letter to the EPA.

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He said he is now driving 80 miles roundtrip to Trinidad to get drinking water.

"I saw this coming years ago. I was petitioning every politician I could think of to try to come up with stronger regulations to prevent this. Then to have to just see it happen anyway, it's fantastically frustrating," said Dahl, a 51-year-old technical specialist in renewable energy.

Colorado Oil and Gas Conversation Commission Director Dave Neslin said most of Colorado's 42,000 active oil and gas wells rely on fracking and that the commission has investigated hundreds of groundwater complaints over the years but found no verified instance of fracking harming groundwater.

The EPA held its first public meetings on the study last week in Fort Worth, Texas. Other meetings are scheduled July 22 in Canonsburg, Pa., and Aug. 12 in Binghamton, N.Y.

Posted on Tue, Jul. 13, 2010

**Multi Packaging Solutions Gets Greener with Move to Sustainable Energy (*Bradenton Herald*)**

Multi Packaging Solutions, Inc. ("MPS"), a leader in print, packaging, and merchandising solutions for the cosmetics, healthcare, horticulture, multi-media, and value-added consumer markets expands its commitment to sustainable solutions with a switch to 25 percent green energy at its Dallas, TX and South Plainfield, NJ manufacturing facilities.

Recognizing the importance of environmental stewardship, MPS has worked over the last several years to develop earth-friendly products, technologies, and manufacturing processes. They operate the most extensive FSC-certified print and packaging network in the US; manage a recycling program for production scrap; and have a formalized LEAN manufacturing program to reduce waste and conserve energy.

MPS is now turning to its supply chain to lower its carbon footprint with electricity powered by renewable energy. By purchasing 25 percent green energy, the company will reduce its annual carbon dioxide emissions by over 1,200 metric tons, which equates to eliminating 1,200 tons of coal or 114,042 gallons of gasoline each year. Based on the EPA Greenhouse Gas Equivalencies Calculator, this reduction is the equivalent of removing 245 passenger vehicles from the road or reducing the demand for "brown energy" to power 155 homes annually.

"Our transition to renewable energy is the next logical step in developing our sustainable solutions platform," said Dennis Kaltman President of MPS. "We can now help customers layer sustainable features into their products, including recycled, recyclable, or renewable materials, chain-of-custody certifications, responsible manufacturing practices, and a lower carbon footprint."

MPS enlisted The Walker Group, a real estate and energy solutions provider to help identify better ways to manage its energy portfolio, including identifying hidden costs in its current contracts, transitioning to green energy, and locking-in attractive rates through mid-2012.

Read more: http://www.bradenton.com/2010/07/13/v-print/2428983/multi-packaging-solutions-gets.html#ixzz0taG4D54q

**Draft Bingaman bill would cap power plant emissions (*Greenwire*)**

(07/13/2010)
Katherine Ling and Robin Bravender, E&E reporters
A climate bill being developed by the Senate Energy and Natural Resources Committee chairman would impose carbon caps on electric utilities and achieve far fewer emission reductions than more sweeping proposals under consideration in the Senate.

A discussion **draft** by Senate Energy and Natural Resources Chairman Jeff Bingaman (D-N.M.) would cut emissions by 2020 from regulated sources by 17 percent from 2005 levels and 42 percent by 2030. Utilities that emit more than 25,000 metric tons of carbon dioxide-equivalent per year would be under the cap starting in 2012, and large manufacturers could opt in to the program.

The sweeping measure from Sens. John Kerry (D-Mass.) and Joe Lieberman (I-Conn.) calls for a 17 percent reduction in carbon emissions from 2005 levels by 2020 and a more than 80 percent cut by 2050. That proposal would cap emissions from utilities, manufacturing, transportation and other sectors.

The Bingaman draft is one of several climate measures circulating in the Senate as Majority Leader Harry Reid (D-Nev.) prepares to assemble an energy and climate bill for floor debate later this month. Bill Wicker, a spokesman for Bingaman, said the draft is a "mid-generation" version of the utility-only proposal and that there have been several changes since this version; he declined to provide details on the changes. Bingaman still has no plans to introduce a sector-specific bill yet, Wicker added.

The Bingaman draft does not significantly reward utilities for being the first to have their carbon emissions capped.

The proposal would provide 30 percent of total emission allowances by 2016 and would phase out allowances by 2022. The climate bill passed last summer by the House provided 35 percent of emission allowances in 2016.

Under the Bingaman draft, merchant coal generators would receive 10 percent of the allocations for electric utilities with the rest provided to local distribution companies to help ease the burden of the increase in the cost of energy on consumers. The LDC allocations would be distributed based half on historic emissions and half on sales -- a

compromise between utilities that rely on coal-fired generation and those that rely more on nuclear, gas and renewable energy.

The draft also includes a price collar to provide predictability of carbon allowance prices.

The price of allowances would not be able to rise above $25 a ton in 2012 and drop below $10 per ton. The price ceiling would increase each year by multiplying 105 percent of the previous year's price ceiling and the inflation adjustment for that year. The price floor would be adjusted by multiplying 103 percent of the minimum auction price plus inflation of the previous year, according to the draft.

The draft bill would cap only the utility sector until after the president determines that the United States' five largest developing-country trading partners had taken comparable action to reduce their greenhouse gas emissions. Industrial sources would be subject to the cap five years after the president makes such a determination. The president would conduct the first analysis by 2015 and would reassess the situation every two years.

The manufacturing sector would not receive free emissions allowances under the draft bill to offset potential increases in electricity costs. They could, however, opt in to the carbon pricing system. That provision is aimed at swaying moderate Democratic lawmakers, who have stressed the importance of allowing manufacturers to participate if they choose to.

Bingaman's draft would block U.S. EPA from regulating industrial sources' greenhouse gas emissions until January 2018. It would also prohibit states from implementing or enforcing greenhouse gas regulations from regulated sources from 2012 through 2017.

**EPA releases tips to avoid overexposure to sun (*Las Vegas Sun*)**

By Stephanie Tavares (contact)
Tuesday, July 13, 2010 | 10:47 a.m.

Nevada has some of the highest ultraviolet radiation levels in the nation but with careful steps, Las Vegans can avoid the worst impacts of exposure to the sun, according to the U.S. Environmental Protection Agency.

The agency today released new tips and tools to educate Americans about UV rays and to help them manage their sun exposure. That includes a smartphone application that provides mobile access to the daily UV index forecast across the country.

This will allow users to check the sun’s intensity and plan outdoor activities accordingly.

The app provides users with a numeric index ranging from 0 to 11+ (higher numbers indicate greater amounts of skin-damaging UV radiation), and tips to protect the skin and eyes.

The forecast for Las Vegas today, for example, is 8 or “very high” on the scale. That means people should wear sunscreen, hats and other protective clothing and avoid going out in the sun between 10 a.m. and 4 p.m., when the rays are strongest.

Overexposure to the sun can cause skin cancer and eye damage. It can happen to anyone, regardless of skin pigment, and during any time of the year.

Skin cancer is the most common form of cancer in the United States, according to the EPA. Overexposure to UV radiation may suppress proper functioning of the body’s immune system and skin’s natural defenses.

Sun safety tips from the EPA:

· Avoid sun tanning and tanning beds.
· Avoid burns — overexposure to the sun is the most preventable risk factor for skin cancer.
· Seek shade, especially between 10:00 a.m. and 4:00 p.m. when UV radiation is most intense.
· Wear wide-brimmed hats, protective clothing, and sunglasses that block 99-100 percent of UV radiation.
· Use sunscreen with an SPF of at least 15 and UVA and UVB blocking properties on all exposed skin.
· Check the UV Index.
Download the UV Index smartphone app here.

**BP SPILL**
**==========**

**Oil firms can't contain major spills, agency says (*Washington Post*)**

July 14, 2010 Wednesday
Suburban Edition
A-SECTION; Pg. A08
Maryland
Oil firms can't contain major spills, agency says
By Mary Pat Flaherty
NEW ORLEANS
The head of the new federal agency overseeing oil drilling delivered a harsh critique

Tuesday of oil companies drilling in deep water off the coast, saying they do not know how to contain a major spill.

"They don't have a fix on what the most effective containment strategies are," Michael Bromwich testified to a presidential commission investigating the April 20 explosion and spill in the Gulf of Mexico. He said that was a chief reason for extending the Obama administration's moratorium on deep-water drilling.

The assessment from Bromwich, director of the Bureau of Ocean Energy Management, Regulation and Enforcement, signaled a new attitude from the director of the agency that regulates the nation's oil drilling operations. The agency, formerly known as the Minerals Management Service, was broadly criticized for its lax oversight.

Bromwich, who took over the agency June 15, faced pointed questions about the close relationships between the oil industry and members of his permit and inspection staffs. He was asked about the Louisiana office where workers accepted sports tickets and other gifts from companies they were regulating, which was described in recent inspector general reports.

"We are not going to politely ask the industry to fix things," Bromwich said. "We are going to demand they fix things and sanction industry almost immediately" for lapses, rather than asking for compliance as before.

William K. Reilly, a former administrator of the Environmental Protection Agency who co-chairs the presidential commission, said he had new appreciation for the economic hardships caused by the drilling ban. He said he would look into whether some rigs could be reactivated after inspection.

