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 & Holiday Edition
May 23, 2009 thru May 25, 2009

ADMINISTRATOR JACKSON 3
EPA Administrator tours Jonah Field (*Wyoming Business Report*) 3
EPA chief: Wyo. will remain energy king (*Gillette News Record)* 4
EPA administrator Jackson tours Wyoming gas field (*Associated Press*) 5
Story also appeared: *Forbes* 5
Congress on recess, but not all are idle (*Times-Picayune*) 7
EPA Administrator Forecasts Potential Shift on Bush-Era Drilling Loophole (*24/7 Wall St.)* 7
Getting Ethanol Right (*New York Times*) 8
Statement from Ducks Unlimited on administration support for Clean Water Restoration Act (*Ducks Unlimited*) 9
Key to Power In Court Pick (*New York Times*) 10
Waxman-Markey: Coercion for its own sake (*Open Market.org*) 13
AIR 15
A Long Goodbye for Old-School Cool (*New York Times)* 15
'Green' Campaign Under Way (*Baltimore Sun*) 17
City Schools Seek To Make Buses Cleaner (*Pittsburgh Post-Gazette*) 18
EPA OKs fewer checks of cities' air (*Indianapolis Star*) 20
ASBESTOS 21
Asbestos removal cost trimmed by 90 percent (*Arkansas Democrat-Gazette*) 22
BROWNFIELDS 24
Officials differ on EPA aid (*Boston Globe*) 24
City Schools Seek To Make Buses Cleaner (*Pittsburgh Post-Gazette*) 27

CLIMATE CHANGE / GLOBAL WARMING 29
Hotter and Hotter (*Washington Post*) 29
EDITORIAL / OP-ED / COMMENTARY / LETTERS 29
Getting Ethanol Right (*New York Times*) 29
ENFORCEMENT 31
Feds warn state agency on pollution enforcement (*Henderson Gleaner*) 31
ENERGY 33
Testing the Resolve Of Obama on Energy (*New York Times*) 33
It's a gas! UNH graduation ceremony features intro of renewable energy source (*Fosters Daily Democrat*) 35
FUEL 36
Drivers May Need a Push Despite New Fuel Standards (*Washington Post*) 36
Biofuel industry path seen getting bumpier EPA proposal raises concern in Arkansas (*Arkansas Democrat-Gazette*) 39
Ethanol backers see risk in EPA fuel-study plan (*Northwest Arkansas' News Source*) 43
Car clarity (*Chicago Tribune*) 44
MINING 46
Coal concerns shifting Methane released in mining is now target of state, federal officials Colorado mines are being pressed to capture the gas to pare emissions, but some say the technology may not be ready. (*Denver Post*) 46
SUPERFUND 49
Fish at your own risk (*Daily News*) 49
TOXICS 50
Phased-out carbon tetrachloride lingers in Louisville's air (*Courier-Journal*) 50
Clean, green clothing (*Star-Ledger*) 53
Tannery had chromium 6, now at the center of a cancer lawsuit (*Kansas City Star*) 56
Clean, green clothing More New Jersey laundry services are trading traditional chemicals for earth-friendly methods (*Star-Ledger*) 60
Banned toxic chemical lingers in Louisville air (*Courier-Journal*) 63
Do It Yourself: Cleaning Up Mold (*Washington Post*) 66
WATER 67
California gets stimulus money for water projects (*Associated Press*) 67
Story also appeared: *CNBC News* 67
Connecticut Rethinks Stormwater Permit, Water Quality Standards (*Environment News Service*) 68
A Bay Full of Broken Promises (*Washington Post*) 70
Recession beach (*Chicago Tribune*) 72
Troubled Water (*Columbus Dispatch*) 76
Our Bay: Attacking the bay's nitrogen problem (*The Capital*) 78

ADMINISTRATOR JACKSON

==========

EPA Administrator tours Jonah Field (*Wyoming Business Report*)

By MJ Clark
May 22, 2009 --
PINEDALE — The state plane touched down in Pinedale's airport yesterday, delivering Gov. Dave Freudenthal and EPA Administrator Lisa P. Jackson to the final leg of their energy tour of Wyoming. The two joined a handful of reporters on a minibus for an up-close tour of natural gas development in the Jonah field.

As the minibus bounced south on Highway 191, EnCana representatives passed around a microphone, explaining the history of the Jonah Field, and the challenges of removing the 13 trillion cubic feet of recoverable gas that lies 9 to 12,500 feet beneath it.

The difficulty in extracting the gas from the Jonah Field lies in the composition of the rock where the gas is found. Prehistoric sandbars have compressed into 'really tight' sandstone with low porosity that does not allow the gas to flow through it to reach the wells. "Concrete sidewalks are much more porous than this rock," explained Jeff Johnson, team lead of Jonah Operations for EnCana.

In order to loosen the rock and free the gas, developers use a process called hydraulic fracturing, which uses a highly pressurized mixture of water plus a gelling agent (guar gum and borax) to create fractures in the rock radiating out from the borehole. The fractures are then propped open by replacing the water mixture with sand so that the gas can flow through the fractures to the well. According to Johnson, the nearly 1 million gallons of water used in creating each well, is 100 percent recycled water – not fresh water. And, over the life of a well, 90 percent of the water used is recovered.

The two concerns that Jackson had were the potential of oil and gas development to negatively impact the water supply, and air quality.

"There are lots of stories about people wanting to do good, who end up harming the water supply," Jackson said. "I am concerned with the people who will be here after you've gone."

"Today is a beautiful day," she said, gazing across the Jonah Field towards the snow-capped Wind River Range, "But that's the thing about air pollution. It's not always the same every day, and it's not always the stuff that you can see that you have to address."

During her energy tour, Jackson emphasized the Obama administration's desire to improve the economy and end dependence on foreign energy, while protecting the environment.

EPA chief: Wyo. will remain energy king (*Gillette News Record)*

By ALEXANDRA SUKHOMLINOVA, News-Record Writer
asukhomlinova@gillettenewsrecord.net
Published: Friday, May 22, 2009 4:21 PM MDT
Wyoming will remain at the heart of the national energy production as the nation turns to cleaner energy solutions, Environmental Protection Agency Administrator Lisa Jackson said during a visit to Gillette on Thursday.

