U. S. Environmental Protection Agency
E-Clips
Prepared by the Office of Public Affairs

Monday, February 18, 2013

Table of Contents
(BNA articles can be viewed online **http://Intranet.epa.gov/desktop/news.htm**

Weekend Edition
July 10, 2010 & July 11, 2020

ADMINISTRATOR JACKSON 3
Scientists want more from Obama (*Los Angeles Times*) 3
Cuellar goes to bat for farmers (*Southwest Farm Press*) 6
EDITORIAL / OP-ED / COMMENTARY / LETTERS 7
A Climate Change Corrective (New York Times) 7
Change, Obama-style (*Los Angeles Times*) 8
Climate change heats up again (*Chicago Tribune*) 11
Win for Cleaner Air (*Dallas Morning News*) 13
What the ill wind blows (*Baltimore Sun*) 14
Climate change heats up again (*Chicago Tribune*) 15
AIR 17
CNY contractors suit up to comply with lead-dust rules (*Post Standard*) 17
BP SPILL 21
Obama oil spill panel to hold 1st meeting on Monday in N.O (*Times-Picayune*) 21
Fla. beaches open as tar balls wash up Hundreds of swimmers report feeling ill (*Star-Ledger*) 23
Six lessons from the BP oil spill (*Christian Science Monitor*) 24
GOP candidate: BP relief program is 'slush fund'(*Huffington Post*) 34
CLIMATE CHANGE 36
Green firms uniting to flex political muscle (*Boston Globe*) 36
ENERGY STAR 40
Trying to get the glow back (*Washington Post*) 40
FUEL 42
10 reasons smaller is better (*Washington Post*) 42

TOXICS 44
State, federal lawmakers look to toughen chemical pollution standards (*Courier-Journal*) 44
Community group calls attention to 'overlooked' area of contamination in Ringwood (*NorthJersey.com*) 45
WATER 47
Streams that last saw daylight more than a century ago could flow openly once again (*Los Angeles Times*) 47
Fort Worth residents hear EPA official talk about hydraulic fracturing (*Fort Worth Star Telegram*) 49
Lawsuit takes on steel mill pollution (*Baltimore Sun*) 49
Ohio River study finds drugs, chemicals that slip through waste treatment (*Courier-Journal*) 54

ADMINISTRATOR JACKSON

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Scientists want more from Obama (*Los Angeles Times*)

July 11, 2010 Sunday
Home Edition
MAIN NEWS; National Desk; Part A; Pg. 1
Scientists want more from Obama;
Many say he's failed to follow through on promises to prevent political meddling.
By Tom Hamburger and Kim Geiger
WASHINGTON
When he ran for president, Barack Obama attacked the George W. Bush administration for putting political concerns ahead of science on such issues as climate change and public health. And during his first weeks in the White House, President Obama ordered his advisors to develop rules to "guarantee scientific integrity throughout the executive branch."

Many government scientists hailed the president's pronouncement. But a year and a half later, no such rules have been issued. Now scientists charge that the Obama administration is not doing enough to reverse a culture that they contend allowed officials to interfere with their work and limit their ability to speak out.

"We are getting complaints from government scientists now at the same rate we were during the Bush administration," said Jeffrey Ruch, an activist lawyer who heads an organization representing scientific whistle-blowers.

White House officials, however, said they remained committed to protecting science from interference and that proposed guidelines would be forwarded to Obama in the near future.

But interviews with several scientists -- most of whom requested anonymity because they feared retaliation in their jobs -- as well as reviews of e-mails provided by Ruch and others show a wide range of complaints during the Obama presidency:

In Florida, water-quality experts reported government interference with efforts to assess damage to the Everglades stemming from development projects.

In the Pacific Northwest, federal scientists said they were pressured to minimize the effects they had documented of dams on struggling salmon populations.

In several Western states, biologists reported being pushed to ignore the effects of overgrazing on federal land.

In Alaska, some oil and gas exploration decisions given preliminary approval under Bush moved forward under Obama, critics said, despite previously presented evidence of environmental harm.

The most immediate case of politics allegedly trumping science, some government and outside environmental experts said, was the decision to fight the gulf oil spill with huge quantities of potentially toxic chemical dispersants despite advice to examine the dangers more thoroughly.

And the Union of Concerned Scientists, a Washington-based organization, said it had received complaints from scientists in key agencies about the difficulty of speaking out publicly.

"Many of the frustrations scientists had with the last administration continue currently," said Francesca Grifo, the organization's director of scientific integrity.

For example, Grifo said, one biologist with a federal agency in Maryland complained that his study of public health data was purposefully disregarded by a manager who is not a scientist. The biologist, Grifo said, feared expressing his concerns inside and outside the agency.

Most of the examples provided by Ruch, Grifo and others come from scientists who insist on anonymity, making it difficult for agencies to respond specifically to the complaints. Officials at those agencies maintain that scientists are allowed and encouraged to speak out if they believe a policy is at odds with their findings.

The director of the White House Office of Science and Technology Policy, John P. Holdren, said in a statement last month that the president effectively set policy in his March 2009 memorandum calling for administration-wide scientific integrity standards.

"There should not be any doubt that these principles have been in effect -- that is, binding on all executive departments and agencies," Holdren said, adding that "augmentation of these principles" will be coming soon.

Still, Grifo said, the volume of the complaints indicates a real problem and makes it "vital" that the Obama administration issue additional instructions. While overall respect for science may have improved under Obama, several scientists said in interviews that they were still subject to interference.

Ruch, referring to reports from government scientists in Alaska, said that under Bush, the agency that issues oil and gas drilling leases "routinely prevented scientists from raising ecological concerns about the effects of oil spills, introduction of invasive species, and any other issue that might trigger the need for fuller environmental review."

In keeping the Bush Interior Department managers and policies in place, Ruch said,

Obama appointees have "turned a blind eye toward federal court rulings that said Bush-era lease reviews were environmentally deficient, as well as a GAO report documenting how agency scientists were routinely stifled and ignored."

Kendra Barkoff, a spokeswoman at the Interior Department, disagreed with Ruch's assertion, saying that Interior Secretary Ken Salazar "has made it very clear that decisions will be made based on a cautious, science-based approach."

Ruch's organization, Public Employees for Environmental Responsibility, also said it had been contacted by an EPA toxicologist who said a request for review of the toxicity of oil dispersants in the Gulf of Mexico was rebuffed.

EPA analyst Hugh B. Kaufman, a 39-year veteran, said he had heard similar complaints from colleagues. Kaufman believes his agency "gave the green light to using dispersants without doing the necessary studies."

A past EPA administrator, William Reilly, said in an interview with CBS last month that he had refused to allow the toxic chemicals' use after the 1989 Exxon Valdez disaster off the coast of Alaska because of the potential effect on salmon.

Democratic Rep. Jerrold Nadler of New York, who has proposed legislation to prohibit dispersant use until further scientific studies are completed, said the EPA "has been entirely irresponsible" in its review of dispersants.

In May, EPA Administrator Lisa Jackson acknowledged that dispersants could be problematic, but that "they are used to move us toward the lesser of two difficult environmental outcomes."

EPA Press Secretary Adora Andy said, "The data we have seen to date indicate that dispersant is less toxic than oil."

"If the science indicates dispersants are causing more damage than they're preventing, [Jackson] will be the first to sound the alarm," Andy said.

White House officials say the administration's commitment to science has not wavered. "It is important to appreciate that this administration has made scientific integrity a priority from Day One -- in the people we've appointed, the policies we've adopted, the budgets we've proposed, and the processes we follow," says Rick Weiss, an analyst and spokesman for the Office of Science and Technology Policy.

White House science advisor Holdren told the House Science and Technology Committee in February that his office had been delayed in releasing its guidelines on scientific integrity due to "the difficulties of constructing a set of guidelines that would be applicable across all the agencies and accepted by all concerned."

Scientists and environmental groups have lauded Obama for appointing highly regarded

scientists to top posts within the administration. But so far, critics said, those appointments have not eliminated the problems faced by lower-level government scientists.

For example, Ruch said, he has been contacted by two federal scientists who charged that their efforts to implement stricter water-quality rules had been suppressed.

In the Pacific Northwest, Ruch said, his organization has heard in the last 16 months from multiple federal fisheries biologists who report that they are under pressure not to overstate the impact of dams on wild salmon.

And in Western states, federal biologists report that they are under pressure not to disclose the full impact of cattle grazing on federal lands, according to Ruch's group and others.

Katie Fite of the Western Watersheds Project, an organization that monitors grazing, backs those allegations. Fite said that scientists had complained to her that "all of the incentives are geared to support grazing and energy development," which could adversely affect plants and other animals.

"Basically, science is still being scuttled," Fite said. "We are heartbroken."

Most critics said they were disappointed that protection of science and scientists did not become more of a priority after the election.

Eric Glitzenstein, a Washington attorney who has filed suit to block projects approved by the Army Corps of Engineers, the Fish and Wildlife Service and other agencies, said he had expected the culture to change under Obama.

"The administration's been in long enough that if that was going to happen, we should have seen it by now," he said. "We simply haven't."

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Cuellar goes to bat for farmers (*Southwest Farm Press*)

Jul 9, 2010 10:16 AM
While sorghum was not included in the RFS2 final rule, it is now being considered in the supplemental rule, which is vitally important to both grain sorghum producers and biorefineries.

U.S. Representatives Henry Cuellar, Betsy Markey and Ben Ray Lujan sent a letter to Administrator Lisa Jackson urging the Environmental Protection Agency (EPA) to consider grain sorghum as an advanced biofuel under the supplemental rule of the Renewable Fuels Standard (RFS) outlined in the 2008 Farm Bill.
While sorghum was not included in the RFS2 final rule, it is now being considered in the supplemental rule, which is vitally important to both grain sorghum producers and biorefineries. According to Cuellar and his colleagues, it will also create jobs and stimulate rural economies.
Dale Murden, National Sorghum Producers board member and past chairman from Monte Alto, Texas, said he is pleased NSP and members of Congress are eagerly pushing for sorghums place as an advanced biofuel in the supplemental rule of RFS2.
I commend Congressman Cuellars efforts, Murden said. The letter strongly reflects the concerns of the sorghum industry and is on target with our efforts to ensure EPA is diligent in its deliberation of the final rule.
Although NSP and members of Congress would like to see the supplemental rule as quick as possible, the letter stressed the importance for EPA to work attentively and openly on the rule with all affiliated parties, including producers, biorefineries and the sorghum industry in general.
Cuellars request for EPA to be open and transparent during the process will help producers in his district continue to advance grain sorghum as a critical feedstock for ethanol production, Murden said. More so, this designation will enhance the marketability of sorghum, which has continually proved itself as an efficient, sustainable crop in South Texas.
The wait for EPAs determination of grain sorghums status as an advanced biofuel feedstock is highly anticipated.
Following the meeting request by Cuellar, NSP and the USDA were able to meet with EPA. The agency has agreed to work with the sorghum industry as incremental progress has been made toward the supplemental rules completion.

EDITORIAL / OP-ED / COMMENTARY / LETTERS

A Climate Change Corrective (New York Times)

July 11, 2010 Sunday
Late Edition - Final

Section WK; Column 0; Editorial Desk; EDITORIAL; Pg. 7
Perhaps now we can put the manufactured controversy known as Climategate behind us and turn to the task of actually doing something about global warming. On Wednesday, a panel in Britain concluded that scientists whose e-mail had been hacked late last year had not, as critics alleged, distorted scientific evidence to prove that global warming was occurring and that human beings were primarily responsible.

It was the fifth such review of hundreds of e-mail exchanges among some of the world's most prominent climatologists. Some of the e-mail messages, purloined last November, were mean-spirited, others were dismissive of contrarian views, and others revealed a timid reluctance to share data. Climate skeptics pounced on them as evidence of a conspiracy to manipulate research to support predetermined ideas about **global warming**.

The panel found no such conspiracy. It complained mildly about one poorly explained temperature chart discussed in the e-mail, but otherwise found no reason to dispute the scientists' "rigor and honesty." Two earlier panels convened by Britain's Royal Society and the House of Commons reached essentially the same verdict. And this month, a second panel at Penn State University exonerated Michael Mann, a prominent climatologist and faculty member, of scientific wrongdoing.

Dr. Mann, who was part of the e-mail exchange, had been accused of misusing data to prove that the rise in temperatures over the last century was directly linked to steadily rising levels of carbon dioxide. His findings, confirmed many times by others, are central to the argument that fossil fuels must be taxed or regulated.

Another (no less overblown) **climate change** controversy may also be receding from view. This one involves an incorrect assertion in the United Nations' 3,000-page report on **climate change** in 2007 that the Himalayan glaciers could disappear by 2035. The U.N. acknowledged the error and promised to tighten its review procedures. Even so, this and one or two other trivial mistakes were presented by some as further proof that scientists cannot be trusted and that warming is a hoax.

There have since been several reports upholding the U.N.'s basic findings, including a major assessment in May from the National Academy of Sciences. This assessment not only confirmed the relationship between **climate change** and human activities but warned of growing risks -- sea level rise, drought, disease -- that must swiftly be addressed by firm action to reduce emissions of greenhouse gases.