**The Valdez's unheeded lessons (*Washington Post*)**

July 14, 2010 Wednesday
Met 2 Edition
A-SECTION; Pg. A01
Maryland
The Valdez's unheeded lessons;
BP was part of Alaska response, but decades later same problems persist
By Joe Stephens
The story of the last cataclysmic American oil spill has evolved over time into a straightforward tale of cause and effect: In 1989, a hard-drinking skipper ran his tanker aground in Alaska, and Exxon was unable to prevent crude from spreading along hundreds of miles of pristine shoreline.

But the full story of the Exxon Valdez wreck is far more complex, and it offers striking parallels to today's events in the Gulf of Mexico -- including a central role played by a consortium led by British Petroleum, now known as BP.

A commission that investigated the Alaska spill found that oil companies cut corners to maximize profits. Systems intended to prevent disaster failed, and no backups were in place. Regulators were too close to the oil industry and approved woefully inadequate accident response and cleanup plans.

History is repeating, say officials who investigated the Valdez, because the lessons of two decades ago remain unheeded.

"It's disappointing," said 84-year-old Walt Parker, chairman of the Alaska Oil Spill Commission, which made dozens of recommendations for preventing a recurrence. "It's almost as though we had never written the report."

Marine experts predict that the many panels investigating the Deepwater Horizon blowout -- including a presidential commission that began work this week in New Orleans -- will produce reports with numerous findings that could have been cut and pasted from the 20-year-old report written by Parker's commission or another body that examined the Valdez accident. They also fear those findings may have no more impact than the Valdez conclusions have.

In the immediate aftermath of the Alaska spill, as in the gulf, there was confusion over who was in charge -- oil companies or government officials. Federal authorities eventually asserted themselves but lacked the equipment and personnel to stem the damage. Storms slowed the response and spread contamination. Cleanup technology was old and ineffective. Environmentalists questioned the toxicity of dispersants and asked whether oil companies were using chemicals to hide damage.

The vast Alaska containment effort recovered only a fraction of the millions of gallons of oil dumped into Prince William Sound.

The players in the Alaskan drama also look familiar. Although Exxon owned the Valdez tanker, it was not responsible for the flawed emergency response plan and did not lead initial containment efforts. Those jobs fell to the Alyeska Pipeline Service, a consortium operating the Trans Alaska Pipeline System.

The consortium's controlling partner was British Petroleum. British Petroleum also supplied the consortium's top executive, who later resigned under pressure. "BP called the shots," said Tom Lakosh, an oil spill researcher.

The Alaskan commission concluded that cost-cutting by Alyeska contributed to the disaster, just as critics allege that BP's focus on profits contributed to the gulf spill.

"British Petroleum's leadership essentially was 'asleep at the switch,' " the commission's report concluded.

BP spokesman Steve Rinehart declined to discuss the company's role in the Valdez

response, saying that Alyeska is an independent organization that "works for an owner's committee."

"We will actually have very little to say about the Exxon Valdez oil spill," Rinehart said. "In general terms, there were many lessons learned from the Prince William Sound spill, and improvements in response planning and technology were one of them."

Exxon Mobil spokesman Alan Jeffers declined to comment on how British Petroleum and regulators responded to the Valdez accident. But he said it was a "real turning point" at Exxon, which now makes safety a central corporate value.

To be sure, the two spills are different: The 1989 incident was caused by a grounded tanker, not a well blowout and a months-long gusher of crude. And the millions of gallons released in Alaska have been surpassed by the amount of crude swirling in the gulf. But experts said the many similarities eclipse the differences.

"It's so frustrating," said Zygmunt Plater, who worked for the commission and is now a professor at Boston College Law School. "The lessons weren't met."

'Waiting to happen'

On March 23, 1989, Riki Ott, a marine biologist, was speaking to the annual Alyeska Pipeline safety banquet at the Valdez Civic Center. The discussion turned to the threat of a major oil spill.

"Gentlemen," she said, "it's not a matter of 'what if,' but when."

About an hour later, just past midnight, the Valdez ran aground on Bligh Reef on Alaska's south coast, rupturing eight of its 11 cargo tanks and dumping at least 11 million gallons of crude into the sound. The 990-foot-long ship had just left the Alyeska terminal in Valdez, headed toward Long Beach, Calif.

Over the next few months, the oil spread across 1,200 miles of Alaska coastline, destroying ecosystems and livelihoods.

Investigations determined that Capt. Joseph Hazelwood had been drinking earlier and was not on the bridge when the vessel strayed into the reef. He was convicted of a misdemeanor charge of negligently discharging oil.

Two months after the spill, Alaska's governor appointed a commission to study the accident. It concluded that the disaster was "the result of the gradual degradation of oversight and safety practices."

The spill "was not an isolated, freak occurrence, but simply one result of policies, habits and practices that for nearly two decades have infused the nation's maritime oil transportation system with increasing levels of risk. The Exxon Valdez was an accident

waiting to happen," the report said.

Rules then in place called for the British Petroleum -led consortium to handle the initial spill response. But its actions were unexpectedly slow and ineffectual, the report said. A 126-foot barge cited in plans as the centerpiece of any response was not loaded with the proper equipment, resulting in hours of delay.

Alyeska spokesman Matt Carle said the consortium does not challenge the commission's findings but stressed the many safety improvements made in and around Prince William Sound.

The U.S. Coast Guard and other government agencies proved "utterly incapable" of containing the oil, the commission said. Contingency plans amounted to "toothless tigers," and the equipment shortages and slow responses made a catastrophe inevitable, the report said.

Exxon eventually took control of the response effort, working with the Coast Guard and Alaskan authorities.

That mirrors the early days of the BP spill, when it was unclear who was in charge. It quickly became apparent that only BP had the submersible robots and other equipment needed to operate at the drilling site, a mile below the surface.

Studies suggested that the Alaska spill could have been reduced or eliminated by building in redundant protection: in that case, by equipping tankers with double hulls or double bottoms. A lack of redundancy has emerged as a critical problem in the gulf, where the failure of the Deepwater Horizon's blowout preventer -- designed to instantly seal a well -- has left BP with few alternatives.

Alyeska was found by the Alaska commission to have a long history of poor management and cost-cutting that contributed to the accident. One state official wrote that Alyeska "has proven that they will not take any major corrective action unless forced by the regulatory agencies." Those complaints echo allegations made last month by Democratic Reps. Henry A. Waxman (Calif.) and Bart Stupak (Mich.), who questioned whether BP repeatedly chose risky procedures to save time and reduce costs.

The congressmen wrote in a letter to the oil company that "BP appears to have made multiple decisions for economic reasons that increased the danger of a catastrophic well failure."

'Never again'

When the Alaska commission examined response plans approved before the accident, they found a "serious gap" between the spill size that companies said they could contain and their true capacity, which was "ridiculously low." Records showed that, as a number

of response plans were being developed in Alaska, government reviewers had penciled expletives in the margins, described them as "garbage" and "shoddy," and recommended that authorities "consider prosecution."

One review of equipment listed in an Alyeska contingency plan in the 1970s found that of 170 pieces of apparatus itemized, 137 were broken or missing. A drill exercise found an outdated list of emergency contacts. At the time, the report concluded, the consortium "was not a model of preparedness."

That echoes the findings of a congressional inquiry into BP's spill response plan for the gulf, which asserted that the company could contain and clean up a spill much larger than today's. Investigators found that the gulf plans also discussed the need to protect walruses, which aren't found in the region, and listed the phone number of a long-dead marine expert.

The commission found that the "primitive" equipment available for oil recovery in Alaska -- primarily boom lines and surface skimmers -- represented ineffective methods that had not advanced for at least 20 years. The commission called on the federal government to fund a research and development effort to improve recovery techniques.

"Equipment and techniques should be tested well in advance of a spill," the report said.

Today in the gulf, the same types of equipment and technology used in Prince William Sound are at work. There is no research effort on the scale sought by the commission. "Never again should the spiller be in charge of a major spill" response, the report said.

As if foreseeing the gulf disaster, the commission said that focusing too closely on the individual details of the tanker accident would be counterproductive because "the next great spill is likely to have some other cause completely."

The report also gave a hint of what might lie ahead. In Alaska, the environmental and economic damage from the spill was followed by increased alcoholism, depression, anxiety, domestic violence and child suicides.

Another report prepared in 1989, this one for President George H.W. Bush, also recommended strengthening government preparedness, clarifying lines of authority and improving cleanup technology. The report was prepared by a team co-chaired by William K. Reilly, who headed the Environmental Protection Agency.

Now, Reilly co-chairs the commission looking into the BP spill for President Obama. It is expected to issue its report by January.

**Lessons from Exxon Valdez spill have gone unheeded (*Washington Post)***

By Joe Stephens

Washington Post Staff Writer
Wednesday, July 14, 2010; A01
The story of the last cataclysmic American oil spill has evolved over time into a straightforward tale of cause and effect: In 1989, a hard-drinking skipper ran his tanker aground in Alaska, and Exxon was unable to prevent crude from spreading along hundreds of miles of pristine shoreline.

But the full story of the Exxon Valdez wreck is far more complex, and it offers striking parallels to today's events in the Gulf of Mexico -- including a central role played by a consortium led by British Petroleum, now known as BP.

A commission that investigated the Alaska spill found that oil companies cut corners to maximize profits. Systems intended to prevent disaster failed, and no backups were in place. Regulators were too close to the oil industry and approved woefully inadequate accident response and cleanup plans.

History is repeating, say officials who investigated the Valdez, because the lessons of two decades ago remain unheeded.