Her first visit to Wyoming illustrated the immensity and importance of domestic energy production.

State officials earlier said that Jackson's visit to Wyoming will help the energy dialogue between Wyoming and Washington, D.C., and put it in the context of the reality of energy production.

"I think the importance of it is that it demonstrates that the Obama administration is prepared to leave Washington, come out and see what's going on the ground," Gov. Dave Freudenthal said during a press conference in Gillette on Thursday. "That's an important part of trying to govern this country."

Jackson said it was her first visit to the Rocky Mountain area of the country beyond Denver. Her first visit to an operating coal mine impressed her with the immensity of mining operations in the Powder River Basin.

"Maybe I'm not the only one who needs to get out of Washington from time to time," she said. "A lot of times, EPA is much more interested in the generation of power from coal and it's very interesting for me to see the process in various parts of the country."

Jackson and Freudenthal toured a wind farm near Cheyenne on Wednesday. On Thursday, the team toured the Arch Coal-owned Black Thunder mine near Gillette before touring the Jonah Field natural gas drilling site near Pinedale.

Black Thunder produces upwards of 90 million tons of coal each year and the Jonah Field is estimated to have about 10.5 trillion cubic feet of natural gas.

Arch's Chief Executive Officer Steven Leer accompanied the team on the tour in the mine. Jackson and Freudenthal answered questions from local media representatives at the Gillette/Campbell County Airport after the mine tour. A handful of local residents and environmentalists attended the visit to mark a rare visit from an EPA administrator to

Wyoming.

"This may not be a celebrity visit to lot of people in the country but it's a pretty big deal in Gillette," said Eric Barlow, Gillette resident and a member of the Powder River Basin Resource Council, a Sheridan-based environmental organization.

All the energy sources in Wyoming supply about 10 quadrillion British thermal units of energy to the country. But energy insiders fear that a proposed cap and trade system backed by President Barack Obama will cripple the national economy by attacking coal — the cheapest fuel in the country.

The system will force utilities to pay for each ton of emitted carbon dioxide to mitigate carbon pollution and to help boost renewable energy.

Jackson said she believes the system will work. As a market-based approach, it will give the economy some transitional time to rebound, she said.

"You have to find a way to make it work," she said. "With the right momentum, investment and continued work by the universities, it can be made to happen. But there needs to be a sustained signal over time that this country is going to fight carbon dioxide pollution."

Jackson also commended the state's efforts to address the nationwide environmental concerns that come with energy production and research in the area of carbon sequestration.

"I applaud the fact that the state is now looking at more than one single impact associated with energy production," she said. "We probably have disagreements, but one thing they are doing is they are clearly facing the issues that we have and they are getting data."

EPA administrator Jackson tours Wyoming gas field (*Associated Press*)

Story also appeared: *Forbes*

By BOB MOEN , 05.22.09, 11:05 AM EDT
Environmental Protection Agency administrator Lisa Jackson says she is encouraged by efforts to understand the unique air pollution issues in rural Wyoming.

Jackson on Thursday toured Jonah field, one of the most productive natural gas fields in the nation.

The field in sparsely populated southwest Wyoming has seen ozone levels on occasion that rival the large metropolitan cities where it is commonly found in the summer.

"It's hard to believe that this is a place that has had some problems even in the winter and some visibility issues," Jackson said, standing among the tanks, pipes, trucks, drilling rigs and other oil and gas equipment in the field nestled between two mountain ranges in the distance. "But that's the thing about air pollution. It's not always the same every day, and it's not always the stuff that you can see that you have to address."

Ozone is an air pollutant that can cause respiratory problems, especially for children, the elderly and people with existing respiratory conditions.

The Wyoming ozone occurs in the winter and didn't become a problem until intense oil and gas development hit the vast sagebrush area south of Pinedale.

Oil and gas developers have taken a number of measures to reduce emissions that help create the air pollution.

For instance, EnCana, the biggest developer of the Jonah field, has installed emission control equipment and brought in drilling rigs that run on clean-burning natural gas to help control the pollution.

The state Department of Environmental Quality is gathering extensive data on how and when the ozone is forming in Wyoming.

Scientists believe the ozone in Wyoming is caused by a combination of pollution emitted from natural gas fields and certain meteorological conditions that include calm weather, snow cover, sunny skies and strong temperature inversions.

Jackson said all the work by the state, the EPA and others on the ozone problem "gives me hope that we're getting information that we can use not only in Wyoming but around the country."

Jackson said she was also visiting the Wyoming field to get a better understanding of the process of forcing water mixed with other chemicals underground to recover natural gas trapped in tight sands. Some have complained that the so-called hydraulic fracturing pollutes their water wells.

"We owe the people of Wyoming, and I have a larger question for the people of the country to make sure we're looking at hydraulic fracturing to make sure that we're being as protective as we can to future generations," she said.

Besides touring the Jonah gas field, Jackson toured a coal mine in northeast Wyoming and a wind farm near Cheyenne. She was accompanied by Gov. Dave Freudenthal, who invited her to see Wyoming's energy industry first hand.

Congress on recess, but not all are idle (*Times-Picayune*)

New Orleans
Congress is on recess this week for the Memorial Day weekend. Sen. Mary Landrieu, D-La., is taking advantage to lead a delegation, including EPA administrator Lisa Jackson, a New Orleans native, on a visit to the Netherlands for what will be the senator's second post-Katrina look at that country's advanced hurricane-protection systems. In Alexandria, Va., Federal Judge T.S. Ellis III will hold what is likely the final pre-trial session Wednesday in advance of the June 2 corruption trial for former Rep. William Jefferson, D-New Orleans.