Given the trajectory the scientists say we are on, one must hope that the academy's report, and Wednesday's debunking of Climategate, will receive as much circulation as the original, diversionary controversies.

Change, Obama-style (*Los Angeles Times*)

July 11, 2010 Sunday
Home Edition
MAIN NEWS; bad desk code; Editorial Desk; Part A; Pg. 31
Change, Obama-style;
A financial industry regulatory bill once again shows his preference for incremental

reform.
The Senate is poised to give final approval to a bill that would impose tough new regulations on banks and Wall Street. Passage of HR 4173, the Dodd-Frank Wall Street Reform and Consumer Protection Act, would mark the second major expansion of Washington's regulatory power during the Obama administration -- the first being the comprehensive healthcare reform law enacted in March. But these measures hardly mark a return to New-Deal-era interventionism in Washington. They're not as radical as critics claim. That's not to say they won't have an impact on business and the economy, or that they're faultless pieces of legislation. It's just to note that despite the rhetoric about the Obama administration strangling the economy with regulation and maneuvering to take over the private sector, the reality is considerably milder.

The public's perception of President Obama is shaped in part by his willingness to enforce rules already on the books -- something his predecessor had little enthusiasm for. The change has been particularly apparent at the Department of Labor, which has beefed up enforcement of wage and workplace safety rules, and the **Environmental Protection Agency,** which is taking a much more aggressive approach to clean-air and auto-emission laws. Similarly, Obama promised to reinvigorate federal oversight of energy companies after the mining tragedy in West Virginia and the BP spill in the Gulf of Mexico -- disasters that stemmed at least in part from lax regulation.

Those moves raised hackles among business lobbyists, but the administration wasn't exactly breaking new ground -- it was merely using the power lawmakers had already given the executive branch. By contrast, the healthcare reform Obama shepherded through Congress did expand federal power, by letting Washington take over rulemaking tasks that had previously been left to the states. Federal regulators will now tell insurers which treatments must be covered and how much of their premiums must be spent on medical care instead of overhead; the government will also bar companies from denying coverage to the sick or charging more based on preexisting conditions. Most dramatically, the law creates an entitlement to insurance for lower-income Americans and requires virtually every adult to buy coverage -- an unprecedented assertion of federal authority over personal decisions.

Nevertheless, the new law doesn't go nearly as far as many Democrats in Congress wanted it to. It leaves private health insurers in place, despite the demands of liberals that the government offer a Medicare-like alternative for everyone (or, more radically, to replace private insurers with a national health plan). Nor does it phase out employer-provided coverage in favor of fully portable, tax-subsidized individual plans, as a bold proposal from Sens. Ron Wyden (D-Ore.) and Robert F. Bennett (R-Utah) would have done. And to slow the rapid rise in healthcare costs, it tries mainly to improve efficiency, shift incentives and promote wellness in the government-run Medicare and Medicaid programs, rather than forcing price controls on the private healthcare industry.

In short, it's no government takeover of healthcare. Rather, it's a welcome attempt to bring about fundamental and desperately needed changes while still working within the current system.

Similarly, Obama responded to the tumultuous collapse of the credit markets by seeking new authority over the banking industry. He had widespread support on that front. The subprime mortgage meltdown and the subsequent credit crisis exposed fundamental problems in Washington's hands-off approach to Wall Street, and lawmakers on both sides of the aisle were eager to protect taxpayers against another round of bailouts.

The Dodd-Frank bill would give Treasury Secretary Timothy F. Geithner much of what he called for when he outlined the administration's proposed overhaul last year. Its major provisions include a new council of regulators charged with protecting the financial system against large-scale threats such as the one posed by the last housing bubble; new authority for regulators to take over and dismantle financial institutions that are failing; more safeguards and transparency for financial derivatives; strict limits on how much a bank with insured deposits can invest in hedge funds and private- equity firms; and a new, independent group of regulators to protect consumers against predatory or misleading financial products.

Just as revealing, though, is the list of things that liberal reformers sought but could not get into the bill, often because of opposition from the administration. The bill wouldn't cap the size of financial institutions or order the breakup of the mega-banks that have already been treated as too big to fail. It wouldn't ban the riskiest types of speculation or impose a legal requirement on Wall Street traders to act in the best interests of their clients. And it would leave intact the shadow banking system -- an unregulated short-term lending market (where banks use securities as collateral to borrow huge amounts of cash for daily operations) whose failure in 2008 intensified the economy's plunge.

In other words, the bill would impose no real structural changes on the industry, nor does it try to alter the way Wall Street conducts business. It wouldn't roll back the deregulation that has remade and consolidated the financial industry over the last two decades. Instead, it would fill in some glaring gaps in oversight, while leaving regulators to work out the details of the new rules. Federal agencies would take a more active role in regulating prices and products in some markets, but more often the rules are aimed at providing more transparency and greater margins for error. Many of the most striking proposals for reform were either rejected or consigned to studies.

The Dodd-Frank bill, like the healthcare reform law, reflects the tendency of lawmakers and the administration to move incrementally, especially in the face of entrenched industry opposition. Rather than overextending the power of Washington, the legislation would fill holes in the regulatory fabric that simply cannot be left open. It's an important and valuable piece of legislation, and we urge the Senate to pass it.

This administration is clearly more keen on asserting Washington's regulatory power than its predecessor was. But as with the healthcare measure, the final version of the Dodd-Frank bill reveals how much the administration has pulled its punches -- even when the target is as low in the public's esteem as Wall Street is in aftermath of the

downturn. That's why liberals seem just as dismayed about what's not in the bill as conservatives are about what is.

Climate change heats up again (*Chicago Tribune*)

July 11, 2010 Sunday
Final Edition
SECTION: NEWS ; ZONE C; Pg. 21
Climate change heats up again
By Clarence Page, a member of the Tribune's editorial board
Here's a question to the global warming deniers who sarcastically called me a dope during last winter's back-to-back-to-back blizzards on the East Coast: Is it hot enough for you now?

As temperatures topped 100 degrees Fahrenheit, breaking records in the nation's capital, and the pavement turned into a skillet, my thoughts raced back to the frigid days of last winter's "snow-pocalypse."

Those were the days, you may recall, when Sen. James Inhofe, a proud Oklahoma Republican friend of the oil industry, and his family built an igloo on Capitol Hill and christened it "Al Gore's New Home." I might now suggest a "new home" for Inhofe: an air-conditioned doghouse powered by solar panels.

But I would be scientifically wrong to make that suggestion, just as Inhofe and other deniers of climate change were wrong last winter when they suggested that any single weather event, whether it is a blizzard or a heat wave, offers evidence of climate change.

As I wrote last winter, Inhofe and other snarky climate-change deniers were confusing the meaning of "weather" and "climate." Weather is day to day. Climate is long-term. As climatologists say, climate change only shifts the odds in favor of certain extreme weather events like blizzards, floods, hurricanes and heat waves.

Yet when I brought this up last winter, I experienced something that has become remarkably predictable in the Internet's ugly political brutopia. I was inundated with e-mails that called climate change a "hoax," a "scam" and a plot by whale-loving commie terrorists who are out to snatch everybody's guns, Bibles and SUVs.

Most of my e-mailers were demanding answers from me about "climate-gate," a controversy that some impolite scientists had imprudently turned into ripe fruit for conspiracy theorists. Glenn Beck blasted the media for "ignoring" climate-gate. His fellow Fox News showman Sean Hannity called it a "scandal" that "exposed global warming as a myth cooked up by alarmists."

But last week, as Washington boiled in tropical heat and humidity, the British scientists at the center of that "scandal" were cleared by a six-month British government inquiry into the affair. The inquiry led by Muir Russell followed two government inquiries and an exhaustive newspaper series by the Guardian that also cleared the scientists.

The controversy began when more than 1,000 e-mails from 13 years of correspondence between scientists at the Climatic Research Unit at the University of East Anglia were stolen by hackers and released online last year. Critics accused East Anglia scientists of fudging results, covering up flaws, silencing critics and distorting the peer review process that determines which studies are published in scientific journals.

That would be serious stuff, if it were true. The East Anglia unit is one of the world's leading research bodies on climate change, whether natural or human-induced. Major debates and proposed legislation on carbon use hung in the balance.

But in the end, the revelations that supposedly exposed climate change as a hoax turned out to be, in themselves, something of a hoax. The Russell panel only criticized the scientists for refusing to cooperate with legitimate requests made under freedom of information laws.

For example, professor Phil Jones, head of the CRU, refused to talk about an infamous e-mail that said he used a "trick" to "hide" an inconsistency in temperature readings. No deception was intended, the panel decided, since the necessary clarifications were included in the text that accompanied the graph. Still, the climatologists should have been more candid and cooperative with freedom of information requests.

I agree. When you have nothing to hide, don't behave as if you do. Democracy requires transparency from the scientific community as well as politicians, especially when they are spending public money and deciding public policy. That's a good lesson to take away from "climate-gate" as the climate issue continues to heat up.

Wouldn't it be great if multiple exonerations by public and media investigations actually settled this matter? Don't count on it. The ink had not dried on Russell's report before the usual suspects were charging him and his panel with a government "whitewash." When climate-change skeptics are reduced to attacking the messenger, their desperation is showing.

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Win for Cleaner Air (*Dallas Morning News*)

July 11, 2010 Sunday
EDITION1
POINTS; EDITORIALS; Pg. P02

For two decades, the battle raged.
Environmental groups vs. TXI's pollution-spewing cement kilns. The little guy vs. the 800-pound belching gorilla.

For too long, the gorilla belched at will.

The state allowed TXI to burn hazardous materials as fuel, as the kilns in Midlothian chewed up chemical waste and spit out toxins into North Texas' air. The campaign against the kilns escalated, but with a hazardous-waste permit in hand, TXI remained somewhat impervious.

Yet suddenly - incredibly - this pitched battle was over. The end came quietly last week, as TXI issued a matter-of-fact statement announcing that its four oldest, dirtiest wet kilns would be shut down permanently. TXI, which idled the wet kilns in 2008, will relinquish its hazardous-waste permit and continue operating its cleaner kilns.

Appropriately, there was much rejoicing among those who had spent 20-plus years seeking more stringent regulations and residents who understand the impact pollution has on public health.

TXI officials had relatively little to say about air quality or pollution in explaining their decision. They focused more on efficiency and plans to expand production.

Still, continuing to operate high-polluting wet kilns was becoming increasingly complicated. The **Environmental Protection Agency** had recently rejected one of Texas' air permitting programs; new federal rules limiting toxic emissions are looming; and more local governments are placing a priority on purchasing "green cement" produced by cleaner kilns.

TXI executives generally have dismissed those considerations in their public statements. Regardless of which factors spurred this decision to shut down four kilns, it should be celebrated.

Last week marked the end of an intensely polluted era.

Midlothian has the unfortunate distinction of hosting the nation's greatest concentration of cement plants. TXI's wet kilns were among the region's worst industrial sources of nitrogen oxides, which produce ozone. As long as the older kilns were active - or could be activated - North Texas faced an awfully steep challenge in clearing its air.

This good news, though, does not mean that all is well, environmentally speaking. TXI's other cement kilns will continue to operate, as will Midlothian cement plants owned by Holcim and Ash Grove, which operates wet kilns.

The announcement does not negate the need for tough limits on emissions and more aggressive requirements for pollution-control technology.

Beyond the kilns, North Texas still has plenty of pollution challenges - with controlling vehicle emissions and taking cars off the road at the top of the to-do list. This region still will struggle mightily as it contemplates how to comply with new, strict ozone standards.

But TXI took care of one key clean-air impediment last week with its wet-kiln decision.

Happily, that belching gorilla is on permanent hiatus.

What the ill wind blows (*Baltimore Sun*)

July 11, 2010 Sunday
FINAL EDITION
SECTION: EDITORIAL; Pg. 18A
WHAT THE ILL WIND BLOWS;
OUR VIEW: PROPOSED LIMITS ON POWER PLANT EMISSIONS COULD IMPROVE MD. AIR QUALITY
The high-pressure system that has roasted much of the Northeast in recent days brought with it other unpleasant summer visitors: soot and smog. For most of the week, a "Code Orange" alert has been in effect in Maryland as seniors, young children and those with health issues such as asthma that might make them sensitive to polluted air have been advised to stay indoors.

That's because such pollution, known as ground-level ozone - formed when sunlight interacts with certain emissions (chiefly from cars and electric-power generating plants) - can be deadly. It can damage lung tissue, aggravate respiratory and heart disease and cause people to be more susceptible to infection. When ozone levels are high, hospital emergency room visits usually increase correspondingly.

Maryland has taken considerable steps in recent years to reduce the ozone problem, but the state is severely limited in what it is able to do. An estimated 50 percent to 70 percent of the smog on a typical summer day comes from outside Maryland's borders, chiefly from the Midwest.

That's why new rules proposed this week by the U.S. Environmental Protection Agency to curb the sulfur dioxide and nitrogen oxides pouring out of Midwest power plants are so critical to the efforts to improve air quality in downwind states like Maryland. The aging, coal-fired plants are huge contributors to the problem - but beyond the grasp of Maryland's regulatory authority.