"It's disappointing," said 84-year-old Walt Parker, chairman of the Alaska Oil Spill Commission, which made dozens of recommendations for preventing a recurrence. "It's almost as though we had never written the report."

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In the immediate aftermath of the Alaska spill, as in the gulf, there was confusion over who was in charge -- oil companies or government officials. Federal authorities eventually asserted themselves but lacked the equipment and personnel to stem the damage. Storms slowed the response and spread contamination. Cleanup technology was old and ineffective. Environmentalists questioned the toxicity of dispersants and asked whether oil companies were using chemicals to hide damage.

The vast Alaska containment effort recovered only a fraction of the millions of gallons of oil dumped into Prince William Sound.

The players in the Alaskan drama also look familiar. Although Exxon owned the Valdez tanker, it was not responsible for the flawed emergency response plan and did not lead initial containment efforts. Those jobs fell to the Alyeska Pipeline Service, a consortium operating the Trans Alaska Pipeline System.

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Now, Reilly co-chairs the commission looking into the BP spill for President Obama. It is expected to issue its report by January.

**Inability to contain a deepwater oil spill prompted drilling ban, administration official says (*Washington Post*)**

By Mary Pat Flaherty
Washington Post Staff Writer
Tuesday, July 13, 2010; 6:57 PM
NEW ORLEANS -- Oil companies drilling in the deep-water coastal waters do not know how to contain a spill like the one that has spewed oil into the Gulf of Mexico -- a chief reason the Obama administration is extending a ban on offshore drilling, said Michael Bromwich, director of the Bureau of Ocean Energy Management, Regulation and Enforcement.

"They don't have a fix on what the most effective containment strategies are," Bromwich testified Tuesday before the presidential commission investigating the cause of the April 20 BP explosion and spill and the future of offshore drilling in the United States. The BP spill also has consumed response equipment and personnel from across the country, exposing vulnerabilities should deepwater drilling resume, he said.

Until improvements are in place, Bromwich said, the Department of the Interior does not intend to back away from a ban on deep-water drilling that has angered numerous companies and gulf residents because of its economic impact.

Bromwich, the new head of the agency formerly known as the Minerals Management Services, appeared a day after a ban on deep-water drilling was recast by the Department of the Interior. The "pause" in drilling, which could last until Nov. 30, is based not on an operation's drilling depth but on the type of rigs and equipment in place to prevent a blowout like the one preceding the Deepwater Horizon rig explosion, which killed 11. Bromwich's office oversees drilling licenses and inspections for the Interior Department, including for the 33 deepwater rigs now in place. The ban contains exemptions that will allow 12 rigs to continue in operation while 21 are idled, said Bromwich.

He will hold 12 hearings on deepwater drilling in communities in the Gulf, California and Alaska, before delivering a report by Oct. 31 to Interior Secretary Ken Salazar, Bromwich said. In announcing the ban's revival, Salazar said it could be lifted sooner

than Nov. 30, but the timeline laid out by Bromwich suggests the department would take a full four months to make a decision.

Bromwich declined to be interviewed after his appearance at the commission.

The financial impact of the drilling ban has drawn the anger of many industry, elected officials and gulf residents, including Louisiana Sen. Mary Landrieu (D), who on Monday told the commission to issue a quick recommendation to lift restrictions.

It is unlikely the commission could take a position soon, its co-chairmen said in a news conference. But after its first two days of hearings, they acknowledged that they share the urgency felt by Gulf residents and the oil industry about the impact of the ban.

The pleas to weigh economic harms have been compelling, said commission co-chairman William K. Reilly, who headed the Environmental Protection Agency during the 1989 Exxon Valdez spill in Alaska. "I have a different understanding of that than I did three or four days ago," he added.

The commission's role "is to build a fire" under the frontline investigators and Interior officials who can investigate the safety of deepwater rigs and their ability to contain a spill and to "look over their shoulder" in coming to their own opinion, said former Florida senator Bob Graham, the other co-chairman.

He and Reilly also said they would be asking what safety reviews of the existing rigs have been done since the BP explosion, with Graham questioning whether rigs could be brought back online individually if BOE inspectors were prepared to do rigorous inspections.

Bromwich said the existing deepwater sites would be inspection priorities, but that the other provisions driving the ban, including better response-planning industrywide, could take time to put in place.

"We have an honest disagreement" with the oil industry about the safety of their deepwater operations, Bromwich said. During a June 28 meeting with oil industry representatives, Bromwich said, the companies offered assurances. Yet, as Bromwich recounted the session, when he and Interior officials asked them if the industry had adequate plans to contain a large spill, "there was a pause and silence."

Bromwich, who took over the agency on June 15, faced pointed questions about the close relationships between members of his permitting and inspection staffs and the oil industry, including the Louisiana office where staff accepted gifts of sports tickets and other items from companies they were regulating, which was described in recent inspector general reports.

"I have read some of the same things you have about problems with my agency and very cozy relationship with industry," Bromwich told the commission. "We need to be arm's-length and aggressive enforcers.

"We are not going to politely ask the industry to fix things," he said. "We are going to demand they fix things and sanction industry almost immediately" for lapses, rather than asking for compliance as had previously been done, Bromwich said.

Discussion about the moratorium has overtaken much of the testimony before the commission in two days of hearings in New Orleans. The commission is working against a six-month deadline to report to President Obama on the cause of the BP explosion and ways to prevent a similar disaster and improve spill responses.

Bromwich said that his agency had been too casual in improving response plans and that the oil companies had been too casual in complying.

Bromwich also disputed that shallow-water drilling permits have been halted and are being denied or delayed, as several oil industry and rig providers told the commission Monday.

**They're hounds for oil (*Los Angeles Times*)**

July 14, 2010 Wednesday
Home Edition
MAIN NEWS; National Desk; Part A; Pg. 1
COLUMN ONE;
They're hounds for oil;
Scientists use their well-trained noses on gulf seafood to sniff out any threats to the nation's food supply.
By Bob Drogin
PASCAGOULA, MISS.
Robert Downs leads the scientists who sniff at fish.

Each day, his team of seven sensory experts dip their noses into large Pyrex bowls of snapper, tuna and other raw seafood to test for even a whiff of the pungent oil gushing into the Gulf of Mexico.

This is not Grand Cru wine.

"We use specific terms for the aroma," said Downs, who supervises the seafood smellers at the National Oceanic and Atmospheric Administration's marine lab here. "Diesel oil. Bunker oil. Asphalt. Rubber-band-like. Tar."

Each olfactory analyst has a super schnoz, able to smell oil diluted to one part per million. That's 40 times more sensitive than your average proboscis.

It's also more sensitive than science can explain. Last month, the team caught a faint scent in a red snapper that chemists and toxicologists could not confirm despite three days of testing at an NOAA marine science lab in Seattle. The result: A rich fishing area off Louisiana's coast stayed off-limits.

"The nose knows," Downs said.

Strong stomachs help. The group has sniffed or tasted more than 1,000 fish in the nearly three months since the BP oil spill, and no one has gotten sick.

The fish smellers are part of a major effort by NOAA, the Food and Drug Administration, the **Environmental Protection Agency** and state governments to ensure that the still-leaking oil doesn't pollute the nation's food supply. So far, there are no confirmed reports of contaminated Gulf Coast seafood reaching consumers.

Partially because of the sniffers, NOAA has banned fishing in more than a third of the Gulf of Mexico, 81,181 square miles in all. State officials also have barred fishing along more than 550 miles of beaches and bayous from Louisiana to northern Florida.

"We have found tainted fish," said John Stein, who runs the BP oil spill seafood safety testing program for NOAA. "It's not uncommon."

Stein spoke beside a huge chart of the Gulf of Mexico marked with scores of Xs. These looked suspiciously like the Xs that mark dead fish eyes in cartoons, but Stein insisted his Xs show where NOAA has caught live fish for baseline studies and surveillance testing.

Under federal law, fishing is banned if oil is seen in the water. So most samples that are tested are caught outside the vast no-go zone or in other waters that are not visibly oiled. Pelagic fish, which migrate, pose a special concern for fear they may ingest oil and swim away.

One of NOAA's ships, the Delaware II, docked behind the long-established fisheries lab here recently after a weeklong cruise. Crew members gingerly carried off 11 large frozen fish -- swordfish, blackfin tuna, mahi-mahi and others -- wrapped in black plastic and duct tape, and placed them on a gurney.

Cheryl Lassitter, lead chemist at the lab, signed a clipboard to ensure a legal chain of custody for each fish. Tags tied to the bags showed where, when and how each fish was caught.

"They're like dead bodies," Lassitter said with a groan as she helped push the heavy gurney up a small hill.

An elevator took them to the lab's second floor, where more scientists -- and more fish -- were waiting. A research biologist carefully sliced thick pink filets from a thawed 3-foot-long cobia, a pelagic fish sometimes called a ling or black salmon.

"I love sushi, but I'm not allowed to eat our samples," said Lisa Desfosse, director of the 130-member marine lab, as she watched the dissection.

The filets were wrapped in foil and carefully labeled. Half would be refrozen and flown to NOAA's Northwest Fisheries Science Center in Seattle. Scientists there will test the fish for polycyclic aromatic hydrocarbons, compounds in petroleum that are toxic and carcinogenic.

The other half went down the hall to Steven Wilson, a burly man with a trim white beard and a black lab coat, giving him the appearance of a barber. He is the chief quality officer for NOAA's Seafood Inspection Program.