EPA Administrator Forecasts Potential Shift on Bush-Era Drilling Loophole (*24/7 Wall St.)*

Posted: May 25, 2009 at 11:38 am
By Joaquin Sapien, ProPublica
Signaling the potential for an important policy reversal, Environmental Protection Agency Administrator Lisa Jackson said in a congressional hearing on Tuesday that the agency would consider revisiting its controversial position that a popular natural gas drilling technique doesn't harm groundwater.
A 2004 study conducted by the EPA concluded that hydraulic fracturing — a process that involves pummeling the earth with millions of gallons of water mixed with sand and chemicals to extract natural gas — causes "no threat" to underground drinking water.

The study is often used by the gas industry to rebut concerns over drinking water contamination. It was also the main basis for a provision in a 2005 energy bill that exempts hydraulic fracturing from regulation under the Safe Drinking Water Act. The bill says the process is exempt because it doesn't harm groundwater. Opponents of the exemption are trying to repeal it, and a new study from the EPA would add muscle to their argument.

A ProPublica investigation co-published with BusinessWeek last November identified serious flaws in the EPA's 2004 study. We found that the agency negotiated directly with the gas industry before finalizing its conclusions and ignored evidence that the process might indeed contaminate water supplies.

Rep. Maurice Hinchey (D-NY) expressed concern about these issues and recent reports of contamination near drill sites. At a House Appropriations Subcommittee on Interior hearing on Tuesday, he asked Jackson whether the emerging evidence would prompt the EPA to revise its previous conclusions.

Jackson said she recognized that the current regulations restrict the EPA's ability to protect groundwater and said the issue "was well worth looking into." But she didn't say how the EPA would approach the problem or whether the 2004 study would be revised.

A spokesperson for Jackson would not elaborate on her remarks.

The statement has stirred optimism among environmentalists who have been urging the EPA and Congress to repeal the exemption. They feel it's a sign that the Obama administration is willing to take a fresh look at the Bush administration's legacy on gas drilling.

"Big ships turn slowly," said Bruce Baizel, an attorney with the Oil and Gas Accountability Project, "but I think this is the first time EPA has acknowledged that maybe their previous conclusions were not entirely supported by sound science."

Industry representatives contend that fracturing is safe and dispute the claim that the process has been linked to water contamination. They also maintain that fracturing is best regulated by individual states, rather than the federal government.

"The EPA study is one of several studies done by a variety of different interests in the past decade, and I don't believe that there is any compelling evidence that the risk has changed since 2004," said Lee Fuller, vice president of government relations for the Independent Petroleum Association of America. "The reports mentioned (in the hearing) have been analyzed to show that they are not related to hydraulic fracturing."

Getting Ethanol Right (*New York Times*)

May 24, 2009 Sunday
Late Edition - Final
Section WK; Column 0; Editorial Desk; EDITORIAL; Pg. 7
Representative Collin Peterson is furious that the Environmental Protection Agency is doing its job. The Minnesota Democrat says the agency is trying to kill off the biofuels industry -- to the dismay of the corn farmers and ethanol producers he represents. He has vowed to vote against any bill, including climate change legislation, that might require the involvement of the E.P.A.

What inspired this tirade was an **E.P.A.** draft proposal showing how it intended to measure the greenhouse gas emissions from corn ethanol and other renewable fuels. The agency said it will not make any final rules until it completes further research, but its preliminary findings were not flattering to corn ethanol.

The **E.P.A.** was only doing what Congress ordered in the 2007 energy bill, which required a quadrupling of annual ethanol production to 36 billion gallons by 2022. In practical terms, this meant more traditional corn ethanol, until other more advanced

forms of ethanol could make their way out of the labs. Scientists believe that various grasses and scrub trees that do not compete with food crops can someday be turned into fuel.

Congress hoped the ethanol mandate would produce a more climate-friendly fuel that could help reduce oil imports. But just to make sure, it stipulated that ethanol from any source be cleaner than conventional gasoline. It handed the job of measuring emissions to the **E.P.A.**, and told it to consider the fuel's entire life cycle.

This included counting the greenhouse gases released when forests or grasslands are plowed under and planted to make up for the crops used to make ethanol. When the **E.P.A.**'s scientists counted these indirect effects, corn ethanol emitted more greenhouse gases than gasoline over a 30-year period.

The **E.P.A.** says its analysis needs refinement, and in any case the 2007 bill grandfathers in existing corn ethanol plants or those under construction. That means there will not be any reduction in corn ethanol production; indeed, there could be more. Mr. Peterson and his farm bill colleagues are still steamed, because any adverse finding diminishes corn ethanol's appeal.

Lisa Jackson, the **E.P.A.** administrator, can expect heavy pressure in the months ahead. The ethanol industry and its Congressional champions will argue that the science is unclear, that indirect effects cannot be measured accurately, and so on.

Ms. Jackson should stand her ground. Biofuels have an important role to play, and some will eventually be produced without pushing up food prices or increasing emissions. It is the **E.P.A.**'s duty to give the most unbiased accounting it can of their strengths and defects.

Statement from Ducks Unlimited on administration support for Clean Water Restoration Act (*Ducks Unlimited*)

WASHINGTON, D.C. – May 22, 2009 – The following is a statement Ducks Unlimited Director of Conservation Operations, Dr. Scott Yaich, issued in response to a letter sent by the secretaries of agriculture and interior, the administrator of the Environmental Protection Agency, the chair of the White House Council on Environmental Quality and the chairs of the Senate Environment and Public Works Committee and House Transportation and Infrastructure Committee supporting restoration of Clean Water Act protection to more than 20 million acres of wetlands across the United States.

"Ducks Unlimited is pleased to see this support for cleaner water from the president's administration. We applaud their strong, clear stance on this issue, which is a top policy priority for American sportsmen," said Yaich. "The proposed legislative restoration of Clean Water Act protections for wetlands and other waters also contains guarantees

that America's farmers and ranchers can continue to work their land as they have for decades. The restoration of protections lost in 2001 is critical to ensure that our waters will be shielded from pollutants and that our wetlands will continue to provide fish and wildlife habitat for generations to come.

"Ducks Unlimited looks forward to continuing work with Congress and the administration to advance the Clean Water Restoration Act and restore protections to wetlands and streams that provide our drinking water, restore our aquifers and provide habitat for America's wildlife and places for millions of people to enjoy our fish and wildlife resources."