The EPA estimates that it could cost $2.8 billion per year to bring the facilities into compliance with the proposed rules but would produce $120 billion in annual health benefits. Already, power plant operators are balking at the requirements, particularly with further regulations (long-term limits on mercury and perhaps tougher ozone standards among them) expected to be proposed by the EPA next year.

Would the proposed limits on pollution lead to brownouts and blackouts or raise electricity costs for millions of people living in dozens of states? The best evidence suggests no. Maryland's efforts to restrict power plant emissions within the state's borders haven't led to higher rates, and environmental officials say state limits are more restrictive than what the EPA has proposed. Plants have simply been forced to invest in readily available technology.

Nevertheless, many of the worst polluters are older, coal-fired plants that simply are no longer viable and need to be retired anyway, particularly if the U.S. is to limit or reduce greenhouse gas emissions that contribute to global warming. Those facilities have been living on borrowed time made possible only because of a much-abused grandfather provision of the Clean Air Act.

The public has a right to breathe clean air and, if anything, the federal government has been too slow to uphold it. The rules are a good step toward protecting the rights of Marylanders and others living in this part of the country who shouldn't have to choke on pollution blowing in from the west. The agency needs to stand firm against what blows in next - the inevitable attempts in Congress or the courts to weaken the regulations.

Climate change heats up again (*Chicago Tribune*)

July 11, 2010 Sunday
Final Edition
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For example, professor Phil Jones, head of the CRU, refused to talk about an infamous e-mail that said he used a "trick" to "hide" an inconsistency in temperature readings. No deception was intended, the panel decided, since the necessary clarifications were

included in the text that accompanied the graph. Still, the climatologists should have been more candid and cooperative with freedom of information requests.

I agree. When you have nothing to hide, don't behave as if you do. Democracy requires transparency from the scientific community as well as politicians, especially when they are spending public money and deciding public policy. That's a good lesson to take away from "climate-gate" as the climate issue continues to heat up.

Wouldn't it be great if multiple exonerations by public and media investigations actually settled this matter? Don't count on it. The ink had not dried on Russell's report before the usual suspects were charging him and his panel with a government "whitewash." When climate-change skeptics are reduced to attacking the messenger, their desperation is showing.

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NOTES: PERSPECTIVE: COMMENTARY

AIR

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CNY contractors suit up to comply with lead-dust rules (*Post Standard*)

Published: Friday, July 09, 2010, 10:42 AM Updated: Friday, July 09, 2010, 11:06 AM
Marnie Eisenstadt / The Post-Standard

Dennis Nett / The Post-StandardTyler Dixon and Jayson Breckheimer put waste from a home in Skaneateles in a heavy plastic bag and sealed it with another bag. New federal regulations for contractors and landlords amp up what has to be done to keep people safe from lead.

David Yulke's Skaneateles home looked like something out of a science fiction movie.

Men in masks and white plastic suits put chunks of siding in double plastic bags. Work areas around the Elizabeth Street colonial were cordoned off with plastic sheeting. Signs warned of danger.

The job last month was nothing out of the ordinary: replacing 17 windows and re-siding the house.

Three months ago, none of that extra work would have been required. A federal rule that took effect April 22 requires a long list of precautions and clean-up measures for almost any construction job in a building built before lead paint was banned in 1978.

The point of the EPA's new rule is to cut down on lead exposure during construction. The rule comes with strict guidelines, heavy training requirements and high fines. Local construction contractors estimate costs from training and new equipment will raise the price of an average job about 10 percent.

Public health experts say the rules put the emphasis where it needs to be: on the insidious dangers of lead paint dust.

Most people understand the dangers of lead paint chips, which small children sometimes eat because they taste sweet. But the hazards of lead paint dust have been harder to get across, said Christa Huegerich, a public health educator with the Onondaga County Health Department's lead program.

The invisible poison hangs in the air after being released during construction, then settles in a person's lungs until it is absorbed into the bloodstream. Kids also can ingest the dust when they touch surfaces covered with it and put their hands in their mouths, Huegerich said.

The new rules are a welcome tool for her program, which works to reduce lead poisoning across the county. From 2005 to 2007, the city of Syracuse had the fourth-highest number of children with lead poisoning in the state, according to preliminary data from the state Department of Health.

In children, lead poisoning causes developmental problems, hearing and speech problems and behavioral problems. In adults, it causes confusion and can mimic the flu without the respiratory problems.

Some local contractors think the rules are over the top, and the high fines -- up to $37,500 a day -- could put some smaller companies out of business.

After months of complaining, contractors successfully persuaded the feds to give them more time to get the training. Recently, Congress gave firms until October to get certified, and gave individual workers until September to enroll in a certification class.

The regulation is the first federal requirement for general contractors when it comes to dealing with lead paint. And it affects jobs large and small. Anything that impacts 6 feet of wall, floor or ceiling that could have been painted with lead paint applies. That means jobs that seem small, such as replacing a few windows, need all the bells and whistles.

Brian Ciota, president of McClurg Construction in Marcellus, said his workers will have to follow the new rules on about 40 percent of the jobs the company does. He's spent

$15,000 on training and buying new equipment, such as Tyvek suits and special vacuum cleaners.

His company was working on the Skaneateles building. That was the first job McClurg has done under the new rules.

View full sizeDennis Nett / The Post-StandardTyler Dixon and Jayson Breckheimer dispose of clapboards with lead paint at a home in Skaneateles. Federal rules now require such careful treatment of materials from buildings built before 1978, when lead was still allowed in paint. The regulations require contractors to make costly investments in training and equipment, but are praised by health experts who point out that Syracuse had the fourth-highest number of children with lead poisoning in the state from 2005 to 2007.
"I think there are parts that are too much," Ciota said. He said he doesn't understand the requirement to wrap all of the construction debris in plastic, and he worries about having to have plastic on the floors because it could be a safety hazard.

Ciota said another struggle with the new rules is getting through to someone who can answer questions at the Environmental Protection Agency, which oversees the regulation. An EPA spokesman said the agency has had long waits on its lead hot line because of questions about the law.

"There's a lot of confusion," Ciota said. "It's not because it's bad or good. It's because it's new."

Bill Marinich, head of Marinich Construction in Syracuse and president of the Home Builders and Remodelers of Central New York, said the rules are hard on small firms, and that many of the one-man remodeling operations aren't aware that the rules apply to them, too.

"Most of the remodelers in our area are small-time companies," Marinich said. "If they get fined, it's going to kill them."

Marinich said he sees why some of the rules are needed to protect kids, but thinks the provisions to protect adult construction workers might be over the top.

"I don't think any of my guys have high lead content or exposure in their bodies," Marinich said.

But they could. The risk to construction workers is real, said Greg Siwinski, an industrial hygienist with the CNY Occupational Health Clinical Center. He said the danger of lead poisoning for construction workers and contractors is real and mostly overlooked.

The center provides lead testing for construction workers, but it's something only a handful of companies do for their workers on a regular basis.

Right now, Siwinski is treating a construction worker suffering from lead poisoning. The man contracted the poisoning from the dust he breathed in on a single project, Siwinski said.

The worker began having stomach pains and headaches that couldn't be explained. Siwinski said the man's blood lead levels were high enough for him to need a treatment called chelation. That's when drugs are used to flush the lead from the blood out into the patient's urine. He said that's only been done in about three cases that he can recall in his 15 years at the center.

Siwinski said there are likely many more construction workers who are suffering from lead poisoning but have no idea. The new regulations will go a long way to limit their exposure to lead dust, he said.

"It's taken a long time to get modern day regulations up to snuff," Siwinski said.

Patrick Strodel has been teaching contractors about the new regulations through his Syracuse company, CNY Environmental Institute. When the regulations first went into effect, he was teaching an eight-hour class every day. Now it's down to a few days a week.

Strodel said contractors often come in with a "show me the bodies" attitude about protecting workers from lead poisoning. But they often leave with their minds changed.

"I have people come in here filled with misinformation and a general bad attitude about the whole thing," Strodel said. "By the time they're through, they understand the hazard we're dealing with here."

He said he usually asks if anyone has had their blood tested for lead, and most have not. In a recent class, one man said he'd been treated for lead poisoning after he went to his doctor for headaches and stomach cramps. Like Siwinski's patient, he needed to have his blood cleaned of the lead.

Yulke, owner of the Skaneateles house, had his own change of heart about the lead rules. At first, he thought they were an expensive pain, and another example of the government butting in where it didn't belong. But after researching the dangers of lead exposure, and talking to his pregnant daughter, who will be spending time in the house, he changed his mind.

"It's easy to say that these things are overdone," said Yulke, who estimated that the new rules cost him an extra $1,700. But then he read up about lead, and learned any exposure was too much. "The truth is this is something we need to pay attention to."

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BP SPILL

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Obama oil spill panel to hold 1st meeting on Monday in N.O (*Times-Picayune*)

(New Orleans)
July 10, 2010 Saturday
SECTION: NATIONAL; Pg. A 03
Obama oil spill panel to hold 1st meeting on Monday in N.O. ;
Commission to look at causes of disaster
By David Hammer Staff writer
An independent commission formed by President Barack Obama to look at the root causes of the Gulf oil disaster and the proper process for combatting such catastrophes in the future holds its first public hearing Monday in New Orleans.

The hearing at the Hilton Riverside downtown begins at 9 a.m. More information is available at the commission's website, www.oilspillcommission.gov.

The seven-member commission is led by former Democratic Sen. Bob Graham and Republican former Environmental Protection Agency Director William Reilly, who said in a joint interview Friday that they want to determine why advances in safety, cleanup and government oversight haven't kept pace with the technology that allowed oil companies to drill deeper and farther offshore.

Graham said Monday's hearing will mainly be a status report from Coast Guard and BP representatives about the progress and challenges of the cleanup and containment efforts that have dragged on for nearly three months.

The second meeting Tuesday will focus on fishers, oil industry workers, hotel operators and others in coastal communities hurt by the spill and the resulting forced stoppage of deepwater drilling.

Also Tuesday, the commission plans to take testimony from government officials, mainly those at the state and local level, so they can describe what's happening from their perspective. Louisiana Gov. Bobby Jindal and coastal parish leaders have repeatedly expressed frustration at the federal red tape and BP delays that they say have impeded their response, particularly their efforts to protect hundreds of miles of delicate coastal marshes.

In addition, the seven commission members were to have toured the Gulf Coast over the weekend to see the response and cleanup work first-hand.

"The hearing is to give voice to the region," Reilly said.

When hearing from people who work in the offshore oil industry and local government officials, the commission is sure to get an earful about the effects of the president's deepwater drilling moratorium, imposed May 28 and now on hold in a contentious fight in federal court. An appeals court panel is expected to rule this week on whether U.S. District Judge Martin Feldman was correct in blocking the ban.

Obama initially suggested the commission could act more quickly than its six-month charge to provide interim recommendations that could help bring back safe drilling sooner. Reilly showed an interest in that, but by Friday he had cooled on it considerably. He said it was unlikely that the commission would come to sufficiently solid conclusions about industry-wide drilling processes to be able to persuade the Department of Interior to allow work to resume before the moratorium expires in late November.

Besides, he said, a top Interior Department official made it clear to Reilly that the agency will chart its own course on the moratorium.

Graham said the commission will have some investigative functions, too, and will draw heavily from the findings of a Marine Board investigation started in early May and from sworn testimony given by eyewitnesses and oil company executives before various congressional committees.

The commission may be limited, however, by a lack of subpoena power, which congressional committees and the Marine Board use to compel witnesses to testify. For example, Reilly said a BP meeting in London conflicts with the New Orleans hearings and the commission was having trouble getting top executives to come. But he said the day after he was appointed, he called BP Chief Executive Tony Hayward, who pledged his support.

Graham said the House of Representatives has passed a bill granting the commission subpoena power and they're hopeful the Senate will follow suit soon.

The commission is seeking $15 million to pay a staff of more than 30 researchers and investigators and to finance hearings and other activities. Graham said the House reduced that to $12 million, but it's still pending Senate review. In the meantime, the commission is using $4 million from the Department of Energy's budget to operate and hire staff.

The commission and its staff are a mix of environmentalists and energy industry insiders, although critics say it's slanted toward anti-drilling types. The key staff includes research director Jay Hakes, the former head of the Energy Information Administration and the author of the book "A Declaration of Energy Independence," and science adviser Richard Sears, a visiting scientist at Massachusetts Institute of Technology and Shell's former vice president for exploration and deepwater technical evaluation.

Along with Graham and Reilly, the other members of the commission are: Frances

Beinecke, head of the environmental group Natural Resources Defense Council; Don Boesch, president of the University of Maryland Center for Environmental Science; Terry Garcia of the National Geographic Society; Cherry Murray, dean of the Harvard University School of Engineering and Applied Sciences; and Fran Ulmer, chancellor of the University of Alaska Anchorage and a former Alaska state legislator.