On one side of the lab, a tray held 10 perfume-like vials that the sniffers use to "harmonize and recalibrate" their senses each day, Wilson said. Each vial has a distinct bouquet -- creosote, Alaska sweet, Louisiana crude, used oil, ammonia and so on.

Each day, the sniffers often sniff or taste two to three dozen bowls of seafood, some raw and some cooked. "After that, the nose gets tired," Wilson said.

The team uses seven sniffers, with an eighth as an alternate, Wilson said, "in case someone gets a sinus infection. Or eats bad beef."

To help cleanse the palate, or for a quick snack, bowls hold cut watermelon, sliced cucumbers, cooked corn and rice. The group works behind cardboard screens, like voting booths, to hide their reactions. They mark pass or fail, and any comments, on a score sheet.

Wilson offered to demonstrate. He lifted the lid of a Pyrex bowl of red snapper, leaned way down, and used his hand to fan fumes into his face. He took several shallow sniffs.

"I like to let the aromatics get in my head space," he said. He stood and considered the odor. "It smells like really good snapper," he finally declared.

He sniffed at his bare arm to give his nose a neutral scent. Then he stuck his face into a bowl of shucked oysters and sniffed again.

"Whoa!" he said. He staggered backward and blinked. "That smells off. I don't smell oil. I just don't like it."

Neither the sniffers here nor the chemists in Seattle test for the 1.76 million gallons of chemical dispersants that BP has used at sea to help break up the oil. Critics say no

one has adequately tested the dispersants for long-term effects on marine life, consumers or the environment.

At this point, the FDA has ruled that the chemicals have a "low potential" to bioaccumulate in marine life, are "low in human toxicity" and pose "little public health risk." Like fish with faint traces of oil, seafood that carries a chemical smell is considered adulterated and is illegal to sell.

NOAA has trained thousands of fish sniffers over the years to help guarantee food safety. Working with industry, they inspect seafood on ships and docks, in processing plants and markets for decomposition, contamination or other hazards to consumers. Other industries use sensory experts to ensure quality in coffee, beer and other foodstuffs.

But NOAA ramped up an emergency program after the BP spill, sending a team of trained sniffers to a laboratory in Gloucester, Mass., for a crash course with crude oil. Two dozen people have taken the class.

They will play a crucial role once BP finally caps the renegade well. Sniffers will help decide when fishing is again safe in the Gulf of Mexico, and when tens of thousands of commercial fishermen, charter boat captains, shrimpers, oystermen and others can return to their livelihoods.

Downs, the team leader, is up to the task. He has spent two decades training sensory experts. And yes, he eats fish regularly -- mahi-mahi and grouper are his favorites. He says his sense of smell gives him a nose-up on most people.

"Last night, I went to a restaurant and took a whiff," he said. "I knew right away the lobster was bad."

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**Tallying BP's Bill on the Gulf Coast (*New York Times*)**

July 14, 2010 Wednesday
Late Edition - Final
SECTION: Section B; Column 0; Business/Financial Desk; REUTERS BREAKINGVIEWS; Pg. 2:
By FIONA MAHARG-BRAVO and ROBERT CYRAN
Things are looking up for BP. Signs that the British energy company is close to halting the flow from its leaking Gulf of Mexico well have helped its shares rise more than a third since touching a 14-year low in late June. The financial impact of the disaster is now a bit easier to quantify.

The acute phase could be over within a month at the latest, assuming relief wells are completed on schedule. But the beginning of the end could come as early as this week, if a new cap on the leak proves successful in capturing essentially all the flow and diverting it to barges on the surface.

Assuming the flow stops by Friday and taking the top official estimate for leakage rates, BP would have released about 3.4 million barrels, of which at least 750,000 have been collected. The final cost of the clean-up operation, currently at $3.5 billion, might conceivably come in at less than $6 billion. Fines under the Clean Water Act, at $4,300 per barrel spilled, would be some $11 billion.

Then there would be claims for damages. BP has committed to a $20 billion fund for this purpose, and it remains prudent to assume that every dollar will find a determined claimant. Add it up and assume BP pays the full cost even though its partners may also be liable, and the total bill would be $37 billion. That would amount to $29 billion after netting out tax deductibility for the costs that aren't fines.

This sum would cause little strain on BP's finances. The company will generate $30 billion of cash flow this year. It is on track to sell $10 billion of assets, possibly to the Apache Corporation, and has $20 billion of cash or committed banking facilities in place.

Since the well blew, BP has lost roughly $50 billion of market capitalization beyond what is attributable to the decline in global equity markets. On the latest figures, that looks overdone. But until the well is actually capped, costs could still spiral upward, and there remain questions about BP's future in the United States and about its management. The disaster isn't over yet.

Downside of Secrecy

The iPhone's flaw is less about its antenna, and more about public relations. Apple's newest handset seems to have a minor problem with its antenna band. But the bigger problem is Apple's tendency toward secrecy and denial, which has turned a potentially routine product flaw into a full-blown investment concern, wiping out $5 billion of market value on Tuesday.

Buyers of the new iPhone 4 who complained about the antenna -- a metal band that wraps around the handset -- were initially told to hold the device differently. Apple then blamed a software bug that showed the phone was getting better reception than was actually the case.

All of this may be true, but Apple failed to address the central claim of dropped calls. Consumer Reports, the respected independent product review outlet, said its tests called into question the manufacturer's explanation. Therefore, it said it could not recommend that its readers buy the device.

That shouldn't have been the outcome, given the phone is far better than the handset it replaces. Everything from the screen to how fast it draws up Web pages is improved. And signal reception is on par with, or even better than, rival phones, provided you put a case on the phone to prevent sweaty fingers from touching the exposed antenna.

In fact, an easy fix according to Consumer Reports would be to apply unsightly duct tape to a corner. And Apple could, of course, simply tell customers: "If you experience problems with reception, please use this free plastic bumper." For a company that prides itself on sleek design and flawless technology, this would be a come-down, but one that its customers, and probably shareholders, would appreciate. Absent such accommodation, Apple's stock fell more than $5 a share on Tuesday.

The trouble is, Apple has never done humble or open particularly well. When its chief, Steve Jobs, became ill, the company first said he had a virus, then a hormone imbalance. He went on medical leave and received a liver transplant before shareholders were informed.

A cutting-edge phone that every once in a while drops calls when held in a wonky manner is, thankfully, a minuscule issue in comparison.

But Apple could have saved itself some investor concern by handling both in a more forthright manner.

For more independent financial commentary and analysis, visit www.breakingviews.com.

Posted on Wed, Jul. 14, 2010

**Key test on oil spill cap hits unexpected snag (*Miami Herald*)**

From Herald staff and wire reports
In a photo made from video released by BP, oil emerges from a cap placed on the broken wellhead at the former site of the Deepwater Horizon oil rig Tuesday morning. A pivotal moment in the Gulf oil crisis was derailed Tuesday evening when officials announced they needed more time before they could begin choking off the geyser of crude at the bottom of the sea.
BP and government officials did not say what prompted the decision or when the testing on the new, tighter-fitting cap would begin.

The oil giant was scheduled to start slowly shutting off valves on the 75-ton metal stack of pipes and valves Tuesday, aiming to stop the flow of oil for the first time in three months.

If the cap works, it will enable BP to stop the oil from gushing into the sea, either by holding all the oil inside the well machinery like a stopper or, if the pressure is too great, channeling some through pipes to as many as four collection ships. The operation to close the valves could take anywhere from six to 48 hours.

A series of methodical, preliminary steps has been completed, including mapping the sea floor.

Late Tuesday, National Incident Commander Thad Allen met with the federal energy secretary and the head of the U.S. geological survey and other scientists and geologists.

"As a result of these discussions, we decided that the process may benefit from additional analysis that will be performed tonight and tomorrow," Allen said.

Earlier Tuesday, there seemed to be cause for cautious optimism. "Even when it's finally capped, this will be a long-term cleanup effort, but it sounds promising that this plan might be the one to work," said Gordon Goodin, chairman of the Santa Rosa County Commission in the Florida Panhandle.

BP had hoped to start the tests Tuesday morning to see if the latest, 150,000-pound metal cap could withstand pressure from the escaping oil and seal off the well while the company drills relief wells that would permanently plug the oil site.

But that estimate was too optimistic, Kent Wells, a BP senior vice president, told reporters in a conference call from Houston Tuesday afternoon. Communication and contingency checks took longer than the company expected.

"It's not a simple test," he said.

Engineers have spent hours Tuesday on a seismic survey, creating a map of the rock under the sea floor to spot potential dangers, like gas pockets. It also provides a baseline to compare with surveys during and after the test to determine whether the pressure on the well is causing underground problems.

It was unclear whether there was something in the results of the survey that prompted officials to delay the testing. Earlier, BP's Wells said he hadn't heard what the results were, but he felt "comfortable that they were good."

In the test, three separate valves to pipes that funnel oil to surface ships were to be closed, one at a time, to see if the new cap blocks the sludge from entering the Gulf.

Also Tuesday, U.S. Coast Guard officials said test results confirmed that tar balls found on a Galveston, Texas, beach last week were from the oil spill.

Tar ball sightings have been few and far between over the past week in the Florida Panhandle, but local leaders remained frustrated by what they consider a sluggish cleanup.

"They need to find ways to be more efficient," said Goodin, the Santa Rosa County commissioner, recounting a recent trip to a cleanup site.