For more information on the Clean Water Restoration Act, please visit Ducks Unlimited's Clean Water Action Center at www.ducks.org/cleanwater.

With more than a million supporters, Ducks Unlimited is the world's largest and most effective wetlands and waterfowl conservation organization and has conserved more than 12 million acres. The United States alone has lost more than half of its original wetlands – nature's most productive ecosystem – and continues to lose more than 80,000 wetland acres important to waterfowl each year.

May 25, 2009 Monday
Late Edition - Final
Section A; Column 0; National Desk; WASHINGTON MEMO; Pg. 1

Key to Power In Court Pick (*New York Times*)

By CHARLIE SAVAGE
WASHINGTON
As President Obama prepares to replace Justice David H. Souter on the Supreme Court, conventional wisdom says his nominee will have little chance to change the court because all the contenders appear to share Justice Souter's approach on social issues, like abortion rights.

But the effect on presidential power could be pivotal. Important rulings on executive authority -- striking down military commissions and upholding habeas corpus rights for Guantanamo detainees -- have been decided by a five-vote majority, including Justice Souter, on the nine-member court.

"Given that the decisions have generally been 5-4 in this area, this could be terribly consequential," said David Golove, a New York University law professor. "We're losing one of the court's strongest leaders on the side of limiting executive power to reasonable bounds. If the person who replaces Souter is different than him, the balance of power may shift."

Most of the half-dozen or so candidates Mr. Obama is weighing have little by which to gauge whether their appointment might create a majority with greater sympathy for the White House.

But one, Judge Diane P. Wood of the United States Court of Appeals for the Seventh Circuit, has expressed doubts about claims of sweeping executive powers in national security matters. Another, Solicitor General Elena Kagan, has a history of advocating for presidential powers in domestic matters, along with a mixed record of statements on counterterrorism issues.

The scope of executive power has become the subject of a profound debate since the Sept. 11 attacks. Bush administration lawyers argued that the president's war powers could override laws and treaties, a theory at the heart of policies on harsh interrogations, surveillance without warrants and the detainees at the prison at the naval base in Guantanamo Bay, Cuba.

Some of former President George W. Bush's greatest setbacks came when the Supreme Court rejected such arguments. And while Mr. Obama has not embraced the Bush administration's most expansive theories, he appears to be on his own collision course with the court.

His administration is appealing a ruling that some detainees in Afghanistan have habeas corpus rights. And he has announced other policies, including revised military commissions and a system of prolonged preventive detention without trial, that are likely to be challenged.

Moreover, the broad powers Mr. Obama has employed in the economic crisis, like his virtual takeover of the American auto industry, could generate a new category of cases that would turn on how much deference the court gives to the executive branch.

"If Obama is really serious about national security, he ought to be looking for a justice who won't try to micromanage in this area," said Ed Whelan, a Bush administration lawyer. "He'll also want a strong proponent of executive power to review his aggressive domestic measures."

All three of Mr. Bush's Supreme Court nominees -- Samuel A. Alito Jr., Harriet E. Miers and John G. Roberts Jr. -- were current or former executive branch lawyers whose records suggested a robust view of presidential power. Ms. Miers's nomination was withdrawn.

By contrast, one person near the top of Mr. Obama's short list -- Judge Sonia Sotomayor of the United States Court of Appeals for the Second Circuit -- has never worked in the executive branch and sits on a court that hears few executive power cases.

Two other potential candidates, Janet Napolitano and Jennifer M. Granholm, have been governors, and Ms. Napolitano is now the homeland security secretary. Still, neither has worked extensively on legal issues about presidential power.

Judge Wood has served several stints in the executive branch, where her work focused on antitrust issues. But in a 2003 essay, she warned that steps proposed in the fight against terrorism, like diminishing privacy to facilitate executive surveillance, posed a threat to the rule of law.

"In a democracy, those responsible for national security (principally, of course, the executive branch) must do more than say 'trust us, we know best' when they are proposing significant intrusions on liberties protected by the Constitution," she wrote.

And in a lecture about legal issues related to natural disasters, published in 2008, Judge Wood suggested that she would view trying terrorism suspects in military commissions, as Mr. Obama has proposed, with suspicion.

"In the related area of military justice, the principle is well established that extraordinary tribunals, such as military commissions, are not authorized to operate if the normal courts are open for business," she wrote.

Ms. Kagan's history, by contrast, suggests a greater sympathy for executive interests. She worked in the White House under President Bill Clinton when he was at odds with a Republican Congress and seeking ways to achieve his agenda unilaterally.

As a Harvard law professor, she wrote an article defending steps Mr. Clinton had taken to centralize control over government agencies. She called it "ironic" that "self-professed conservatives" had been the loudest advocates of executive power in recent decades because a muscular presidency could change the status quo and achieve "progressive goals."

She also argued that the president had more power to command agency decisions than many scholars believed. Unless Congress has explicitly banned White House interference, she said, laws granting authority to an official -- like giving the **Environmental Protection Agency** administrator the responsibility to set allowable pollution levels -- should be interpreted as giving the president an unwritten power to override those decisions.

Later, in her solicitor general confirmation hearing, Ms. Kagan said the president had the authority to indefinitely detain, without a trial, someone suspected of helping to finance Al Qaeda.

She also said that she, like any solicitor general, would not defend a statute that "infringes directly on the powers of the president," because "there are occasional times where presidential power still exists, even if Congress says otherwise." But, she added, that category was "exceedingly narrow."

After her mid-March appointment, she joined a legal team that has battled to restrict detainee rights and has invoked the so-called state secrets privilege to block lawsuits involving surveillance and torture.

Much of that litigation was in motion before she arrived, and it is not clear whether, if named to the bench, she would recuse herself from ruling on such cases.

But Ms. Kagan has also expressed skepticism about expansive presidential war powers. In 2007, she delivered a lecture at West Point praising Bush administration lawyers who threatened to resign over the program of surveillance without warrants, which they believed was illegal.

"The world is watching whether, under this provocation, we adhere to our self-declared principles," she said. "And the world will properly condemn us to the extent we become lawless."