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Fla. beaches open as tar balls wash up Hundreds of swimmers report feeling ill (*Star-Ledger*)

(Newark, New Jersey)
July 10, 2010 Saturday
STATE/ROP EDITION
SECTION: NEWS; Pg. 007
Fla. beaches open as tar balls wash up Hundreds of swimmers report feeling ill
By Sasha Chavkin, ProPublica
At Pensacola Beach and others in Escambia County, Fla., health officials have said some 400 people reported feeling sick after swimming along the Gulf coast, where the county's Citizen Information Center said "sporadic tar balls" continue to wash ashore.

But in the face of concern about the economic damage that would be caused by beach closings, the beaches remain open despite a warning from Environmental Protection Agency that the waters appeared unsafe and an oil impact notice posted by the county's health department.

"The beaches are open and ready for business!" declares the Escambia Disaster Response web page.

For potential beachgoers, the announcement of the oil impact notice issued on July 2 by the Escambia County Health Department offered this warning:

"If individuals see or feel oil products on the beach or in the water -- such as an oily feeling on their skin, tar chips/balls that are too numerous to count or are buried in the sand, tar mats, oil mousse or an oil sheen/slick on the water -- they are advised to minimize potential negative health impacts and avoid wading, swimming, or entering the water.

It is up to individuals to decide whether to head to the beaches and take the plunge."

At Pensacola Beach in Escambia County, signs advising of the oil impact notice urged beachgoers to avoid swimming altogether, according to pictures of the notice taken by a reporter from Mother Jones magazine.

However, she found that these signs were all too easy to miss.

She wrote that she "drove down about 15 miles of beach and saw only two such warnings," although she said she might have overlooked a few because they are "about the size of a sheet of computer paper."

Attempts to contact the Escambia County Health Department yesterday were unsuccessful.

Meanwhile, Brenda Lee of the Escambia County Citizen Information Center said the beaches are staying open and the county is getting ready for the flight demonstration by the Navy's Blue Angels squadron, which is scheduled for today at Pensacola Beach.

"We have normal opening and closing operations over the Blue Angel weekend," Lee said. "People are still going to the beach."

Six lessons from the BP oil spill (*Christian Science Monitor*)

July 10, 2010 Saturday
Six lessons from the BP oil spill;
What the tragedy of the BP oil spill has taught us about regulations, technology, and how our energy diet must change.
By: Laurent Belsie Staff writer
For years to come, the United States and the oil industry will be absorbing the lessons of the BP spill in the Gulf of Mexico. Regulators will toughen inspections. Oil companies will adopt more rigorous safeguards. New cleanup technologies will emerge from university and corporate laboratories. And spill drills could become a regular part of coastal communities' emergency planning.

What the BP oil spill does not signal, however, is a change in direction. Even as brown goo gushes from the Gulf floor 5,000 feet below the surface, and cleanup crews struggle to halt the slick from befouling beaches and shorebirds, companies are already developing the technologies to drill twice as deep off South America, Africa, and in the Gulf itself.

Oil plays too big a role in the world economy to turn off the spigot - or to stop exploring for new sources of crude to replace declining oil fields already in production.

IN PICTURES: Sticky mess: The Gulf oil spill's impact on nature

The larger lesson of the BP oil spill - the environmental and economic risks of over-reliance on fossil fuel - is lost on no one. The Obama administration and Congress may push through some measure that begins to tax the burning of oil and other fossil fuels.

But economic and technological hurdles - as well as political ones - stand in the way of a significant change in the US's energy diet. Electric cars, biofuels, or some other technology will one day consign the internal-combustion engine to history's dustbin. For the moment, though, it looks far easier to create a more foolproof blowout preventer or safer drilling technique than to find a cheap, simple, and ubiquitous alternative to oil.

So what are the lessons of the Great Spill of 2010?

1 Improve the offshore police

Wanted: People who understand the physics of recovering oil from the bottom of the ocean floor. Need to be intimately familiar with the mechanics of deep drilling - in other words, know that a RAM BOP has nothing to do with text messaging. Must be tough-minded and dispassionate. Must be willing to refuse any "gifts" from the oil industry, like free hunting and fishing trips. No golf outings with industry executives, either.

This may soon be a job description coming to a classified ad near you. One outcome of the spill is the need for a retooled system to regulate energy exploration and production. Among the most pressing needs: more offshore sheriffs - people trained to inspect drilling rigs. Mary Kendall, the acting inspector general in the Department of Interior, told Congress recently that the Minerals Management Service (MMS) had about 60 inspectors to oversee the 4,000 or so offshore oil production and exploration facilities in the Gulf of Mexico. More and better-trained staff is likely to be a top priority.

No one knows, of course, if tougher federal regulations and enforcement would have pre-vented the Deepwater Horizon disaster. Until the massive 450-ton blowout preventer that failed is hauled off the ocean bottom, it will be impossible to know what mechanical and human errors occurred. Yet there are already a few clues about what to do better.

Take, for instance, testimony by Michael Saucier, the head of field operations for the New Orleans branch of the MMS, who told investigators about his team's oversight of federal safety standards for blowout preventers, or BOPs, often called the "last line of defense" against a spill.

After listening to Mr. Saucier detail MMS oversight of BOP testing, Coast Guard Capt. Hung Nguyen, co-chair of the federal investigative panel, sought clarification. "So my understanding is that [the BOP] is designed to industry standard, manufactured by industry, installed by industry with no government witnessing oversight of the construction or the installation; is that correct?"

"That would be correct," Saucier said.

At another point, Saucier told the panel that the MMS had "highly encouraged" companies to have backup systems to trigger blowout preventers in an emergency.

"Highly encourage?" Nguyen asked. "How does that translate to enforcement?"

"There is no enforcement," Saucier answered.

Given such testimony, experts say the key issue is simply getting rid of the cozy relationship between the oil industry and regulators. Interior Secretary Ken Salazar is taking steps to cut the MMS into three parts, separating safety enforcement from royalty collections and offshore leasing.

But the Government Accountability Office, the Inspector General's Office, and engineering experts who oversaw a 30-day safety report on offshore drilling all want more. Norway, the United Kingdom, and Australia have some of the world's best safety practices and regulations, they say.

After the 1988 Piper Alpha rig disaster in the North Sea, where 167 people died, Britain separated safety oversight from other regulatory functions. Instead of a rules-based approach, not unlike that of the US today, it adopted a "case based" system that describes objectives - then challenges companies to show they can meet them.

Needed, too, is better testing of critical BOP equipment, like blind-shear rams. "What we really need are specific guidelines for how these things must be tested - and then have the results go into a computer accessible by everyone," says Benton Baugh, a BOP expert.

Yet all the testing and offshore police in the world can't overcome human error. Robert Bea, a safety engineering expert at the University of California, Berkeley, says the need is to focus on how people react and interact with complex safety systems when the siren goes off.

"We've neglected the human things," he says, "the designers, the people that operate [BOPs], the people that maintain them, the people who have to handle rapidly developing crises."

2 design a better drill rig

As oil discoveries in deeper waters beckon, giant new rigs will plunge drill bits two miles below the sea surface and five more miles into the earth - the equivalent of 29 Empire State Buildings. But such ultradeep drilling means ultrahigh pressures. At any time a bit could hit a pocket of pressurized gas that bursts to the surface and explodes. Capping a blowout 10,000 feet down would make the Deepwater Horizon problem look like a do-it-yourself caulk job.

The industry is currently working on new "sixth-generation" deep-sea rigs that experts say will be the safest ever developed - but still not foolproof in handling one of the most challenging engineering feats faced by man. The cost of the new rigs: about $500 million.

For that price, says Mike Smith, president of Bassoe Offshore (USA), a brokerage firm, you get a state-of-the-art rig that displaces perhaps 100,000 tons of seawater and sprawls over an area larger than a football field. Yet with all their sophistication and size, even such behemoths may be only just barely big enough to support the miles of pipe, thousands of tons of drilling "mud," and massive pumps needed to control a deep well's explosive power, experts say. Today's rigs already cost up to a million dollars a day to operate - an enormous financial risk if there's a dry hole or a blowout.

Huge costs. High risks. Potentially catastrophic environmental damage if things go wrong. Today's conundrum: How do you go deep without breaking the bank or the environment?

Technologies are being developed that experts say could make deep-water drilling safer and perhaps less expensive. One, Reelwell, a Norwegian technology, uses a drill pipe only a few inches across and sends the rock it chews topside for disposal through the inside of the pipe, rather than through a traditional outside "riser" pipe. Eliminating that miles-long riser avoids thousands of tons of weight, so Reelwell could be operated by a far smaller rig even when drilling in deep water.

Another approach comes from Badger Explorer, also a Norwegian company, which uses a high-tech burrowing machine. The device requires only a small exploration ship to guide it. No need for a drill rig at all.

The Explorer, a long, sleek metal cylinder with an electric auger on the front, drills through solid rock, depositing the debris behind the device rather than funneling it to the surface. The auger is tethered to a cable that powers the machine and sends back data. If the Explorer hits a pocket of gas, it moves right on. There's nowhere for the gas to go - no dangerous conduit to the surface.

ExxonMobil, Shell, and Norway's Statoil have all invested in the technology, which could be available within three years. "That situation in the Gulf was very rare," says Kjell Erik Drevdal, the president of Badger Explorer. "Still, there is always the risk that these things could happen with present technology. By doing it our way, we won't have to worry about such danger."

Sensors represent another focus of research to make deep-drilling rigs safer and more effective. They could be placed far down in the drill hole to detect gas flow, pressure, and other conditions long before they reach the surface to threaten humans or the environment. Electromagnetic technology could also be used to spot tiny danger zones and sound warnings before drill bits even reach them.

"In 10 years or less, you will see all these sorts of technologies addressing the most difficult and dangerous drilling situations - and cutting the huge costs of these giant rigs," says Stein Bjørnstad, an oil exploration expert at BI Norwegian School of Management in Oslo.

To enhance offshore oversight, some experts say data from the sensors could be transmitted to a command center onshore or to government agencies. This would let regulators monitor rig operations and provide information about what happened during a spill or blowout. "What I'm talking about is an extra set of eyes" off the platform, says Elgie Holstein, a strategic planner at the Environmental Defense Fund.

3 manage the cleanup like Churchill

In the 1990s, experts from Columbia University and Boeing Corporation tried to prod the oil industry into planning for disasters as a critical part of the so-called lean management movement. No luck.

"The industry thought it was added cost, and because incentives were heavily biased towards cost cutting, they turned it down," says Roger Anderson, a senior scientist at Columbia University's Lamont-Doherty Earth Observatory in Palisades, N.Y.

One result: BP has in essence been trying to invent ways to stop the blowout in the Gulf on the fly. This may be the most basic lesson from the disaster about how to manage oil spills in the future. As simple as it sounds, oil companies need to acknowledge that catastrophic events are going to happen, even if infrequently, and build responses into their corporate DNA, no matter what the cost.

In BP's case, "it's not so much that they weren't prepared, it's that they had not even considered the possibility" of such an event, says Dr. Anderson.

Concerns about the lack of response planning carry eerie echoes of hurricane Katrina. Yet there are differences with oil spills. One is the overlapping web of responsibilities. Oil companies control the rigs where the accidents happen. Once the crude gushes up from the seafloor, other entities get involved. But government and other responders still have to rely on the companies to stop the blowout.

"The majors who go out and drill in deep water have all the expertise - the government does not," says David Pettit, an attorney with the Natural Resources Defense Council. "When it comes to what happens when the oil hits the water, the oil companies don't have a monopoly on what to do. Even using the word expertise is laughable when you see what's going on out there. They're clearly making it up as they go along."

For all the complaints from state and local officials about red tape and poor coordination in the federal response, it's come a long way since the Exxon Valdez disaster in 1989. "The command structure in the early days of the Exxon Valdez spill underwent a complete meltdown," says Rick Kurtz, a political scientist at Central Michigan University, who, as an analyst in the National Park Service's Anchorage office at the time, wrote a lessons-learned report on the response.

Out of that came the unified command structure in place today - delineating the duties

of the Coast Guard, state and local officials, and the oil company responsible for the spill. While not everything has gone roller-bearing smooth, at least the federal government quickly designated an "incident commander and everybody knows who's in charge," notes Mr. Pettit.

Still, the US clearly has more to learn about managing cleanups. One area needing attention is what to do with locals. In Norway, the World Wildlife Fund conducts training courses for volunteers in cooperation with a spill-response company.

Ultimately, no amount of coordination may be enough to handle a spill of this magnitude. The overarching lesson may be to beware of technological hubris. "We are learning that there are limits to our technology and limits to our capacity to respond to disasters," says Steven Cohen, who heads Columbia University's Earth Institute.

4 Find something better than a boom

The ideas for new tools to clean up oil spills range from the mundane (better chemical dispersants to break up the crude so it will degrade naturally) to the exotic (ravenous microbes to eat the oil off beaches).

Then there are the two Florida contractors who have been pitching a home-grown technique, using locally cut hay and straw to soak up the oil like a chamois. They can be seen demonstrating their simple solution on YouTube, pouring oil into large bowls of water, floating hay on top, stirring it around to simulate wave action, and - voilà! - a solution almost as clean as tap water.