"It was 9:15 in the morning and they were still setting up tents," he said. "Everyone else in the world has been up and working for the past two hours at that point."

In hard-hit Pensacola Beach, tar balls remain lodged below the sand, despite day and night- time cleanup efforts.

BP has employed 1,558 cleanup workers to comb Panhandle beaches picking up ooze from the oil spill, according to the Florida Department of Environmental Protection.

The leak began after the Deepwater Horizon offshore drilling platform exploded on April 20, killing 11 workers. As of Tuesday, the 84th day of the disaster, an estimated 90.4 milion to 178.6 million gallons of oil had spewed into the Gulf.

Miami Herald staff writer Laura Figueroa reported from Pensacola. Staff writer Patricia Mazzei reported from Miami.

**Commission leader questions dispersant use (*Times-Picayune*)**

New Orleans
July 14, 2010 Wednesday
NATIONAL; Pg. A 07
Commission leader questions dispersant use ;
It's better than oil, scientists tell Reilly

By David Hammer Staff writer
The public has had a hard time accepting government claims that dispersants used to fight the Gulf oil spill are safe, but scientists Tuesday told a presidential commission studying the disaster that much of the fear is unfounded.

Mathy Stanislaus, the Environmental Protection Agency's assistant administrator for the Office of Solid Waste, said the EPA is putting a lot of effort into easing public fears about the dispersants and other toxic effects of the spill response.

"While the use of dispersants represents an environmental tradeoff, it's important to understand that oil is the No. 1 enemy and dispersants are not as toxic as the oil they

break down," Stanislaus said. "Dispersants break down over weeks rather than persisting for years as oil might."

Stanislaus said **EPA** tests of Corexit, BP's chosen dispersant, have found that it is comparable to other, previously approved dispersants. But he emphasized that more testing is needed, and in the meantime the **EPA** has gotten BP to reduce the amount of the dispersant being used.

That raised this question from commission co-chairman and former **EPA** Administrator William Reilly: "You say 40 percent of oil is dispersed naturally and oil is more toxic than the dispersants. So, why restrict the use of it so heavily if that's the case?"

Christopher Reddy, an associate scientist of marine chemistry and geochemistry at the Woods Hole Oceanographic Institution, said the use of surface dispersants is extremely typical and well understood to be safe, but some concern remains about their use in the sea's depths.

Ed Overton, professor emeritus of the Louisiana State University department of environmental sciences, said all six elements found in Corexit have been deemed safe for use in food and food packaging. He said the one element that used to be part of Corexit and was found to have had carcinogenic qualities has since been removed.

"Misinformation is driving the apprehension" over damage to the environment, Overton said. Both scientists lamented some alarmist statements from colleagues saying the Gulf could be irreparably damaged for decades.

But nervousness about chemicals used to fight the spill and dispose of oil waste was not limited to a confused public. Even Reilly expressed concern that the chemicals are being applied for "cosmetic" reasons, and said he'd like the commission to make recommendations about the use of dispersants quickly.

Reddy held up a textbook on the use of surface dispersants to emphasize how well-understood that application is. But he said he's interested in seeing more testing of subsea dispersants, and Overton said that too little is known about the impact of dispersants on deep ocean organisms.

Reddy said he is also concerned about the total amount of dispersants used, which is unprecedented. He noted that 1 million barrels of dispersants have been applied to the Gulf of Mexico to fight this spill, more than the amount of oil spilled in any single accident prior to the BP disaster.

Reilly also said the dispersants' unknown effect on fisheries is troublesome.

"You know a lot of fishermen have very strong reservations about dispersants, that it hides the oil under the surface and makes it hard for the fish to avoid it," Reilly said. "That's what we found in Prince William Sound" after the 1989 Exxon Valdez tanker spill

in Alaska, during Reilly's time as **EPA** chief.

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**BP installs new cap, celebrates rare glitch-free day (*Greenwire*)**

(07/13/2010)
Katie Howell, E&E reporter
BP PLC had a rare successful day yesterday as both the new sealing cap and the third containment ship were installed without a glitch to the Gulf of Mexico well that has been gushing crude since late April.

And the top federal official in charge of the spill response expressed optimism that the well will stop leaking crude into the Gulf by early next week.

"It's been a very consequential 24 hours in the life cycle of this response," retired U.S. Coast Guard Adm. Thad Allen told reporters this morning.

Last night, BP crews connected the new 150,000-pound tighter-fitting cap to the wellbore, just three hours after the *Helix Producer* containment vessel started collecting its first hydrocarbons from the well.

Now, crews are prepping to run a series of pressure tests that could last from six hours to two days that will help scientists decide whether the new cap can successfully hold the gusher at bay until a relief well intercepts it in late July or early August or whether the high-volume containment system needs to be brought online to collect 2.5 million to 3.4 million gallons of crude a day, more than current estimates of the well's flow rate.

"Either by shutting in the well or producing from it, we'll have a way to contain the oil," Allen said.

To perform the pressure tests, BP will first disconnect the two containment vessels that are currently producing oil from the wellbore and slowly close the openings on the new cap. When no oil is escaping through the cap, crews will take a series of pressure readings that will indicate whether the wellbore is damaged below the surface.

Crews are looking for pressure readings in the range of 8,000 to 9,000 pounds per square inch. Those numbers will indicate the wellbore is intact, Allen said. But if pressures are in the 5,000 to 6,000 psi range, "it could tell us hydrocarbons are being diverted someplace else," he added.

"In this exercise, high pressure is good," Allen said.

BP and federal officials will keep the cap closed for a period of six to 48 hours, depending on the initial pressure readings, to determine whether the cap can withstand the oil's pressure for a sustained period of time. Then, they will decide whether to keep the cap closed -- and the well shut in -- or to reopen the valves and produce the crude through the containment vessels moored at the surface.

The production system will be ready to produce at capacity by Monday, Allen said.

Either scenario will keep crude from pouring into the Gulf while crews finish drilling a relief well that will intercept the failed well and fill it with heavy drilling fluids and cement to seal it off for good.

"We'll all be very happy when we have the well killed and dead," Kent Wells, BP's senior vice president of exploration and production, told reporters in a separate briefing this morning. "But we know the job's not over yet."

**Spill commission surprised to hear moratorium decision lies with panel**

The Interior Department's announcement yesterday of a new suspension of offshore drilling in the Gulf of Mexico came with a clause that stunned the presidential panel tasked with investigating the causes and effects of the spill: Future drilling operations hinge partly on the findings of the panel.

Sen. Mary Landrieu (D-La.) made an unscheduled appearance before the seven-member commission yesterday as it began its first day of meetings in New Orleans. She read a statement from Interior Secretary Ken Salazar that said information collected by the commission would be among three items the Obama administration would use in deciding what kinds of new drilling would be allowed.

But the leaders of the bipartisan panel said they had been assured by Salazar's office and the White House that advising on the moratorium was not one of their duties.

"We're 10 minutes old," William Reilly, one of the co-chairmen of the commission and head of U.S. EPA under President George H.W. Bush. "The idea we'd have a near-term responsibility to make recommendations on policy was not our understanding and not consistent with my most recent conversation with [Interior Deputy Secretary] David Hayes, who said the Interior Department didn't look to this commission for advice."

But Landrieu pressed her case that the moratorium is unnecessary to ensure safe drilling operations.

"This was a rogue incident," Landrieu told the panel. "This industry has a record. It's been a safe, reliable industry, with 42,000 wells drilled and less than 7,000 barrels spilled in the last decade," from non-hurricane-related spills.

Landrieu added that she had "beef" with the White House sending out mixed messages, not with the commission's not knowing it could affect implementation of the ban.

Former Florida Sen. and Gov. Bob Graham (D) said he and Reilly plan to go back to Interior "to try to clarify what is our responsibility and how we're going to carry it out."

**BP partner refuses to pay bill**

Mitsui Oil Exploration, a minority partner in the failed well in the Gulf of Mexico, followed in the footsteps of the other minority partner, Anadarko Petroleum Corp., yesterday, refusing to pay BP $111 million toward the cleanup and containment costs.

Mitsui, which owns a 10 percent interest in the BP-operated well, received a bill in early June from BP for part of the spill expenses. The bill was due yesterday.

But the company is refusing to pay, according to the Nikkei business daily.

Anadarko, which owns 25 percent of the well, last week refused to reimburse BP for the $272 million it had been billed.

**First Ala. turtle nest moved to Fla.**

Scientists and wildlife officials yesterday relocated the first sea turtle nest from Alabama to oil-free Cape Canaveral, Fla.

The move is part of an unprecedented effort to relocate more than 50,000 eggs from Alabama and Florida Panhandle beaches to Atlantic waters. Three other nests in Florida have already been moved.

"We've never done anything of this magnitude," Fish and Wildlife Service biologist Bruce Porter told the Mobile *Press-Register*. "It's an untested endeavor."

**FUEL**
**==========**

**EPA lowers next year's target for cellulosic biofuels (*BrighterEnergy.org*)**

By James Cartledge
The US Environmental Protection Agency has decided to lower next year's requirements for fuel suppliers to sell cellulosic biofuels within their transport fuel products.

The Agency said it remained “optimistic” about the growth of cellulosic biofuel production in future years, but that its analysis of market availability for 2011 suggested a lower target was needed.