Whoever replaces Justice Souter will join a court whose members hold strong opinions on both sides of the executive power issue.

In the decision striking down military commissions, for example, Justice Anthony M. Kennedy said trials controlled by the executive alone raised constitutional concerns "of the highest order" because "concentration of power puts personal liberty in peril of arbitrary action by officials."

In a dissent, Justice Clarence Thomas said the majority's opinion had "dangerous implications for the executive's ability to discharge his duties as commander in chief" and "openly flouts our well-established duty to respect the executive's judgment in matters of military operations and foreign affairs."

Waxman-Markey: Coercion for its own sake (*Open Market.org*)

Posted By Marlo Lewis On May 22, 2009 @ 4:33 pm In Global Warming, Odds & Ends | 1 Comment

Most media coverage of H.R. 2454, the American Clean Energy and Security Act of 2009 (ACES), focuses on the bill's cap-and-trade program and the free rationing coupons (emission allowances) that the bill's co-sponsors, Reps. Henry Waxman (D-CA) and Ed Markey (D-MA), had to hand out to utilities and other interests to secure their support for the legislation.

But the cap-and-trade program occupies only one of four of the bill's main sections ("titles"). Other titles contain a host of mandates and "incentives" [1] (carrots and sticks) to reshape energy and transportation markets.

ACES, for example:

- Requires utilities to meet a certain percentage of their load with electricity generated from renewable sources, like wind, biomass, solar, and geothermal.
- Promotes small-scale “distributed generation” of renewable electricity by offering three renewable electricity credits (instead of one credit) for each MWh produced.
- Authorizes electric power generators to create a Carbon Storage Research Consortium with the power to assess “fees” (aka taxes) totalling approximately $1 billion annually to fund carbon capture and storage (CCS) demonstration plants.
- Directs the EPA Administrator to hand out free rationing coupons to subsidize CCS.
- Establishes a CCS mandate requiring new coal-fired power plants to emit 65% less carbon dioxide if permitted after 2020, and emit 50% less if permitted between 2009 and 2020; also requires EPA to review these standards not later than 2025 and every five years thereafter.
- Requires utilities to ”consider” developing plans to support electric vehicle infrastructure, and provides assistance (including free emission allowances) to subsidize electric vehicles and infrastructure.
- Mandates stricter building codes achieving 30% higher energy efficiency in 2010 and 50% higher in 2016 for new buildings, and establishes a “building retrofit program” for existing residential and nonresidential buildings.
- Mandates tougher energy efficiency standards for indoor and outdoor lighting, hot food holding cabinets, bottle-type drinking water dispensers, hot tubs, commercial-grade natural gas furnaces, televisions, and other appliances.
- Requires the President, EPA, the Department of Transportation (DOT), and California to establish greenhouse gas (GHG)/fuel economy standards for new passenger cars and light trucks.
- Requires and sets deadlines for EPA to establish GHG emission standards for heavy-duty engines and vehicles and non-road vehicles including marine vessels, locomotives, and aircraft.
- Requires States to establish goals and submit transportation plans to reduce transport sector GHG emissions, and imposes sanctions on States that fail to comply.
- Requires the Deparment of Energy (DOE) to establish industrial energy-efficiency standards.

These measures are economically and environmentally irrational even if you believe that global warming is a “planetary emergency.” As the Charles River Associates (CRA) report [2] for the National Black Chamber of Commerce points out, the renewable electricity, CCS, electric vehicle, and energy efficiency mandates will not yield *net* emission reductions beyond what the bill’s emission caps already require. The targeted interventions may accelerate GHG reductions in some industries or sectors, but that just allows emissions to increase elsewhere in the economy without breaking the cap.

The rationale for cap-and-trade is that it allows the market to find the least-costly methods of reducing emissions. By superimposing renewable electricity, CCS, electric vehicle, and energy efficiency mandates on that system, Waxman-Markey dictates the means as well as the goals.

There are two possible outcomes. First, which is exceedingly unlikely, the cap motivates reductions in exactly the same ways as the targeted mandates and incentives. In that case, observes CRA, the mandates "would waste resources on needless monitoring, measuring, enforcement and compliance."

If, as almost certainly would happen, the mandates compel different actions and investments than industry would otherwise undertake to meet the cap, then the same emission reductions would be achieved at higher cost. The targeted mandates and incentives "can only substitute more costly GHG cuts for those that could have been made at lower cost."

So what is the point? Why tout cap-and-trade as an "efficient," "market-based" solution and then gunk it up with cookie-cutter, command-and-control measures?

Several reasons come to mind including deep distrust of markets, an abiding belief in old-fashioned central planning, the desire to rig market outcomes to benefit or punish certain interests, and the desire to create more work (endless full employment) for bureaucrats and lawyers.

One that should not be discounted, though, is the pleasure some people derive from placing their heels on other people's necks. Politics is chiefly about the organization and application of power. It tends to attract people who enjoy bullying and coercing others. To regulate is to coerce. Command-and-control regulation is more coercive than the market-based variety. So despite their real or feigned enthusiasm for cap-and-trade, many climate activists are hopelessly addicted to mandates.

AIR

==========

A Long Goodbye for Old-School Cool (*New York Times)*

May 24, 2009 Sunday
Late Edition - Final
Section RE; Column 0; Real Estate Desk; POSTINGS; Pg. 9
By IRWIN ARIEFF
ENVIRONMENTAL PROTECTION AGENCY rules that take effect on Jan. 1, 2010, are part of a gradual shift to a new class of refrigerants for window units, central air-conditioning systems, heat pumps and the chillers used to cool large residential and office buildings.

Some heating and cooling companies are suggesting replacing old equipment now to accommodate the new refrigerants, and some utilities are offering rebates. But there is nothing in the regulations to compel getting rid of an old system before its time.

For years, the refrigerant of choice has been R-22, also known as HCFC-22 (short for hydrochlorofluorocarbon) or Freon 22, a brand name.