As the Gulf crisis sears its place in history as one of America's worst environmental disasters, the one bit of good news is that it has become a petri dish for testing new ways to clean up spills. Clever inventors, eager entrepreneurs, and ordinary citizens are flooding oil-giant BP and US government offices with ideas for sanitizing the ocean.

The bad news: No one technology exists that can do the job - and likely won't in the future. Instead, experts say, the task is so complex that it will take improvements in many different kinds of tools to contain and clean up spills.

One reason is the sheer magnitude of the task. As much as 140 million gallons of oil has seeped from the Gulf, sending deposits ashore from Texas to Florida. The oil both floats on the surface and sinks. Some of it disperses. It also takes on different properties as it spreads - from a glossy slick to thick tar balls. Cleaning beaches or harbors requires different techniques from separating oil from water at sea. This is to say nothing of what hurricanes or rough seas can do to a cleanup effort.

The main technologies used in offshore cleanup haven't advanced much since the Exxon Valdez accident 20 years ago, largely because of the lack of research and the difficulty of testing in "live" conditions. The main weapons, then and now, include oil-skimming boats, miles of oil-absorbing booms, and controlled burns. Along the shore,

worried Gulf Coast residents are designing and deploying booms of their own to protect harbors, or putting vacuum trucks meant for cleaning up land-based oil spills onto seagoing barges.

In another experiment, a Taiwanese company has retrofitted a supertanker with skimming equipment that it says is capable of vacuuming up to 21 million gallons of oily water a day. By comparison, the entire emergency response from the time of the accident, April 20, to July 1 had collected only around 28 million gallons. Though the ship, now in the Gulf, is untested, BP officials are giving it a try. Experts say similar supertankers were used to suck up much of the contaminated water after a massive spill off Saudi Arabia in the early 1990s.

Government and BP officials are also testing 32 centrifuges that can separate oil from seawater, devices being championed by actor Kevin Costner. Some experts, such as Norman Guinasso, director of the geochemical and environmental research group at Texas A&M University in College Station, believe such machines hold promise. He can envision a fleet of 100 or so boats equipped with the devices that could be quickly dispatched to the site of a major spill. "That's what I would like to see," says Mr. Guinasso.

Onshore, authorities are experimenting with a microbial sand scrubber that emulsifies tar balls and injects oil-eating bugs into the sand to consume the hydrocarbons. The device, which uses microbes from the Gulf of Mexico, was designed to pull oil from the tar sands of Canada.

Still, more than technologies will be needed to prevent future disasters. More important may be a change in corporate attitudes. If the leadership of a company isn't dedicated to safety, says Martha Bidez, an engineering professor at the University of Alabama at Birmingham, all the gee-whiz devices in the world won't matter.

She cites the mining company Rio Tinto Alcan and the National Aeronautics and Space Administration (after the Columbia and Challenger disasters) as two large organizations that have "very impressive" programs to prevent accidents.

5 Tap the power of the people

The moment Gulfport, Miss., resident Megan Jordan feared has arrived. The viscous onslaught of crude is no longer an abstract horror belonging to Louisiana, Alabama, and Florida. The first globules of oil have slipped through the Mississippi Sound and washed ashore in nearby Ocean Springs. For Ms. Jordan and her neighbors, this isn't just any beach - it's the keeper of memories, the provenance of dreams. The destruction is hard to bear.

Their passion, properly channeled, could become a crucial element in future oil spill defense. Experts say that by tapping into local knowledge - and love - communities could formulate emergency plans to bolster what residents have criticized as a slow,

inadequate government and corporate response.

It's a lesson California learned in 2007, when a container ship crashed into the San Francisco-Oakland Bay Bridge, releasing 58,000 gallons of fuel into the bay. Volunteers, desperate to help, rushed to the water's edge, creating chaos. "They had people running down to the beach, picking up oil with their hands and in T-shirts and towels," says Kurt Hansen, project manager for oil spill research at the US Coast Guard Research and Development Center in New London, Conn.

But in a potentially toxic environment, federal laws prohibit - and often thwart - even the best of intentions. In order to participate in cleanup efforts, federal rules require at least a 40-hour **hazardous waste** course. Mr. Hansen says response times could be significantly lowered if communities could draw upon a ready pool of trained volunteers.

In Alaska, a network of local fishermen and others was formed after the 1989 Exxon Valdez spill. They participate in frequent preparedness drills, and officials say they feel far better equipped to handle an incident if one should occur again.

Along the Gulf Coast, volunteers have rushed to beaches, buckets and booms in hand, with mixed results. Some have simply added to the chaos of the cleanup effort. Others are doing some good. One local environmental group, Mobile Baykeeper, has received nearly 10,000 phone calls from people across the country wanting to volunteer.

In tiny Magnolia Springs, Ala., fire chief Jamie Hinton says he began brainstorming ideas to protect his area's marshlands within days after the Deepwater Horizon explosion. Colleagues from neighboring cities told him to let the government handle it. "I said, 'Are they going to handle it like they handled Katrina, Ivan, the Valdez?' " Mr. Hinton recalls. "Thanks, but no thanks. The only people I trust are my people."

He has more than 400 hours of hazardous materials training, including booming instruction, but he has something else, too - a deep understanding of what he calls "my river." The waves sometimes reach more than a two-foot chop, so he scoffed when he saw BP workers affix a boom to barnacle-laden pylons with ropes. The wave action severed the stays and the boom floated away.

He found a kindred spirit in Mayor Charles Houser. Together, they decided to block their bay with barges, flanking them with layers of boom. There was only one problem: They'd gotten permission, but when they got ready for deployment, they were told they had to reapply or risk being fined or jailed. They complied, but agreed that if the oil came near, they would act. "Sooner or later, someone's got to do something," says Mayor Houser.

John Wathen, a member of Waterkeeper Alliance, says there's no shortage of people along the coast who feel the same way, but they're being turned away by BP. He says if BP would tap into the Waterkeeper network, which spans six continents, they would find a free fount of knowledge. Instead, even these seasoned environmentalists are having

trouble sorting through the bureaucratic quagmire of the Deepwater command.

"It's been an absolute fistfight," says Mr. Wathen. "We know our waters better than anyone. We're not here to sue or condemn anybody. We're out here to protect our watershed and our communities."

He echoes Hansen's advocacy for a trained network of volunteers. Residents could decide which area they'd like to focus on and take additional training in operating skimmers, laying boom, or rescuing and caring for injured wildlife.

"A lot of people are just yelling," says Jen McClurg Roth, founder of Clean the Gulf Now, a grass-roots group. "But it's about coming together and identifying the issues we can change."

6 Recalibrate our energy policy

It has become one of the iconic images of 2010: oil gushing from the floor of the Gulf, almost one mile below the surface, where it mushrooms up from BP's failed drilling rig like clouds of café au lait. The undersea feed from robotic cameras has popped up on national news telecasts and cable shows, during televised congressional hearings and presidential speeches - a potent reminder that for all the talk and technology, man's search for oil is risky and beginning to push the limits of human engineering.

It would be tempting to conclude that the answer is to switch energy sources, to the green alternatives favored by some or the natural-gas and nuclear options favored by others. Tempting and probably not doable. Like it or not, America and the world are stuck with oil for years to come when it comes to transportation. Oil powers 1 billion cars worldwide, 10,000 commercial aircraft, and thousands more ships and trains that deliver our goods, facilitate trade, and keep economies humming.

Nothing can compete with it in terms of price, ubiquity, and ease of use on such massive a scale. "If oil didn't exist, we'd have to invent it," says Robert Bryce, senior fellow at the Manhattan Institute and author of "Power Hungry: The Myths of 'Green' Energy and the Real Fuels of the Future."

So the BP oil spill may not dramatically change US energy policy, but instead delivers a warning - as did the two OPEC oil embargoes, the Exxon-Valdez spill, and the record gas prices two years ago. The message: Our continued reliance on oil carries economic and environmental risks that the US will continue to bump up against until it undertakes a coherent and consistent policy to gradually wean us off fossil fuel.

"The lesson that we should learn here is that if we took sensible steps, baby steps, instead of these grandiose [pronouncements], I think we would be better off," says Frank Felder, director of the Center for Energy, Economic and Environmental Policy at Rutgers University in New Brunswick, N.J.

One step would be a bigger push on energy efficiency. The US could cut growth in electric consumption by 30 percent, says James Sweeney, director of the Precourt Energy Efficiency Center at Stanford University in California. To get the equivalent power would require quadrupling America's nuclear capacity or scaling up wind and solar energy to 40 to 50 times its present size. "If we think all the solutions are just technological, we're not going to focus on a group of nontech solutions that will allow us to have more effect," he says.

What's striking, though, is how eager policymakers are to enact some of those steps and fearful to undertake others. On the production side, the Obama administration has moved aggressively to revamp the MMS (now renamed the Bureau of Ocean Energy Management, Regulation and Enforcement), appointing a former prosecutor to head up the agency and promising to hire more oil rig inspectors.

Another item in Democrats' cross hairs: a $75 million cap on oil companies' liability, beyond cleanup costs, passed in the aftermath of the Exxon Valdez disaster. Democratic lawmakers and the White House want to raise the cap substantially or eliminate it altogether so that oil companies no longer have an incentive to take risky actions in the belief that their liabilities would be limited.

It's too early to tell if the BP spill will spark a reevaluation of the risks of deep-water drilling versus drilling in shallow water or on land. Much depends on whether the investigations under way determine that deep-water safeguards are adequate and that BP was negligent or that drilling that far down pushes technology too far.

While policymakers are taking action that affects production, they've been more timid about consumption. One reason is that the risks of offshore drilling and other forms of energy production are so much more visible than the risks of continued high consumption - reliance on foreign sources, greenhouse-gas emissions, and so on.

"A picture is worth a thousand words and the images [from the Gulf] bring home in a very accessible way how the oil spill has affected people's lives," says Michael Greenstone, professor of environmental economics at the Massachusetts Institute of Technology in Cambridge. "The difference with **climate change** is that the changes occur very slowly and in a subtle way that will not appear on your TV set next month."

Another reason for the timidity on reducing consumption is that the easiest fix, a tax on oil, is the riskiest politically. "A price signal on oil - that could be your **climate change** policy, that could be your energy policy," says Matthew Kotchen, professor of environmental economics and policy at Yale University in New Haven, Conn. "But it's difficult because it's not politically expedient."

A tax would encourage conservation and efficiency, reduce emissions, and spur the search for alternatives. The extra revenue from the tax could be used to fund that research, reduce the deficit, or be rebated back to consumers in the form of, say, a lower income tax. But passing a new tax, never easy, is especially difficult when the

economy is so fragile. "Democrats clearly view that as suicide," says Matthew Kahn, economics professor at the University of California at Los Angeles.

That is why the Obama administration is pushing a cap-and-trade system to deal with **global warming,** under which industry would pay for car-bon emissions and, presumably, pass on the costs to consumers. Ironically, the oil spill complicates passage of a cap-and-trade bill because, as a way to gain Republican support for it, President Obama backed an expansion of offshore drilling. Now, the spill has forced Mr. Obama to issue a moratorium on new deep-sea drilling (a moratorium challenged by a federal judge). "The Obama administration is in a difficult position," says Professor Kotchen.

Thus, America's energy future may be driven more by technology and economics than political compromise. A breakthrough in car batteries or ethanol production from sources other than food crops could push the energy mix toward renewables. A sustained rise in oil prices, as exploration becomes more expensive, could accelerate a shift to natural gas and nuclear power.

With ample supplies of natural gas and coal, a growing nuclear industry, and research on everything from biomass to fuel cells, the US has a mix of ways to fuel its energy future. "For all that people say we're in an energy crisis, I look at it and say: The US is pretty well hedged," says Mr. Bryce. "For all the hand-wringing, we've got a very strong hand."

Contributing to this report were staff writers Mark Clayton, Pete Spotts, and Gregory M. Lamb, and contributor Carmen K. Sisson.

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BP oil spill: A subdued Fourth of July on Louisiana's Grand Isle

GOP candidate: BP relief program is 'slush fund'(*Huffington Post*)

PHILIP ELLIOTT | July 8, 2010 10:30 PM EST

WASHINGTON — Republican Senate candidate Sharron Angle said Thursday she was wrong in calling BP oil's $20 billion victims' compensation program "a slush fund," backtracking just hours after her widely criticized remark.

Angle told a Las Vegas radio station on Wednesday that President Barack Obama strong-armed BP executives to set up the fund after the April 20 oil rig explosion that sent gallons of oil spewing into the Gulf of Mexico. The worst oil spill in the nation's history has affected all five Gulf Coast states and scores of businesses, such as fishing and tourism.

Appearing on KXNT, Angle agreed with a caller who said Obama forced BP executives to establish the fund.

"Government shouldn't be doing that to a private company and I think you named it clearly, it's a slush fund," Angle said.

On Thursday, Angle issued a statement saying she was wrong.

"Having had some time to think about it, the caller and I shouldn't have used the term 'slush fund'; that was incorrect," Angle said. "My position is that the creation of this fund to compensate victims was an important first step – BP caused this disaster and they should pay for it."