The proposals issued yesterday detail how the Agency wants to achieve next year’s renewable fuels targets, requiring the nation’s fuel suppliers to provide 13.95 billion gallons of biofuels – about 7.95% of transport fuel supplies.

The Agency proposed that the suppliers should supply between 5 and 17.1 million gallons of cellulosic biofuels in 2011.

Under the second phase of the Renewable Fuel Standard program (RSF2), suppliers will also be required to supply 800 million gallons of biodiesel and 1.35 billion gallons of advanced biofuels, which achieve higher greenhouse gas savings than conventional biofuels.

The 2011 targets are the next step toward the 2022 goal to supply 36 billion gallons of biofuels each year.

The EPA is stipulating amounts of the different types of biofuel required by the RSF2 in order to encourage investment in biofuels that are better for the environment than conventional biofuels like corn-based ethanol.

It said yesterday it would be continuing to work on the cellulosic biofuel standard in the coming months, but added: “Overall, EPA remains optimistic that the commercial availability of cellulosic ethanol will continue to grow in the years ahead.”

Proposals

Other proposals set out by the EPA yesterday included the possibility for biofuels made from canola oil, grain sorghum, pulpwood or palm oil to be used towards RFS2 targets if the EPA rules that they achieve certain greenhouse gas reduction levels.

Producers of these biofuels could be allowed to issue renewable fuel credits (RINs) retrospectively for fuels sold back to July 1, 2010, if the EPA does judge that they meet the threshold for emission reductions.

The Agency has also proposed to water down rules for biofuels made using feedstocks sourced from abroad, so that they require the same documentation as biofuels made with domestic feedstocks.

Public comments are being sought on the proposals within the next 30 days.

The National Biodiesel Board said in comments about the EPA’s proposals that the biodiesel industry “stands ready” to provide the advanced biofuels required to meet the RFS2 target in 2011.

Manning Feraci, vice president of federal affairs for the NBB, applauded the EPA's "common-sense" view that petroleum-based fuels ought to be displaced by advanced biofuels.

This notice demonstrates to all actors in the fuels marketplace that the volume goals for Biomass-based Diesel provided for by law in the RFS2 program will be met and that 800 million gallons of biodiesel must be used in 2011," he said.

**EPA slashing mandate for next-gen biofuels – again (*Des Moines Register*)**

With the next-generation biofuel industry still stuck at the starting line, the Obama administration is once again going to slash the mandate on refiners to use ethanol made from crop residue and other forms of plant cellulose. Under the 2007 energy law, refiners were supposed to use 100 million gallons of cellulosic ethanol this year and 250 million gallons in 2011. But very little of the fuel is actually in production, so the Environmental Protection Agency slashed the mandate to 6 million gallons for this year and today the agency proposed to set the 2011 mandate at just 5 to 17 million gallons.

The agency said it "EPA will continue to evaluate the market as it works to finalize the cellulosic standard in the coming months. Overall, EPA remains optimistic that the commercial availability of cellulosic biofuel will continue to grow in the years ahead."

The EPA may well have to keep cutting the cellulosic mandate. It's supposed to jump to 500 million gallons in 2012 and double to a billion gallons in 2013 and continue to rise after that.

"We've seen a two to three year delay in construction resulting from the current economic climate," said Matt Carr of the Biotechnology Industry Organization, which represents many of the companies trying to develop the next-generation biofuels. "It may take us at least that long to recover from that slowdown. Looking out beyond the next five years we're certainly optimistic the long-term volumes can be met."

**GENERAL**

**==========**

**EPA hires new special agent for Northwest (*Anchorage Daily News*)**

SEATTLE -- The U.S. Environmental Protection Agency has a new special agent in charge of the Northwest region.

Tyler Amon has been selected to supervise all criminal investigations for the EPA region that includes Alaska, Idaho, Oregon, and Washington. He's based in Seattle.

The 38-year-old said he'll oversee 14 agents working in four states to investigate people or companies that do harm to the environment or skirt regulations.

Amon said he enjoys working with highly trained staff to build cases that involve illegal dumping or other environmental crimes. About 20 to 30 defendants are charged each year in the Northwest as a result of their work.

Amon has been with the EPA's criminal enforcement office for 15 years.

**SUPERFUND**
**==========**

**EPA gets to work at Superfund site near Bally (*Reading Eagle*)**

Wells being dug near Bally; treatment plant should be operational by the end of the year
By Kristin Boyd
Reading Eagle
Reading Eagle: Bill Uhrich
Workers from Eichelbergers Inc. in Mechanicsburg, Cumberland County, pump out groundwater near the Crossley Farm Superfund site in Hereford Township.
Watching a well crew drill in a patch of land across from his home was a welcome sight for David Meitzler.

Like many Hereford Township residents, he is grateful that the federal Environmental Protection Agency has begun installing extraction wells at the Crossley Farm Superfund site after a nearly nine-month delay.

Groundwater around the farm near Bally has been contaminated for decades with trichloroethylene, or TCE, a suspected carcinogen that is harmful if swallowed or inhaled.

Crews started drilling the wells last month as part of the federal cleanup.

The work was supposed to start last fall, but weather conditions prevented that, said Roy Schrock, EPA project manager of the Crossley site.

"We got snow before we even had a driller (contract) awarded," he said.

The EPA plans to install 12 wells - 10 extraction wells and two monitoring wells - along Dale Road and Dairy Lane during the next four to six months.

The next step will be building an on-site water treatment plant, which Schrock expects will be operational by the end of the year.

The plant will treat water from the extraction wells, which then will be discharged into a tributary of the West Branch of the Perkiomen Creek, Schrock said.

According to EPA, the former Bally Case & Cooler used the 24-acre Crossley Farm to store TCE in 50-gallon drums in the 1960s and '70s. The chemical is an industrial solvent and degreaser.

After seeping into the groundwater, the TCE spread in a plume that extends for 3 miles in an aquifer beneath Blackhead Hill and reaches depths of up to 500 feet.

The chemical is now coming out of natural springs in the area, Schrock said. The EPA also is monitoring homes within a 2-mile radius for TCE vapors.

The Crossley Farm was designated a Superfund site in the 1980s.

The cleanup received $5 million in federal stimulus money in April 2009.

EPA hopes that extracting and treating the contaminated groundwater will stop the plume from spreading. The agency expects to operate the treatment plant for 30 years.

The well now being drilled is along Dale Road near Camp Mensch Mill Road. When completed, it will be at least 330 feet deep, Schrock said.

Sitting on their back porch near where the well was being drilled, Meitzler and his girlfriend, Sharon Moyer, said they're pleased with the EPA's efforts so far. The agency tests their well water every six months to ensure it is safe to use, Meitzler said.

"They're always cooperative," Meitzler said. "They've done a good job."

"I hope it works," Moyer added. "We have faith in them."

Contact Kristin Boyd: 610-371-5016 or kboyd@readingeagle.com

**Industry Gears Up To Fight Democratic Push For Renewed Superfund Tax (*Inside EPA*)**

Posted: July 13, 2010
Industry groups are gearing up to oppose efforts by some congressional Democrats to reinstate the long-expired Superfund tax, with the American Chemistry Council (ACC) circulating an “issue brief” arguing the taxes would hurt an economic recovery.

The industry effort signals a likely showdown over the issue, which has reemerged as a "polluter pays" priority for the White House and congressional Democrats in the wake of the BP oil spill.

ACC on June 28 prepared an updated issue brief outlining the reasons why the chemical industry believes reinstating the taxes would be a bad idea. "The chemistry industry is already facing slumping demand from the recession, continued high costs for energy, intense foreign competition, and razor-thin margins," the ACC backgrounder says.

At the same time, the manufacturing industry is holding meetings to develop a legislative strategy for opposing proposals to reestablish the Superfund tax.

ACC claims the costs of the renewed tax "to the chemical industry would be substantial" with "an estimated $355 million in 2012, rising over time to $4.3 billion over the ten-year period." The group says that the "chemical feedstock excise tax will account for 82 percent ($3.53 billion) of the $4.3 billion in cost, with the chemical industry's share of the Corporate Environmental Income Tax (CEIT) accounting for the remaining 18 percent ($755 million)."

According to ACC, "Superfund is overwhelmingly a program in which responsible parties pay for waste site clean-up" and chemical "companies and others targeted by the Superfund tax have paid for Superfund site remediation several times over. As responsible parties, they've paid to study, cleanup, and reimburse federal and state government costs at sites they contaminated."

ACC also claims that the chemical excise portion of the Superfund tax would make it difficult for domestic chemical companies to compete globally. "Reinstating the tax on just two products -- chlorine and ammonia -- would essentially offset any economic return on sales to current producers, making those segments non-competitive in the global market," ACC says. "An excise tax on chlorine would increase the cost of disinfecting water; while the cost of fertilizer (which depends on ammonia) would also increase."

**Opposing 'Another Tax Burden'**

In addition, reinstating "the corporate environmental income tax would add another tax burden on an industry already affected by significantly higher fuel and energy raw material ('feedstock') costs and increased global competition," ACC says. "The U.S. is losing production and jobs to other areas of the world where energy costs are lower."

Democrats and environmentalists in favor of reinstating the tax have long viewed it as a way of addressing the slowing pace of Superfund cleanups in recent years. But industry officials, who argue cleanups have slowed because the remaining sites are more complex than those EPA had dealt with in the past, will seek to make the argument that reinstating the tax will not speed cleanups in part because the Superfund budget will still

be subject to annual appropriations by Congress regardless of the tax, an industry source says.