But R-22, when released into the atmosphere, eats away at the ozone layer, which shields the earth from hazardous ultraviolet radiation. In 1990, the federal Clean Air Act was amended to prohibit putting newly made R-22 into equipment made after Dec. 31, 2009.

The main replacement for R-22 in residential cooling is a hydrofluorocarbon called HFC-410A. Sold under names like Puron, Genetron AZ-20 and Suva, it was recognized by the E.P.A. as an R-22 substitute in 1996.

But it's not just a matter of draining the old coolant and putting in the new. Systems must be more heavily built to accommodate high-pressure HFC-410A, making them more efficient.

The equipment designed for the new coolants, said Julius Banks, the E.P.A. team leader for refrigerant recycling programs, "typically is built better, and will have lower leaks and greater energy efficiency. So over its lifetime, you will save money and protect the environment."

Along with lower electric bills, some manufacturers and utilities are offering rebates on the new equipment, including the Carrier Corporation and Connecticut Light and Power, although no rebates are in effect in New York State at this time. In addition, the federal economic stimulus bill provides a tax credit of up to $1,500 for the purchase, this year or next, of highly efficient residential heat pumps and central air-conditioning systems.

Old equipment should be disposed of with care to avoid the release of refrigerant; local jurisdictions offer guidelines.

Alice Dobles, an office worker at Hellas Air Temp., a heating and cooling contractor in Norwalk, Conn., says the company has alerted customers about the new rules and many are considering new units.

"We have homes that have had their units in there for 25 years, and the usual life span is 15 to 20 years," Ms. Dobles said, "so they are eventually going to have to replace them anyway."

The government wants consumers to know that they are not obliged to buy any new equipment and has taken steps to try to ensure that there will be enough R-22, either newly made or recycled, to maintain existing equipment throughout its lifetime, Mr.

Banks said. "People can continue to use their existing units, and continue to service them," he said.

But some industry officials fear R-22 supplies could tighten in about five years, pushing up prices, as the phase-down proceeds and equipment becomes increasingly dependent on recycled rather than newly made R-22.

Mack McFarland, the chief atmospheric scientist at DuPont, which makes a range of refrigerants, says equipment can be retrofitted to run on alternative coolants. Maintenance firms should also plug leaks and recover any refrigerant being taken out and make sure it is recycled, he added.

Environmentalists, meanwhile, say the shift to HFC-410A is only a halfway measure because the new refrigerant, while good for the ozone, still throws off heat, contributing to global warming.

While HFC-410A's warming potential is lower than R-22's, "to some people that is still too high," said Charlie J. McCrudden, the vice president for government relations at the Air Conditioning Contractors of America, a trade association in Arlington, Va. But so far, there is no widely accepted replacement for HFCs, Mr. McCrudden said. "The first rule of wing-walking is you don't let go with one hand until you get a grip with the other."

But Kert Davies, the research director for Greenpeace USA in Washington, said that alternatives were already widely used in Europe and Asia but not feasible in the American market because of national and local regulatory obstacles, including building codes and safety concerns.

"We are on this chemical treadmill," Mr. Davies said. "We have been replacing one chemical with another, and they are all bad for global warming. In the process of cooling our homes and our beer, we are heating up the planet. We need to get off the treadmill."

‘Green’ Campaign Under Way (*Baltimore Sun*)

May 25, 2009 Monday
FINAL EDITION

LOCAL; Pg. 5A
'GREEN' CAMPAIGN UNDER WAY;
CLEAN AIR PLEDGE ASKS LOCAL RESIDENTS TO CONSERVE

By Timothy B. Wheeler, tim.wheeler@baltsun.com
Baltimore-area residents are being asked to help reduce climate-warming pollution by turning back their thermostats and buying energy-efficient appliances and lightbulbs, under a new regional campaign.

Clean Air Partners, a nonprofit group set up by the Baltimore Metropolitan Council and Metropolitan Washington Council of Governments, recently launched the effort, called the Clean Air Pledge. Participants are asked to sign up online to receive daily air-quality alerts about potentially unhealthful levels of ozone or particle air pollution. They're also asked to pledge to take steps to reduce energy consumption in their homes, with information supplied on how much each action would yield.

"This is something we can all do, just to take a small step and collectively we can all make a big difference," said Harriet West, managing director of the partnership.

The regional campaign piggybacks on a nationwide effort mounted by the **Environmental Protection Agency.** It aims to reduce greenhouse gas emissions across the Baltimore and Washington area by 13 million pounds by next April, which the group says is equivalent to taking 1,000 cars off the region's highways. Launched two weeks ago, the campaign has only amassed pledges to reduce emissions by about 49,000 pounds, West said, but the effort will be increased and expanded in coming weeks to appeal to area businesses and governments to make similar pledges.

For more information, go to cleanairpartners.net/cleanairpledge.cfm or call 1-877-515-4593.

City Schools Seek To Make Buses Cleaner (*Pittsburgh Post-Gazette*)

Pennsylvania
May 25, 2009 Monday
SOONER EDITION
SECTION: LOCAL; Pg. B-1
CITY SCHOOLS SEEK TO MAKE BUSES CLEANER

By Joe Smydo, Pittsburgh Post-Gazette
The Pittsburgh Public Schools is poised to join a growing number of districts nationwide working to purify the air inside and outside of school buses.

The school board will vote Wednesday on a new round of contracts with 19 carriers that provide yellow buses or other vehicles to transport students. The five-year agreements would take effect next school year.

By the end of 2013-14 year, carriers would have to have diesel particulate filters on at least 85 percent of their diesel-powered vehicles and closed crankcase ventilation systems on all diesel-powered vehicles. The filters are estimated to cut diesel emissions by as much as 90 percent, while the ventilation systems help to purify air inside the cabin.

Carriers could meet the requirements by retrofitting older vehicles or by buying new vehicles equipped with clean-air technology.

Grants are available to help pay initial retrofitting costs, which may run as much as $11,000. But there are also continuing maintenance costs.

District spokeswoman Ebony Pugh said the new contracts may include incentives for meeting the clear-air requirements sooner than the end of 2013-14. For example, she said the district could assign extra trips to carriers with the highest percentages of retrofitted vehicles.