Her Democratic rival, Senate Majority Leader Harry Reid, seized on the comment, and Obama ridiculed her for it at a fundraiser for Reid Thursday night in Las Vegas.

"I'm sure she meant 'slush fund' in the nicest possible way," said Obama, without mentioning Angle by name.

Reid spokesman Kelly Steele said: "Angle's anti-government rants are entirely consistent with her opposition to the $20 billion escrow account – a fund designed explicitly to prevent taxpayer bailouts and make BP clean up their own mess – as well as her position that we should dismantle the EPA in the middle of the worst environmental disaster in American history."

Angle has previously been forced to backtrack on her suggestion that Washington phase out Social Security and Medicare in favor of private accounts. She now says she favors dedicated Social Security dollars and private accounts.

Angle is not the first Republican to try to take back her words about BP oil.

During hearings last month, Texas Rep. Joe Barton apologized to a BP executive for what he called a "shakedown" of the private company. Republican House leaders immediately issued a statement disagreeing with Barton. Threatened with the loss of his seniority, the Texas lawmaker withdrew his apology.

Obama met with BP executives at the White House last month and emerged from the meeting with a $20 billion commitment from the company to pay fishermen whose businesses were affected and to clean up the Gulf.

BP publicly backed the plan.

"From the outset, we have said that we fully accepted our obligations as a responsible party. This agreement reaffirms our commitment to do the right thing," BP chief executive officer Tony Hayward said when announcing the plan.

During her interview, Angle also said the entire industry shouldn't have to pay for the spill. Only BP is funding the victims' fund.

"Everyone in the petroleum industry shouldn't be penalized for one bad person's actions. It would be like throwing us all in prison because one person committed murder. And that's exactly what's going on here," she said. "It's an overreaction by government for not the right reasons. They're actually using this crisis ... to get in cap and trade and every fine and penalty and slush fund, like you said."

Angle, a former state lawmaker, seemed to suggest the oil industry was regulated by the EPA. Offshore drilling, however, was overseen by the Minerals Management Service, a part of the Interior Department.

"The problem with even the EPA is that it's all about money. It's a taxing, fining agency. What we really needed was a management agency," said Angle.

Angle's remarks were first reported Thursday on The Washington Post's website.

CLIMATE CHANGE

Green firms uniting to flex political muscle (*Boston Globe*)

July 11, 2010 Sunday
SECTION: NEWS; National; Pg. 1
Green firms uniting to flex political muscle;
Press senators on climate bill
By Mark Arsenault, GLOBE STAFF
WASHINGTON - Stonyfield Farm is slapping its familiar cow logo on more than just containers of yogurt these days. The New Hampshire-based organic food maker is one of more than 50 local companies to lend its corporate name to a political lobbying campaign aimed at persuading Congress to support climate and energy legislation on Capitol Hill.

The green-friendly businesses - including many young tech companies not yet household names - are the regional face of a multimillion dollar lobbying effort aimed at key senators across the country. Their effort is backed by some of the world's most

recognizable consumer brands and Fortune 500 companies, and guided by experienced political hands with deep connections to the Obama and Clinton administrations.

The TV, radio, and print campaign, bolstered by in-person jawboning of legislators, demonstrates the political reach of green-technology and alternative energy companies, which have progressed from the cluttered basements of inventors and entrepreneurs into an emerging political force seeking to apply pressure at the highest levels of government.

``We're among those businesses saying let's get on with it'' and pass climate and energy legislation, said Ken Colburn, environmental policy director for Stonyfield Farm, where efficiency efforts the past three years have cut carbon outputs while saving $7.8 million. ``What will it take for Congress to get that message? Gosh, I really don't know.''

Solar companies, wind-energy developers, battery manufacturers, and others want the federal government to establish a system of raising money from emitters of greenhouse gases that contribute to global climate change - either through a direct carbon tax or vouchers purchased by polluters - and steer some of that money into the development of clean energy technologies.

The businesses are backing proposed climate and energy legislation sponsored by Senators John F. Kerry, Democrat of Massachusetts, and Joe Lieberman, the Connecticut independent. The Kerry-Lieberman proposal calls for an auction of carbon-emission permits and would use the money generated to provide billions in incentives to reduce greenhouse gasses.

``Green groups and alternative energy companies view this as a cash cow,'' said Ron Bonjean, a Washington political consultant and former top Republican adviser on Capitol Hill. ``And with that they want to take the power in their own hands and start engaging, with either new lobbying or more intense lobbying.''

But in the political arena, alternative energy groups are up against some of the most powerful lobbies in American politics - coal miners, oil producers, and electric utilities.

``The small green groups are definitely overshadowed,'' said Bonjean. ``It's hard for them to make a dent in the process.''

``It is profoundly difficult,'' acknowledged Anne Kelly, who directs the Boston-based networking group Business for Innovative Climate & Energy Policy, which is helping to organize the lobbying campaign. ``But the opposition will not stop, and neither can we.''

Interests with deep pockets are spending heavily to shape the debate. The American Petroleum Institute, representing oil interests, spent about $1.5 million on lobbying in the first quarter this year, according to the Center for Responsive Politics. The National Mining Association, representing coal companies and other miners, spent $716,000. And the petroleum giant Exxon Mobil: $3.4 million.

Last week, a group opposing climate change legislation called ``CO2 is Green,'' launched a $600,000, two-week TV and newspaper campaign against the Kerry-Lieberman bill, paid for in part with donations from fossil fuel interests, said Leighton Steward, the group's founder, a former executive with Shell Oil and other petroleum companies.

Steward says the legislation would kill American jobs and raise the cost of electricity, gas, and food. He hopes to stop the bill and spark a new round of scientific debate about the effects of greenhouse gases. ``I'd be happy to debate anyone,'' said Steward, who insists that carbon is not harming the environment.

By contrast, the Clean Economy Network, a national advocacy group based in Washington that is helping to organize a lobbying effort targeting Senator Scott Brown of Massachusetts, spent $456,000 on lobbying in the first quarter.

As a Republican who has shown willingness to compromise with Democrats on economic legislation, Brown is considered by environmental advocates a potential key vote in overcoming a likely Republican filibuster against climate and energy legislation. But the freshman senator, who opposes establishing a price tag on carbon emissions, may be a difficult vote to get.

``Senator Brown believes new energy legislation should take a total approach to include strong incentives for clean energy sources, reduce our dependence on foreign oil, and include energy efficiency and conservation - but not include a national energy tax or carbon pricing,'' said his spokeswoman, Gail Gitcho, in a statement.

The lobbying campaign, through recent TV and newspapers ads, has urged Brown to be ``bipartisan'' and support climate and energy legislation with a price on carbon. A Boston TV ad, which ran the week of June 27, featured Tim Healy, chairman and chief executive of EnerNOC, a Boston energy efficiency consultant and software maker, who made a case that ``Congress can no longer punt on energy and climate reform.'' Though Brown is mentioned by name in the print ad, Healy does not name him on TV.

Healy, in an interview, said he agreed to do the ad in part because passing climate and energy legislation would improve his company's bottom line.

``We believe the overall clean energy industry is going to gain significantly if we put a price on carbon,'' he said.

The upstart lobbying effort is driven in part by company chief executives, technology professionals, entrepreneurs, and venture capitalists. Their networking group evolved in early 2009 out of a constituency of green businesses that worked to elect President Obama, according to Tim Greeff, political director for the Clean Economy Network.

Historically, Greeff said, political representation for clean technology companies was

limited and too narrowly focused.

``So you'd have the wind association or the solar association, and they were all fighting for their specific piece of the pie, but it was a very small pie they were trying to carve up,'' he said.

The companies expect to be much more influential now, as a big tent group, he said. ``We're pushing for the types of policies that will make all clean economy boats rise,'' Greeff said. They have deliberately kept their policy goals extremely broad and general, to make the platform palatable to the largest possible collection of voices. ``So we have Fortune 500s, consumer brands, clean tech companies, utilities, venture capitalists, institutional investors, and serious entrepreneurs.''

The group maintains it is nonpartisan, though its director, Jeff Anderson, was the California cochairman of the 2008 presidential campaign of John Edwards. He also helped organize businesses to support Obama, and advised the campaign on media strategies, according to the group.

Business for Innovative Climate & Energy Policy was established in late 2008 by corporate members that include Levi Strauss & Co., Nike, Starbucks, and Timberland, the New Hampshire-based outdoor shoe and clothing maker.

The group is coordinated by the Boston-based nonprofit organization Ceres, a network of investors and environmental advocates, led by Mindy Lubber.

Lubber is a former director of the Massachusetts Public Interest Research Group, was a senior adviser to Michael Dukakis, and was appointed during the Clinton administration as the New England regional administration for the US Environmental Protection Agency.

The retail companies pushing for climate and energy legislation have business reasons for wanting carbon regulated to counter climate change, said Kelly. For some, participation may stem from a dependence on resources susceptible to extreme weather: Starbucks, for example, gets coffee beans from all over the globe, and Nike needs huge supplies of cotton.

``These folks have global supply chains,'' said Kelly. ``They've done a good job educating Congress on the global implications of climate change in terms of their businesses.''

Betsy Blaisdell, senior manager of environmental stewardship at Timberland, said the company sees climate change as a direct threat to profitability.

``We make products for consumers to enjoy in the outdoors,'' she said. ``Climate change threatens this.'' And with factories all over the world, Timberland is also trying to protect assets in low-lying areas that could be threatened by rising sea levels.

``When you look at places like Vietnam, India, Bangladesh, Thailand - these are clearly areas on the radar for devastating effects from climate change,'' she said.

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ENERGY STAR

Trying to get the glow back (*Washington Post*)

July 10, 2010 Saturday
Every Edition
FINANCIAL; Pg. E01
Prince George's County
Trying to get the glow back;
Government overhauls appliance testing to restore faith in Energy Star label
By Sonja Ryst
When you buy something with an Energy Star label on it, are you getting ripped off for trying to be green?

The Environmental Protection Agency and Department of Energy have been fighting to end such worries in recent months. They are taking steps to reassure consumers that the blue and white stamp really means what it says, namely that the product is highly energy-efficient, and they are revamping the way they certify products that bear the label.

This comes after the Government Accountability Office flayed the **Energy Star** certification process because manufacturers could exploit it. GAO investigators said in March that they set up Web sites, mailboxes and cellphones for four bogus manufacturing companies and then used that contact information on **Energy Star** commitment forms. The bogus companies received **Energy Star** partnership status within two weeks. When the GAO investigators filled out forms describing 20 bogus products, 15 qualified for **Energy Star** labels, including a gas-powered clock radio and a feather duster attached to a space heater.

"If you're going to tell the public that the government is behind these products, then you need something to back it up," Greg Kutz, GAO managing director of forensic audits and special investigations, said in an interview.

Now the **EPA** and the Energy Department are developing a system that would require that all products be tested in approved, independent labs before they get the **Energy Star** designation. The new standards are scheduled to be announced in September, and implementation is likely to start in January.

Recently, **EPA** officials developed the conditions that the labs will be required to meet, which include maintaining records of observations and ensuring that the people doing the testing are free of "influences that may adversely affect the quality of their work."

Manufacturers will be required to pay the labs to have their products tested.

"This administration is committing to having **Energy Star** be a credible tool for consumers," said Kathleen Hogan, the Energy Department's deputy assistant secretary for energy efficiency. She said the labs will be accredited to test particular product categories and that they will have to use standardized procedures. "You are seeing an important refinement to the **Energy Star** program that will keep making it better," she added.

Gina McCarthy, assistant administrator in **EPA's** Office of Air and Radiation, said some participating companies complained about costs when her team notified them -- after release of the GAO report -- that the program would be moving to a system of third-party certification.

"It will add cost to a voluntary program, but, frankly, we know the **Energy Star** label has significant value in and of itself. If there are costs associated with maintaining that value, then so be it," McCarthy said. She said the changes won't require any new federal funding for the **Energy Star** program, which currently costs about $50 million a year.

EPA officials said they don't know whether their plans have prompted companies to make any immediate changes.

"Certainly, as we mandate changes, we'll be monitoring to make sure that the changes occur," said Ann Bailey, branch chief for **Energy Star** product labeling.

In March, Energy began testing products at random, an agency spokesman said. So far, out of 70 products tested, only an Asko dishwasher (model D5122XXLB) failed to meet the qualifications. And after receiving complaints from other manufacturers, the department had tests done on a Samsung refrigerator (model RF26VAB) and found that it consumed more energy than permitted under the program.

Officials at Asko Appliances didn't respond to a request for comment. A spokesman for Samsung Electronics said it discontinued that refrigerator model in August.

J.B. Hoyt, director of government relations at Whirlpool, said his company has started providing more documentation for the **EPA** this spring. For example, Whirlpool now includes details such as the humidity and the water temperatures used in its lab during product testing. The company is also examining the program's new testing criteria.

"We're still analyzing it, but clearly there's a tighter layer of review than there had been," Hoyt said.

Companies have to persuade customers to pay for energy efficiency. The NPD Group, a market research firm, found that 51 percent of refrigerators sold during the year ended May 2010 were **Energy Star**-qualified, up from 43 percent the previous year. But the average prices on **Energy Star** rated refrigerators fell from $1,191 to $1,107.