The ACC backgrounder reflects this theme. "Even when the Superfund Trust Fund ran a significant surplus, Congress determined how much EPA could spend in the Superfund program," ACC claims in the document. "In other words, Superfund taxes do not control EPA's annual budget. Congressional appropriations have remained fairly constant, between $1.2 and $1.4 billion."

Meanwhile, the National Association of Manufactures (NAM) is convening a July 13 meeting with its members to conduct “a legislative update, a review of NAM's policy on this issue and a discussion of NAM's lobbying strategy moving forward.” NAM, along other major industry groups and key Republicans in Congress, have historically opposed reinstatement of the tax. The meeting follows the group's announcement of a “tax and energy Superfund task force.”

In its June 30 announcement of the task force, NAM notes there "is growing interest in Congress and the administration to reinstate the Superfund tax," citing a June 21 letter EPA sent to congressional leaders urging them to approve legislation reinstating the tax and a June 22 Senate hearing, during which Sen. Frank Lautenberg (D-NJ) touted a Government Accountability Office finding that EPA's costs to remediate existing and future Superfund sites likely exceed its current funding levels as a reason to pass the legislation.

During the June 22 hearing, Sen. James Inhofe (OK), the ranking Republican on the Senate Environment & Public Works Committee, argued that Democrats' claim they want to reinstate the tax to ensure that polluters -- rather than the public -- pay to clean up contamination is inconsistent with the federal government's recent bailout of the auto industry that Democrats supported. Inhofe claimed that the bailout allowed companies such as General Motors and Chrysler to escape liability for cleanups at their former facilities and argues that private citizens will ultimately have to fund the cleanups through their tax dollars.

Industry officials agree with Inhofe's auto bailout argument against the tax, the industry source says. But industry officials are unlikely to use the argument as a lobbying tool due to a reluctance "go after their own," the source says. -- *Douglas P. Guarino*

**TOXICS**

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**Pair scouts for others exposed to toxins at Lejeune (*News & Observer*)**

Raleigh, North Carolina
July 14, 2010 Wednesday
SECTION: B
By BARBARA BARRETT; Washington correspondent
ROANOKE, Va.
Advocates pushing for answers about water contamination at Camp Lejeune have taken their documents on the road, and they're headed to Charlotte.

Mike Partain, a breast cancer survivor from Florida, and Jerry Ensminger, a retired master sergeant in White Lake whose daughter died in 1985 of childhood leukemia, have held three informational gatherings in the Southeast.

The men want to bring together Marine veterans and family members who might have been exposed to toxic water at Camp Lejeune from the mid-'50s to the mid-'80s.

"Our biggest problem is we don't know who each other are," Partain said last weekend to listeners at a meeting in Roanoke, Va. "We've got to network out."

The next meeting is scheduled for 11 a.m. to 3 p.m. Saturday in Virginia Beach, Va. Another is July 31 in Charlotte.

In a chilly meeting room last weekend in Roanoke, Va., Partain, the son of a Marine, posted on a wall maps of groundwater contamination plumes at Camp Lejeune

"This sample?" Partain said, circling a number with a laser pointer: 1,400 parts per billion of trichloroethylene, or TCE, found in a water sample in 1982. "This came out of a hospital emergency room sink."

"Oh my God," came a male voice from a small audience of Marine veterans and their families.

"I was bathed in it," said another male voice.

Added a woman: "They made formula out of that water."

The Blue Ridge Mountains outside the windows Saturday seemed a world away from the coastal sands of Camp Lejeune but the veterans easily summoned memories of the base. They came with stories of cancers, heart ailments and other diseases, trying to learn whether illnesses could be connected to the toxic water.

"I was there 13 years," said Curt Overington, who grew up at Lejeune. "I lost a brother. One brother was born without organs." One was born with a cleft lip.

Francis Rogers of Christiansburg, Va., served at the base from 1957 to 1962, and his youngest son served at Lejeune in the 1980s.

"He has breathing problems," Rogers said of his son. "I have skin problems."

Rogers learned of the meeting from a newspaper advertisement and didn't know what to expect. "My eyes were opened up," he said.

The community meetings come as Congress investigates the water contamination, its causes and health effects. The Agency for Toxic Substances and Disease Registry - part of the U.S. Department of Health and Human Services - is conducting studies to better understand the type and extent of the contamination and its effect on former residents.

The Marines say the water at Lejeune today is safe to drink, and the military says it is working to find answers for Marines and their families. The military was required by law to contact Marine veterans through the Internal Revenue Service, and it has run ads about the contamination in magazines.

Until recently, much of the contamination was blamed on an off-base dry cleaner.

Military documents show that the base's water was contaminated with benzene; TCE; tetrachloroethylene, known as PCE; vinyl chloride, and other chemicals - much of it leaked from on-base sources. Benzene and vinyl chloride cause cancer in humans; TCE is under study for the same designation by the U.S. Environmental Protection Agency.

Partain and Ensminger say the military has not been forthcoming about details of the contamination.

Ensminger has lobbied Congress and the media about the contamination for 12 years, since he saw a news story in Elizabethtown about toxic water at the base. He connected the water to the leukemia that killed his daughter, Janey. He said former residents should join the Camp Lejeune historic drinking water registry so they can get involved in scientific studies on the matter.

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**Hydrocarbons in cereal stoke new debate over food safety (*Greenwire*)**

(07/13/2010)
Elana Schor, E&E reporter
When Kellogg Co. pulled about 28 million cereal boxes from store shelves last month, the company said only that an "off-flavor and smell" coming from the packaging could cause nausea and diarrhea. But the culprit behind the recall is a class of chemicals now making news in the Gulf of Mexico: hydrocarbons, a byproduct of oil.

The nonprofit Environmental Working Group (EWG) reported yesterday that the hydrocarbon methylnaphthalene, which the government has yet to evaluate for human carcinogenicity, was behind the recall. For EWG and other public-health advocacy groups, the appearance of a chemical missing consistent risk data in popular products such as Apple Jacks strengthens the case for food safety reform -- an issue that remains stalled in the Senate.

"There are potentially many thousands of chemicals that could leach out of these materials into our food," said Jane Houlihan, EWG's vice president for research. "In this case, methylnaphthalene and other hydrocarbons are what Kellogg's is saying publicly about what ended up in their cereal. They need to be more forthcoming about what exactly they found."

A food-safety bill passed by the House one year ago this month gives the Food and Drug Administration power to order mandatory recalls, rather than voluntary efforts such as the one initiated with Kellogg. But that legislation sits in limbo in the upper chamber as industry groups chafe at Sen. Dianne Feinstein's (D-Calif.) bid to ban another chemical with an unclear safety history, bisphenol A, from food containers.

Sarah Klein, an attorney at the Center for Science in the Public Interest, said the mandatory recall provisions in the pending food-safety measure would provide greater consumer protections in the case of packaging hazards such as the Kellogg case.

But, she added, "in this particular instance, it's clear that FDA needs to take a closer look at the packaging of consumer products and this chemical that's been identified as a problem."

Kellogg consulted independent toxicologists and chemists before pinpointing "elevated levels of hydrocarbons, including methylnaphthalene," as the source of the smell and flavor defects in the cereal, company spokesman J. Adaire Putnam said via e-mail.

The paraffin wax at issue in the June 25 recall is FDA approved and "commonly used as a protective coating for foods including cheese, raw fruits and vegetables," he added. "We have verified that the elevated levels of hydrocarbons are not present at harmful levels. We are working with our supplier to ensure that this situation does not happen again."

Putnam declined to name the other hydrocarbons found in the cereal boxes and to state whether the company would back EWG's call for increased FDA testing of food packaging.

Scott Openshaw, a spokesman for the Grocery Manufacturers Association, declined to comment on the specifics of the Kellogg case but affirmed the food industry's support for packaging safety. "We take that responsibility very seriously," Openshaw said in an e-mail. "Food and beverage companies all adhere to strict manufacturing practices to assure that food packaging is safe."

**Agencies cite lack of data**

In its report, EWG noted that U.S. EPA and the Agency for Toxic Substances and Disease Registry (ATSDR), a division of the Centers for Disease Control and Prevention, have both cited a lack of data in declining to rule on the human carcinogenicity of methylnaphthalene.

EWG also played up the contrast between a Kellogg statement that the substances prompting the recall are frequently used in food packaging and a 2005 ATSDR conclusion that "you are not likely to be exposed to [methylnaphthalene] by eating foods or drinking beverages."

The advocacy group urged Kellogg to release its third-party testing of the recalled cereal boxes and recommended stricter food safety laws, though it did not directly call for Senate passage of the food-safety legislation.

One House Democrat, however, linked the Kellogg case to the pending bill in the immediate wake of the cereal recall. "When foods that are popular among kids are being recalled in large volumes, it is clear that our food safety system is not working," Rep. Rosa DeLauro of Connecticut said in a statement last month.

**WATER**
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July 13, 2010, 11:47AM

**EPA public meeting in Denver focuses on fracking (*Associated Press*)**

**Story also appeared: Bloomberg *BusinessWeek***

DENVER
The Environmental Protection Agency is holding the second of four public meetings as it prepares to study potential effects of hydraulic fracturing, or fracking.

The meeting Tuesday night in Denver is to gather public comments on an upcoming study on the relationship between fracking and drinking water.

Fracking is a process that pumps fluids into underground geologic formations at high pressures to help extract oil and natural gas.