The Group Against Smog and Pollution and Clean Water Action had lobbied for the changes, saying diesel fumes contribute to respiratory ailments and other health issues.

Tom Hoffman, Western Pennsylvania director for Clean Water Action, and Rachel Filippini, executive director of GASP, said the city school district's proposed requirements satisfy their demands. Ms. Filippini called them "quite strong."

Districts around the nation are retrofitting buses to be more environmentally friendly.

But not all require the diesel particulate filters, one of the cleaner but more costly clean-air options, said Robin Leeds, industry specialist for the National School Transportation Association, an industry group in Alexandria, Va.

Ms. Leeds said bus companies "are very happy to do whatever we can to improve the environment and the health of the students we're transporting."

But she said carriers face not only the costs of retrofitting vehicles but maintaining and replacing clean-air equipment. That expense, she said, would be passed on to customers.

"When contracts come up for renewal, it would be figured in, along with higher fuel prices and anything else that's been going up," she said.

Ms. Leeds said the **Environmental Protection Agency** began offering grants for retrofitting in 2003 and has expanded funding because of the federal economic stimulus program.

Besides any federal help that may be available, Pittsburgh's carriers may seek grants of about $7,000 per vehicle from the Healthy School Bus Fund, established about two years ago with a $500,000 grant from The Heinz Endowments and a $100,000 grant from the state Department of Environmental Protection.

A big chunk of that money already is taken. W.L. Roenigk Inc. plans to retrofit 50 buses by the end of the school year.

Another option is Allegheny County's Clean Air Fund, which allocated $500,000 for school bus retrofits. Guillermo Cole, county Health Department spokesman, said grants cover up to 75 percent of retrofitting costs.

"Unfortunately, we haven't had many takers," he said.

He said $485,000 remains in the fund, established about three years ago. He said only one district, Deer Lakes, has availed itself of grants and blamed the low participation on districts' reluctance to shoulder continuing costs of maintaining bus retrofits.

Ms. Pugh said the district's transportation costs are expected to increase about 2.5 percent, or $700,000, for the 2009-10 school year. She said the higher costs reflect a number of items, including tougher insurance requirements and beefed-up driver qualifications.

NOTES: Joe Smydo can be reached at jsmydo@post-gazette.com or 412-263-1548./

EPA OKs fewer checks of cities' air (*Indianapolis Star*)

Indiana
May 24, 2009 Sunday
Final Edition
LOCAL -- METRO & STATE; Pg. 6B
EPA OKs fewer checks of cities' air
BY: Heather Gillers
A state plan making air quality checks less frequent in Indiana cities has passed federal muster -- to the chagrin of environmental advocacy groups.

The Environmental Protection Agency determined in a Thursday letter that the cost-cutting plan begun this year does not conflict with federal requirements. EPA officials originally raised their eyebrows at the proposal and have been studying it since January.

"I am pleased that **EPA's** letter confirms that the agency's initiatives aimed at increasing our efficiency will continue to protect Hoosiers and our environment," said IDEM Commissioner Thomas Easterly, to whom the letter was addressed.

Earlier this year, the state yanked funding from air and environmental monitoring agencies in Indianapolis and five other urban areas. State environmental officials said they would monitor the areas themselves.

"We wanted to understand then how they were going to address the work that was done by the local agencies," said Regional Director Cheryl Newton of the **EPA's** Air and

Radiation Division. "We will now monitor to make sure that what they have said they will do actually occurs."

Easterly has said his agency is inspecting the six areas just as carefully as locals did. The **EPA** can hold Indiana to only the minimum federal standards, however, and the state does not seem motivated to go above and beyond them.

State officials, for example, say they will inspect major polluters every other year -- the least-frequent inspections the law allows. Many local air inspectors visited every year.

"One does not come away with a sense of confidence that the new model will work as well as the old model," said Jesse Kharbanda, executive director of the Hoosier Environmental Council.

Taking monitoring authority away from Indianapolis in particular "increases the risk of air quality violations, which is not good for our health or business development," Kharbanda said.

In a 2008 American Lung Association survey of air quality in 592 counties, Marion ranked among the worst at 568th.

The **EPA** said in the letter, signed by Acting Regional Administrator Bharat Mathur, that it would continue to investigate findings by local agencies. But it's not clear how much those agencies will be able to find without dedicated funding.

Indianapolis, Anderson, Evansville, Gary, Hammond, and Vigo County lost more than $2 million a year in federal and other dollars when the state took over the inspections. Hammond Department of Environmental Management Director Ronald Novak said his group will continue trying to protect air quality -- working under city rather than state authority -- and would pass on to federal inspectors concerns discovered during those inspections. But after the state pulled its $375,000 contract, Novak's budget is down by a third.

Call Star reporter Heather Gillers at (317) 444-6405.

Indianapolis' loss of monitoring authority "increases the risk of air quality violations, which is not good for our health or business."

Jesse Kharbanda, Hoosier Environmental Council

ASBESTOS

==========

Asbestos removal cost trimmed by 90 percent (*Arkansas Democrat-Gazette*)

Little Rock
May 25, 2009 Monday
NORTHWEST ARKANSAS
FORT CHAFFEE Asbestos removal cost trimmed by 90 percent
BY DAVE HUGHES ARKANSAS DEMOCRAT-GAZETTE
CHAFFEE CROSSING - Officials at Chaffee Crossing have found a way to remove asbestos contaminating 100 acres of land at a fraction of the original cost estimate.

This new method, devised by an Atlanta asbestos removal businessman three years ago, is proving to be a godsend to Redevelopment Authority Director Ivy Owen, who would have needed to raise as much as $4.6 million to remove the carcinogenic material.

The price tag on the project is now estimated at $435,000, Owen told Fort Smith city directors last week.

Fire destroyed more than 150 World War II barracks, warehouses and other buildings on the Chaffee property on Jan. 29, 2008. All the buildings contained asbestos that had to be removed before the land could be used.

The authority is overseeing the redevelopment of 7,000 acres of surplus Fort Chaffee land that the Department of Defense turned back to civilian control to develop into residential, commercial and industrial uses.