"When people are struggling to make mortgages, it's a tough sell," said Mark Delaney, director of NPD's home division. He said that companies have gotten into price wars over customers shopping for **Energy Star** products and that many other consumers don't understand why they should pay more upfront for products that will offer savings over several years.

Jeremy Frost, manager at Ace Hardware on Fifth Street NW in the District, said his customers don't usually ask for products that have **Energy Star** labels. Instead, they ask him broad questions like, "What can I do to reduce my electricity bill?" He added that, because most new appliances have **Energy Star** labels, the credential has become more of a standard than a feature that customers seek. "It's not necessarily as big a selling point as it was 10 years ago," Frost said.

"I think [the label] needs to be reviewed more often," said Kate Robertson, who works in the energy program at the nonprofit Environmental Defense Fund. "But I have confidence in the brand." Robertson said that she bought a Samsung television a couple of years ago because of its **Energy Star** rating and that she has no regrets.

She uses a volt meter to test her home appliances to make sure they are as energy-efficient as labeled.

Mark Connelly, deputy technical director at the nonprofit Consumers Union, continues to test **Energy Star** products for the organization's Consumer Reports publication. He said he has found that most manufacturers tell the truth. But as technology evolves, tests and energy-efficiency standards go quickly out of date.

"Our biggest pet peeve with the whole thing is that the test procedures need to be updated frequently," Connelly said. "The program is a victim of its own success."

FUEL

10 reasons smaller is better (*Washington Post*)

July 10, 2010 Saturday
Every Edition
FINANCIAL; Pg. E04
Alexandria-Arlington
10 reasons smaller is better
By: Katherine Salant

Here are my top 10 reasons for building a small house:

1. You won't be the obvious person to host every important family occasion and accommodate all the friends and relatives who come to town. If you live off the tourist track, hosting duties and overnight guests might not be an issue (in Ann Arbor, Mich., the only regular visitors we've had over the years were our now-deceased parents). But if you live in a popular destination, such as the Washington area, or in a place with great winter weather, such as Florida, you can get a steady stream of overnight requests in addition to the oversight duties that the big family celebrations entail. A move to a smaller house provides a gracious way to say no.

2. You have a bulletproof reason to graciously decline Aunt Laura's offer of her lime-green, fake leather living room set that might have looked good 40 years ago. You'll have no place to put it; you won't even have room for all the stuff you have now.

3. A smaller house is easier to keep clean. Eternal vigilance is still required if you want a clutter-free house. But when a house is small, there are fewer places for clutter to pile up and dust balls to collect, and this can dramatically reduce cleaning time. You might find that you still have to be a drill sergeant to elicit cooperation from other family members, but you won't have to do it as often.

4. With a smaller house that takes less time to clean and maintain, you'll have more time to cultivate a garden if you're so inclined and more time to casually interact with the neighbors, the first step to feeling at home in your new surroundings and part of a community. If the houses are close together, opportunities for casual interaction are increased.

5. With fewer rooms, the household is more likely to have frequent interactions, the glue that holds it together. Most people take family socializing as a given in any house. But in bigger houses with more rooms, household members tend to spend less time together and have fewer encounters.

6. A smaller house costs less money! And this gives you more options. Assuming that you would still be building in the same area, you can put the money you're saving into your kid's college fund, buy a new car or blow it on a trip to Vegas.

7. Alternatively, you could plow the money back into your home-building project. Depending on how small you go and how much you save, you could hire an architect to design a house that will be precisely tailored to your downsized lifestyle instead of buying a house from a production builder that doesn't allow changes in the floor plan. If you engage an architect and a custom builder who are well-versed in "green" building, they can help you devise economical ways to make your house both charming and more energy efficient. This is good for your pocketbook (lower utility bills) and good for the planet. (In the United States, buildings are the largest source of greenhouse gas emissions that are causing **global warming,** and more than half the buildings are houses.)

8. You can use the money saved by downsizing to buy a lot in a close-in suburb where land prices are higher. If you buy a lot that's close to public transportation that you can use for commuting to work, you can ditch one of your cars. That would save about $9,641 a year, on average, according to AAA. It also would benefit the environment by reducing your carbon footprint. According to the **Environmental Protection Agency,** every year a car remains on the road, it emits, on average, 4.78 tons of CO2 and a quarter-ton of methane, nitrous oxide and hydrofluorcarbons that are slowly leaking from the car's air conditioner.

9. When you live closer to your job, you spend less time commuting and more time with your family. If you spend about 45 minutes every day commuting each way, and the close-in location would cut that by half, you would have 45 minutes a day -- which adds up to 15 hours a month -- to devote to other things.

10. With fewer entertaining obligations, less time spent cleaning, a greater sense of connectedness in your neighborhood, many casual interactions with members of your household, a more pleasant family dynamic and a shorter commute, you'll be far less stressed and much happier.

And that can lead to a level of Zen that most homeowners would envy.

Questions? Comments? Queries? A home-building story that you'd like to share? Katherine Salant can be reached at http://www.katherinesalant.com.

TOXICS

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

Louisville, Kentucky
July 11, 2010 Sunday
NEWS
State, federal lawmakers look to toughen chemical pollution standards
By, James Bruggers jbruggers@courier-journal.com
Legislation in Washington, D.C., and Frankfort, seeks to reduce pollution by pharmaceuticals and other chemicals.

Kentucky state Rep. Joni Jenkins, D-Louisville, introduced a bill earlier this year banning health care facilities from flushing drugs into toilets. It died in committee. But she said she will be back with a different approach to keeping drugs out of the environment next year.

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

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

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

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

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

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

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

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

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

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

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

Community group calls attention to 'overlooked' area of contamination in Ringwood (*NorthJersey.com*)

Sunday, July 11, 2010

BY TERESA EDMOND
Suburban Trends
STAFF WRITER

The Community Advisory Group (CAG) is pushing for either Ford Motor Co. and/or the U.S. Environmental Protection Agency (EPA) to get moving on decontaminating a considerably "overlooked" mine pit area, which CAG members assume is still packed with Ford's toxic waste.

"A huge question mark" looms over the St. George Pit Area, which is "a very large gap" in the investigation for Ford disposal, said Edison Wetlands Association Executive Director Robert Spiegel.

Ford Motor Co. dumped toxic waste in the Upper Ringwood area in the 1960s and '70s. It was first listed on the EPA's Superfund program in the early 1980s, and delisted in 1994. In 2006, Upper Ringwood was put back on the list, giving it the list's unique distinction of having been dropped, then restored. Spiegel said that St. George "is the only major area we know that has been overlooked" in investigation since Upper Ringwood's relisting.

Through a resolution, CAG recommends that the EPA gets a test trenching program in place for the St. George Pit Area. The group also wants the program to be similar and as comprehensive as the one completed in the O'Connor Disposal Area. At the June 22 CAG meeting, the group approved such a resolution relating to the implementation of a St. George Pit Area test trenching program.

Located off Cannon Mine Road in the Upper Ringwood Superfund site, the St. George Pit Area has contained discoveries of "multicolored" bags, suspected to be Ford disposals, and freon, a chemical found in refrigerators. St. George is estimated to be as big, "if not bigger," than the O'Connor Disposal Area, said Richard Chapin, technical consultant for the Upper Ringwood site.

Chapin and other CAG members studied data of investigatory techniques used in the St. George Pit and O'Connor Disposal areas. They have "noted discrepancies between the two procedures," according to the passed resolution. Test trenches were dug in O'Connor last year.

"It became very clear to Rich Chapin and CAG that it (St. George Pit Area) has not been investigated properly," Spiegel said.

According to the resolution, the EPA should develop a timeframe for implementation and completion of this work. The document also states that the EPA should inform CAG of St. George's test trench timeframe by the July 2010 meeting.

CAG wants the EPA to include a groundwater sampling and analysis program in the St. George investigation, according to the resolution.

Although earlier data of the St. George investigation was studied, CAG members concluded that continued investigation at the mine pit would unearth predictable results.

"We wouldn't be surprised if lots of Ford-related waste is found in the St. George Area," Spiegel said.

Test trenches were dug in the O'Connor Disposal Area so it would be easier for workers to see waste in this area. Though "minimal investigation" was done in the St. George Pit Area, "that was enough to show they need to do more," Spiegel said.

"They need to sample the waste and make sure they identify all Ford waste," he said.

Out of all the sections in the Upper Ringwood site, one might wonder why Chapin compared the St. George investigation with that of the O'Connor Disposal Area?

"Why not?" Chapin replied. "O'Connor was a comprehensive program."

As of press time, neither Ford nor the EPA have returned calls seeking comment.

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WATER

Streams that last saw daylight more than a century ago could flow openly once again (*Los Angeles Times*)

July 11, 2010 Sunday
Bulldog Edition
SECTION: MAIN NEWS; News Desk; Part A; Pg. 27
Unearthing urban creeks in San Francisco;
Streams that last saw daylight more than a century ago could flow openly once again.
By Dearen writes for the Associated Press
DATELINE: SAN FRANCISCO
Riffling through old maps while researching a history project for San Francisco public schools, landscape architect Bonnie Sherk made a discovery: A century ago, a creek coursed where two school campuses stand today.

"There was Islais Creek, running where Balboa High School is now," Sherk said. "All of a sudden it made sense: The school's cafeteria had been flooding and the basements of homes in this neighborhood flood during heavy rains because they're in this large watershed."

Two wells have been drilled on the school campuses since Sherk's discovery a decade ago, tapping the hidden creek's water to irrigate community gardens, parks and street vegetation, while hopefully reducing the threat of floods.

Now, as part of an estimated $4-billion sewer upgrade, Islais Creek and other streams that last saw daylight more than a century ago could flow openly once again through neighborhoods in one of the country's most densely built cities.

Such "daylighting" of urban creeks is being embraced in cities worldwide. Seattle, Portland, Ore., Yonkers, N.Y., Providence, R.I., and Zurich, Switzerland, are among many places reopening long-hidden waterways. Resurrecting old creeks can help remove hundreds of millions of gallons of storm water from sewer systems each year -- meaning fewer sewage spills and cleaner water.

Covered up during and after the Gold Rush when the city's booming population created demand for housing, San Francisco's many creeks were diverted and sent underground into the sewer system -- parts of it still using 1850s-era brick pipes. The water is mixed with the waste and sent to a treatment plant before being expelled into San Francisco Bay or the Pacific Ocean.

Each year, these rain-swollen creeks often overload the system, and about a dozen times a year raw or partially treated sewage spews into the bay and sea.

Islais Creek, once the city's largest, can be seen only in a park in the southern part of the city, where it flows into concrete sewer pipes.

The only place people can catch a glimpse of Mission Creek is in the basement of the San Francisco National Guard Armory and Arsenal building, a massive brick structure closed to the public and currently owned by a pornography film company.

"We want to partially restore the natural hydrology of San Francisco," said Tyrone Jue, spokesman for San Francisco's Public Utilities Commission, the agency in charge of the project. "It helps the sewer system by reducing flow, beautifies neighborhoods and can bring back natural wildlife that may once have lived in an area."

San Francisco is studying the best sites for unearthing these historic creeks, and officials say the first phase of projects would probably start in five to 10 years.

Islais Creek, which starts in the city's Glen Park neighborhood, and Mission Creek, which runs beneath the trendy Mission and South of Market districts, are probably the first candidates.

Both creeks flow toward the bay through densely packed neighborhoods, which could expose the water to pollutants such as auto runoff and garbage.

Berkeley in the 1980s opened a stretch of Strawberry Creek in a public park. But after

heavy rains, the creek filled with a lot of debris.

Still, regulators say, with proper monitoring and natural filters, opening the creeks can improve overall water quality by reducing raw sewage overflows.

"Growing plants and vegetation along the creek banks can be very efficient in filtering pollutants and making sure the water going into the bay is better quality," said David Smith, manager of Clean Water Act permits for the U.S. Environmental Protection Agency office in San Francisco. "There's a lot of environmental benefit in turning streams back into living systems."

Fort Worth residents hear EPA official talk about hydraulic fracturing (*Fort Worth Star Telegram*)

Posted Sunday, Jul. 11, 2010
By SHLACHTER & Co.
U.S. Environmental Protection Agency official Robert Puls hopes that "case studies" throughout the U.S. will be part of its upcoming study on hydraulic fracturing, he said at a packed meeting Thursday night at the downtown Hilton Fort Worth hotel. Hydraulic fracturing is the technique widely used in extracting natural gas from rock formations more than a mile below the surface.
Linda Hanratty of Fort Worth voiced what might have been on the minds of many of the approximately 600 people at the meeting: What better place for a case study than right here in the Barnett Shale, which underlies more than 20 North Texas counties? It's the largest natural gas-producing area in the nation and a place where hydraulic fracturing is routinely employed on virtually every well drilled.
"We highly recommend that the Barnett Shale be one of the case studies," Hanratty said, speaking on behalf of the League of Women Voters of Texas. She suggested that the study look at the "cumulative impacts of hydraulic fracturing" in a highly urbanized area that has approximately 1.8 million residents in Tarrant County. The county, which had virtually no oil or gas wells throughout the 20th century, is now the largest natural gas producer among Texas' 254 counties.
The EPA study is expected to focus heavily on the potential for groundwater or surface water contamination as a result of fracturing and the handling of wastewater from the process.