The EPA held the first of the four public meetings last week in Fort Worth, Texas. Other meetings are scheduled July 22 in Canonsburg, Pa., and Aug. 12 in Binghamton, N.Y.

**Tritium detected at Plymouth nuclear plant (*Associated Press*)**

**Story also appeared: *Boston Herald***

**By Associated Press** | Tuesday, July 13, 2010

PLYMOUTH — The Nuclear Regulatory Commission has reported that elevated levels of the radioactive isotope tritium have been detected in a groundwater monitoring well at the Pilgrim Nuclear Power Station in Plymouth.

The NRC says the elevated levels of tritium detected June 21 fall within the Environmental Protection Agency's safe drinking water limit and are not a threat to the public water supply.

Pilgrim's owner, Entergy Corp., announced that in response it has stepped up the sampling frequency on all 12 of its monitoring wells from quarterly to weekly and has launched an investigation to identify the source.

No other isotopes have been detected.

Pilgrim, which started operating in 1972, is applying for relicensing before the Atomic Safety Licensing Board.

**Lifting U.S. Drilling Moratorium Is Too Risky, Bromwich Says (*Bloomberg Businessweek*)**

July 13, 2010, 1:04 PM EDT
July 13 (Bloomberg) -- Lifting the moratorium on deep-water oil drilling is too risky as companies have yet to show they are capable of preventing and containing spills following the BP Plc disaster, the main regulator for U.S. offshore drilling said.

Drillers must do a better job, and investigators must gather more data on the causes of BP's Macondo well leak in the Gulf of Mexico before drilling can resume, Michael Bromwich, director of the Bureau of Ocean Energy Management, Regulation and Enforcement, said today at a hearing in New Orleans.

"So long as the spill is out there and has not been contained and the oil-spill response capabilities are all being consumed by the current spill," Interior Secretary Kenneth

Salazar finds it too risky, Bromwich said. “He hopes that prior to Nov. 30 he will have the comfort level to allow some deep- water exploratory drilling to continue, but he is not there yet.”

The moratorium on deep-water drilling may be adjusted to allow some new wells to go forward before Nov. 30, Bromwich told a commission formed by President Barack Obama to investigate the spill. Oil companies and officials of Gulf Coast states including Louisiana Governor Bobby Jindal say the ban may do more economic harm than the actual spill.

Bromwich plans public hearings over the next 60 days to determine what additional safety measures are needed. Salazar announced the new moratorium yesterday after a federal judge rejected an initial ban imposed in May as a response to the April 20 explosion on the BP-leased Deepwater Horizon drilling rig that triggered the largest oil spill in U.S. history.

Job Losses

The new moratorium identifies at-risk wells based on drilling configurations and technologies instead of water depth. The previous version barred drilling deeper than 500 feet (152 meters), a distinction U.S. District Judge Martin Feldman questioned in rejecting the ban.

“This second suspension of deepwater drilling is a clear sign that the administration is unwilling to follow the advice of their own scientists,” Jindal said today in a statement. “The ultimate effect of this second moratorium is the same as the first -- to shut down drilling operations in the Gulf and risk killing an estimated 20,000 jobs in Louisiana.”

The new ban has idled 21 rigs in the Gulf, 12 fewer than the number affected by the original moratorium, Bromwich said. Companies including Diamond Offshore Drilling Inc., the largest U.S. deep-water oil driller, have said they will move rigs to other countries as a result of the U.S. ban.

Reorganizing MMS

William Reilly, co-chair of the presidential commission and former U.S. Environmental Protection Agency administrator, said the ban is causing economic damage to the region. Reilly asked Bromwich if inspectors could be placed on affected rigs.

“Inspections leave a margin for error,” Bromwich said.

Bromwich is charged with reorganizing the renamed Minerals Management Service, the agency within the Interior Department that oversaw oil and gas development on federal properties.

“The industry has been too casual in the oil spill response plans they’ve submitted,” Bromwich said. “Frankly, I think my agency has been too casual in approving them.”

The National Commission on the BP Deepwater Horizon Spill and Offshore Drilling held its first hearing in New Orleans yesterday. It is co-chaired by Reilly and Robert Graham, a former Florida governor and U.S. senator.

“We’re not going to politely ask industry anymore to fix things,” Bromwich said. “We’re going to demand that they fix things.”

The damaged Macondo well has been gushing as much as 60,000 barrels of oil a day, according to government scientists, after the initial explosion killed 11 workers and sank a $365 million Transocean Ltd. rig being leased by BP. London-based BP had spent about $3.1 billion on containment efforts, cleanup and legal claims as of July 6, according to company data.

--Editors: Romaine Bostick, Larry Liebert.

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**Baltimore residents, organizations sue steel mill (*Greenwire*)**

(07/13/2010)
The Chesapeake Bay Foundation, Baltimore Harbor Waterkeeper and some Baltimore residents are suing the owners of the Sparrows Point steel mill for polluting the air and water around the Chesapeake Bay tributaries and threatening human health.

The century-oil mill was ordered by a judge to clean up its pollution 13 years ago but has failed to do so, plaintiffs said. Since then, the mill's owner, Severstal North America Inc., and previous owner, ArcelorMittal USA, were cited 22 times and fined almost $700,000 by state and federal regulators.

"It really does seem they're above the law," said William Baker, president of the Chesapeake Bay Foundation.

Residents say they don't fish or swim in the waterways, their boats and decks are covered in coal dust, and piles of hazardous waste wash into the water when it rains. In 2006, levels of toxic chemicals including arsenic, lead and mercury exceeded U.S. EPA guidelines in the waters surrounding the mill.

Another suit is also in the works for personal injury damages, led by Bart Fisher, a Washington-based lawyer. About 135 residents have signed on so far, including Guido Guarnaccia, whose son recovered from leukemia.

"I don't want the money -- it's cursed money," Guarnaccia said. "I'll donate it to help get the bay cleaned up or to the leukemia association or something. The clams and oysters are gone, and we have to import them from China. The fishermen have lost their jobs. My son got sick. I've become resentful" (Cohn/Wheeler, *Baltimore Sun*, July 10). **-- LP**

**Tritium detected at Pilgrim N-plant (*Boston Globe*)**

July 14, 2010 Wednesday
NEWS; Metro; Pg. 3
By Carolyn Y. Johnson, GLOBE STAFF
A monitoring well located on the ocean side of the Pilgrim Nuclear Station in Plymouth has registered elevated levels of the radioactive isotope tritium.

The tritium detected was still well below the Environmental Protection Agency's maximum allowable level in drinking water and does not pose a risk to health or safety, said the Nuclear Regulatory Commission.

David Tarantino, Pilgrim spokesman, said that a team of environmental engineers, chemists, maintenance, and operations specialists, and others are now trying to pinpoint the source of the tritium.

``It's in an area where there's lots of underground systems that carry radioactive water, but we can't even say for certain that it's a leaking system yet,'' he said. Another source of tritium contamination occurs during washout, he said, when tritium leaves the plant in water vapor and returns to the ground in rain.

Pilgrim has 12 monitoring wells as part of a ground water protection initiative that the nuclear industry started after several high-profile cases of tritium leakage at the Indian Point nuclear plant in New York and the Braidwood nuclear power plant in Illinois. Earlier this year, a leak was discovered at Vermont Yankee in Vernon, Vt.

Neil Sheehan, a spokesman for the NRC, said that the problem at Vermont Yankee was more significant than the one at Pilgrim appears to be.

``These are fairly low levels here,'' Sheehan said. ``The concern for us is whenever they see evidence for tritium above these low threshold limits, they immediately begin a process of trying to identify the source.''

Tarantino said that water samples were also being provided to the state Department of Public Health and that careful monitoring was ongoing of the wells onsite, as well as in offsite places, such as the ocean, to ensure that contaminated water is not leaving the property.

Pilgrim is seeking a 20-year license renewal. Sheehan said it was possible, but not

likely, that the discovery of elevated tritium levels would play a role in whether the plant receives approval.

Ralph Andersen - senior director of radiation, safety, and environmental protection at the Nuclear Energy Institute, a trade organization for the nuclear industry - said that the detection of the tritium was evidence the system was working.

Carolyn Y. Johnson can be reached at cjohnson@globe.com

**Colleyville Tap Water Gets Annual OK (*Fort Worth Star-Telegram*)**

Texas
July 14, 2010 Wednesday
SECTION: A
Colleyville Tap Water Gets Annual OK
By Steve Norder; Contributing Writer
Colleyville's tap water is safe, according to a report sent out to the city's households.

The annual report, which covers 2009, summarizes water tests for such substances as barium, fluoride, atrazine, chloroform, lead and copper. Those tests are required by the U.S. Environmental Protection Agency.

The city's water comes from the Trinity River Authority's Lake Arlington, said Ken Tywater, utility superintendent. It flows into the 5-million gallon ground storage tank at Reagan Park on L.D. Lockett Road and from there is distributed to residents.

It is the city's responsibility to daily test for chlorine residuals to ensure the water is properly disinfected, Tywater said. Other tests are conducted on a quarterly basis by the Texas Department of Environmental Quality. Some tests, such as for lead and copper, are done on a three-year basis.

While "all drinking water may contain contaminants," the report says, "the presence of contaminants does not necessarily indicate that water poses a health risk."

None of the contaminants tested for came close to the highest permitted levels, according to the report, which was mailed to Colleyville households.

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