Lawsuit takes on steel mill pollution (*Baltimore Sun*)

July 11, 2010 Sunday
FINAL EDITION
SECTION: LOCAL; Pg. 1A
LAWSUIT TAKES ON STEEL MILL'S POLLUTION;

RESIDENTS, ENVIRONMENTALISTS WANT SPARROWS POINT OWNERS TO RID MILL OF ITS TOXIC BREW

By: Meredith Cohn and Timothy B. Wheeler, The Baltimore Sun

Thirteen years after a federal court ordered steelmakers in Sparrows Point to clean up the toxic brew surrounding the peninsula just east of Baltimore City, those who live with the air and water pollution say little has been done.

They suffer with gritty fallout on their boats, fumes that sting their throats, and fears that swimming, crabbing or fishing near their homes will make them sick.

State and federal officials have cited the steel mill owners 22 times since the court decree, and fined it nearly $700,000. Now a handful of frustrated residents have joined the Chesapeake Bay Foundation and the Baltimore Harbor Waterkeeper to sue Severstal North America, the latest company to run the century-old steel mill, and its previous owner, ArcelorMittal USA.

The suit, filed Friday in U.S. District Court in Baltimore, comes 14 months after the plaintiffs formally warned the companies of their intent to take legal action to halt pollution from the 2,300-acre property that they contend threatens their health and the health of the Chesapeake Bay tributaries. Though some cleanup activity began recently, residents say it's not enough.

"When you have a national treasure like the Chesapeake Bay, you should try and maintain it," said Jerry Tomko, a retired iron worker whose waterfront home in Dundalk is near the mill. "There is another way to make steel."

Representatives of Severstal, which has owned the mill since 2008, and ArcelorMittal said they would not comment on any pending litigation.

Steel has been made at Sparrows Point since the 1890s, and the sprawling industrial complex has provided a good living to many residents bordering it - even as it became the area's primary polluter. Sparing jobs has often been cited in the past as a reason for lenient enforcement.

But the steel mill is a fraction of its past size, shrinking from 30,000 workers in the heady Bethlehem Steel days to about 2,300 today. And new pollution continues to be added to old.

Groundwater beneath portions of the peninsula is now a noxious soup of heavy metals and cancer-causing waste byproducts of steel-making, and government-ordered studies show that contaminants are seeping into the Patapsco River, Bear Creek and other waterways bordering the facility. **Hazardous wastes** were dumped years ago in a pair of old landfills that lack any liners or other controls to prevent pollution from spreading. For years, government and industry tests have found many of the same contaminants in the bottom sediments of the waters around the point.

The pollution is more personal for Tomko, who is a plaintiff in the lawsuit with his wife, Connie.

He won't keep any of the fish he catches from Bullneck Creek, among the waterways in which the state warns that fish might be contaminated. He's tired of scrubbing his boat, deck and pier of the grit that he says wafts over from the steel mill.

"It gets all over the property," Tomko said one day from his backyard deck. "You have to pressure-wash everything."

He and others complain that the basics of the 13-year-old consent decree have not been met. According to the **Environmental Protection Agency,** some required investigations have been completed by the plant. But mandated ecological assessments on- and offshore, a complete human-health assessment and some corrective measures have not.

Maryland Department of Environment officials wrote in a news release last year that Severstal was in compliance with the court-ordered cleanup and "there are no immediate public health threats."

But in addition to the 22 citations, the agency's inspection records from the past three years show that the mill has had many other compliance issues. Many problems were corrected by the next inspection.

At times, for example, state inspection reports show the mill has emitted excessive amounts of potentially harmful chemicals, and operators have failed repeatedly to run pollution-control equipment properly or limit harmful particle pollution.

Inspectors have also found water problems more than a dozen times. They found that the landfills have allowed unauthorized dumping and unchecked runoff into the Patapsco River and that there have been inadequate sediment controls. Inspectors noted "strong odors."

Regulators are investigating possible air pollution violations from a furnace fire last year.

Contaminants in water

The problems have taken a toll. Analysis of sediment samples taken by a company seeking to build a liquefied natural gas terminal in Sparrows Point show that metals and other contaminants are settling in the water and posing potential health threats to humans and aquatic life. In the shallowest water and even in some deeper water, the company, AES Corp., found in 2006 that levels exceeded **EPA** guidelines for **arsenic,** cadmium, copper, chromium, lead, mercury, nickel, silver and zinc.

That project has gained preliminary federal approval but has been blocked by the state's refusal to grant a water-quality permit. Officials fear that dredging could cause a large

dead zone in the water.

The Maryland Port Administration, which is seeking to use 300 acres of the Sparrows Point property to dump material dredged from shipping channels, also found contamination. In a 2009 report, investigators found metals in groundwater at concentrations above standards set by the state. They also found metals and potentially carcinogenic chemical compounds produced by the mill's industrial practices in the sediment around the peninsula in concentrations "substantially higher" than is suitable for aquatic life.

As for the state of the water now, environmental officials warn against eating too much fish from Bear Creek and the Patapsco River. Advisories specifically say to avoid or restrict consumption of eel, crab, brown bullhead catfish, white perch, and channel and white catfish because of risks from PCBs and **pesticides.**

The lawsuit comes just as Severstal begins work on what regulators say are "interim" cleanup measures which they believe should halt the oozing of tainted groundwater into the river and creek.

Under pressure from federal and state officials, the company recently installed three wells to pump benzene and naphthalene from below the surface and treat it. The company has begun construction of other remediation facilities at six sites or "cells" around the peninsula, where the company aims to extract and neutralize contaminants by a variety of techniques. In some cases, air will be injected into the ground, in others vapors will be extracted, and in still others, wells will draw contaminated water to the surface and treat it.

"Right now, things are moving," said Barbara Brown, Sparrows Point cleanup coordinator for the DPE. She noted that the first well the company installed has extracted about 500 gallons of toxic chemicals so far, replacing a solitary well put in by Severstal's predecessor that extracted only about 20 gallons of toxic chemicals in a month.

'A lot has been done'

Though residents are frustrated, she contended that "a lot has been done" to curb pollution from the plant and to assess the extent of contamination.

Last year, agency officials blamed lack of resources and staff for spotty enforcement. Brown said the agency notified Severstal last fall that it would begin billing the company for some of its work. And to further preserve resources, a proposal last year to pursue a new consent decree has been dropped in favor of more aggressive enforcement of the current agreement.

Still, she acknowledged that Severstal is resisting efforts to clean up water off its property, and the matter might have to be resolved in the courts.

The companies could also face more litigation from residents. Some, frustrated with the slow pace of cleanup, are planning a separate lawsuit that would seek monetary damages from Severstal and perhaps past mill owners or other area businesses.

Bart Fisher, a Washington lawyer helping prepare that lawsuit, said it was necessary because the bay foundation lawsuit doesn't provide any compensation for area residents who have been harmed.

"There's a toxic cloud floating over Edgemere, Turners Station and Dundalk," he said. "Those people have been seriously injured in terms of their health." He contended that there are high levels of childhood asthma in Turners Station, one of the nearby communities.

135 people join lawsuit

About 135 people have signed on so far, Fisher said, and most complain about smells and respiratory issues.

Dundalk resident Guido Guarnaccia had a son who successfully battled leukemia that he believes resulted from living too close to the pollution - though no link has been proven.

Guarnaccia said he's not considering a lawsuit for the money. He wants only attention to the problems with the water he cherishes. He's lived around the world and chose a home on Bear Creek in 1970. He fell in love with the Chesapeake Bay, and his home is still adorned with pictures of the water, though he's cut down on using his own boat. He's already gotten rid of his pool and mostly stopped fishing.

"I don't want the money - it's cursed money," he 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."

William C. Baker, the bay foundation's president, said the residents have all become resentful.

"It really does seem they're above the law," said Baker of the steel mill owners. "If you do something at your house, you have to put up a silt fence and other things. ... The parallels to the Gulf oil spill are ripe."

Art and Tina Cox, who run Anchor Bay Marina East in Dundalk, a state certified "green marina," are plaintiffs in the suit filed Friday.

From their docks, the view is mostly pristine, except for the brown mound of industrial waste peeking over the treetops. Grey's Landfill, an aging, unlined repository for

Sparrows Point's industrial waste, is expected to grow several stories taller in the next several years.

Sometimes dust from it coats Cox's boats. There are smells. From his boat, he can ride by the mill and see slag, or granular black waste, piled on the edge of the Patapsco River at the mouth of Bear Creek. Some falls in the water or washes in during rain because there is no bulkhead or other barrier to stop it.

His decision to join the lawsuit was especially difficult because he counts executives at Severstal as customers. They gave him a six-hour tour of the mill, which he said was enough time to know that "they were way out of compliance."

And, he said, "It's not going to get better."

Wilton Strong, a 79-year-old retired machinist and recreational fisherman who lives on Bear Creek, didn't have any reservations about joining the lawsuit. The number and variety of fish have declined, he said. And some days, he can see the "filth" floating in the river from his boat.

The view is still pretty, he says. But it's not what it was, and he wants other generations to enjoy what he once enjoyed.

"There used to be bathing beaches all over the place here where you could swim and not worry, and you could fish," he said.

"Now you can't catch what you used to," he said. "And no one swims. That's OK for me, but what about my grandkids and great-grandkid? Why shouldn't they be able to swim?"

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

(Louisville, Kentucky)
July 11, 2010 Sunday
NEWS
By, James Bruggers jbruggers@courier-journal.com
Dozens of chemicals and pharmaceuticals -- antidepressants, veterinary hormones, even cocaine -- have been detected in the Ohio River upstream and downstream from Louisville.

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

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

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

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

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

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

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

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

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

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

'The big unknown'

"Just because you find it doesn't mean it's a problem," said Erich Emery, a biologist and research manager working on the study for the commission, commonly known as

ORSANCO. "We have the ability to detect (almost) anything we want now."

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

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

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

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

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

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

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

Nearly indestructible

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Plant discharges

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

For example, concentrations of the anti-convulsive and mood stabilizer carbamazepine, sold under brand names including Tegretol, increased 31 percent just below Louisville's Morris Forman treatment plant on the Ohio River. The concentration of the PFC known as PFPeA was 58 percent higher; and the concentration of atenolol, a blood pressure drug, was 25 percent higher.

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

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

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

Future filtering

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

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

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

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

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

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

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

Water company officials say what comes out the taps of its customers meets all current

water quality standards, and officials at MSD say they are meeting current discharge standards.

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

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

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

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

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

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

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

How to dump your drugs

- Ask your doctor or pharmacist if they'll accept unwanted medicines.

- Generally, government agencies say don't flush drugs down the sink or toilet. But the Food and Drug Administration keeps a list of 27 medications, such as morphine, OxyContin, Percocet, Demerol and methadone, that they recommend people flush down the drain as a safety precaution.

The Office of National Drug Control Policy recommends the following for other drugs:

Take drugs out of original containers and mix them with an undesirable substance, like cat litter or used coffee grounds.

Put the mixture in a disposable container with a lid, such as an empty margarine container or sealable bag.

Remove or black out the prescription drug labels and place the drug containers in with

the mixture.

Seal and put in the trash.

- Jefferson and Oldham County drug drop-offs for the fall haven't been scheduled yet. Floyd County, Ind., residents can drop off unwanted medications at Floyd Memorial Hospital, 1850 State St., New Albany, from 2 to 3 p.m. the second Thursday of each month.

Louisville's chemical runoff

The percentage increase of selected chemicals in the Ohio River after passing through Louisville:

PFPeA breakdown product of stain- and grease-proof coatings on food packaging, couches, carpets: 58.2 percent

PFOA used in chemical manufacturing, and to make products resist fire and repel oil, stains, grease, and water, and provide non-stick surfaces on cookware: 3 percent

Benzoylecgonine breakdown product of cocaine: 117 percent

Caffeine stimulant in coffee and other beverages: 59 percent

Carbamazepine anticonvulsive and mood stabilizer: 31 percent

Gemfibrozil reduces cholesterol and triglycerides in the blood: 34 percent

Atenolol reduces blood pressure and angina: 25 percent

Sulfamethoxazole antibacterial: 51 percent

DEET insect repellent: 81 percent

Metformin anti-diabetic: 23 percent

FROM THE TAP

In a sampling of Louisville drinking water done in 2004, researchers, in cooperation with the Louisville Water Co., identified nine drugs in tap water at trace levels:

- Caffeine, stimulant

- Sulfamethoxazole, anti bacterial

- Meprobamate, anti-anxiety medication

- Dilantin, anticonvulsive

- Carbamazepine, anticonvulsive and mood stabilizer

- DEET, insect repellant

- Iopromide, radiographic contrast agent

- Ibuprofen, anti inflammatory

- Gemfibrozil, reduces cholesterol and triglycerides in the blood

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