The land from which the asbestos is to be removed is designated as commercial, Owen said.

The authority had nowhere near enough money to spend on the cleanup and it has hampered redevelopment of the former military property for the last 17 months.

"We have 100 acres of prime commercial property that we can't do a thing with until we get it cleaned up," Owen said.

Designation as a federal disaster area would make Chaffee Crossing eligible for reimbursement of up to 75 percent of the cleanup cost, Owen said. But the Federal Emergency Management Authority would not make the designation, he said, because there was no loss of life or homes and there were no plans to rebuild.

The governor's office has designated the area as a disaster, which Owen said will make it eligible for a reimbursement of 35 percent of the cost from the Arkansas Department of Emergency Management.

Hoping to find a solution to his dilemma, **Environmental Protection Agency** officials invited Owen to an asbestos conference last March in Albuquerque, N.M.

He was looking for some help and explained the problem and the cost.

"You could have heard a pin drop," he said.

But after his presentation, he received a card from Bill Martin of BilMar Corp. in Atlanta with a handwritten note on the back saying he could help.

Martin has come up with a method of asbestos abatement that uses foam along with a surfactant, a wetting agent similar to dishwashing detergent.

The surfactant penetrates the asbestos material and keeps it from becoming airborne. The foam keeps the wetting agent against the asbestos material and works it into the material better than water, Martin said.

His method also can be used to remove other hazardous substances such as viruses and mold, he said.

For years, asbestos cleanup has entailed encasing the structure in a plastic shroud, being careful to ensure that negative air pressure inside keeps asbestos fibers from blowing outside during removal, Martin said.

Workers must wear protection, including respirators and sealed protective suits, to avoid inhaling or touching the asbestos stirred up during the removal process.

Because the workers must go inside the structure to remove the asbestos, that puts them in danger of inhaling the asbestos no matter how much protection they wear, Martin said.

With his foam method, he said, there is no release of asbestos into the air. There is no need to enshroud the structure and workers don't need to wear respirators.

"Foam will encapsulate and cover 100 percent of fibers it comes in contact with," Martin said.

The mixture of foam, surfactant and water is sprayed onto the surfaces to be removed. The debris is scooped into a dump truck with a large plastic lining, which is then sealed and taken to a Class One landfill, in this case the Fort Smith Landfill.

Martin agreed to sell a license to use the foam method to the redevelopment authority for $20,000, Owen said. Five employees of Blake Construction Co. of Fort Smith and two from SSI Construction of Fort Smith have undergone training and are being certified to work with Martin's foam removal method.

Larry Evans, director of operations with the redevelopment authority, said he expected to receive the certifications any day. Those certificates will be sent to the state to obtain

the license for the construction companies to perform the work using the method.

Evans said he hoped to begin the cleanup at Chaffee Crossing within two weeks.

The process has been approved by Arkansas agencies, who asked for asbestos emissions data to check the effectiveness of the foam method, Evans said.

"After seeing the numbers, they didn't have any questions about it at all," Evans said.

Air monitors will be set up around the site as work begins to test the air and measure the amount, if any, of asbestos getting into the air. Depending on how much asbestos is released, the workers may not have to wear respirators or protective suits after the first day or two, Evans said.

If Martin's method proves successful and cost effective, it could be used to remove the other 235 old buildings marked for removal at Chaffee Crossing.

This article was published 05/25/2009

BROWNFIELDS
==========

Officials differ on EPA aid (*Boston Globe*)

May 24, 2009 Sunday
SECTION: REGIONAL; West; Pg. 1
Officials differ on EPA aid;
Some towns wary of responsibility for brownfields
Framingham and Marlborough are looking to the federal Environmental Protection Agency for help with the process of analyzing and cleaning up some of their old industrial sites, if such cleanups are needed, but other area communities with the same manufacturing heritage are not vying for the money.

Authorities say municipal officials often are wary of even identifying so-called brownfields sites in their jurisdictions, concerned that their community might be deemed liable for removing any contamination in a process that could take years or even decades for the properties to get a clean bill of health.

``I know there's definitely a fear of liability, in both the municipal and private sector," said Catherine Finneran, brownfields coordinator for the state Department of Environmental Protection.

Hudson Executive Assistant Paul Blazar said he can understand the reluctance of some communities to participate in brownfields programs.

``They're nice and neat and tidy when people write this legislation,'' Blazar said. ``When they exist in the real world, there's complicated lines of authority, and the administrative requirements of participating can be onerous.

``There are probably some people who don't want to advertise that they have a lot of brownfields because they think it makes them less attractive sites. Also, there's confusion about what constitutes a brownfield.''

Still, city and town officials who have gone through the EPA's brownfields-reclamation process say it's a chance to turn bad land into good, sometimes recouping taxes and providing jobs on once-abandoned properties.

Environmental Protection Agency grants will help determine whether contamination ex ists in former industrial locations in South Framingham and turn them into productive properties, according to Gene Kennedy, the town's assistant director of community and economic development.

Kennedy said he is confident that the EPA ``enters a partnership'' with a community and stays involved until the cleanup is completed, with little if any cost to the town. ``The goal is to recycle the properties and point to some of their successes,'' he said.

In Marlborough, where there is already one successful brownfields project, city planner Nancy Savoie said she is seeking federal funds for another site. ``I look at the brownfield as an opportunity for redevelopment,'' she said.

Officials in Groton, Hudson, Milford, Newton, Shrewsbury, and Waltham said they have no known brownfield sites, and have not applied for assessment funds.

Ashland's Board of Health director, Mark Oram, said the old Cadilac Paint factory in his town might be a brownfield, but he is not seeking grant money to find out.

Waltham Mayor Jeannette McCarthy said her city is cleaning up a former landfill and incinerator, but the projects are not under the brownfields program.

The EPA started the brownfields program in 1995 to deal with an estimated 450,000 contaminated sites across the country. Unlike the EPA's Superfund program, which focuses on cleaning up hazardous waste sites, the brownfields project involves finding former industrial properties that have some contamination but can be redeveloped. Massachusetts followed with its own brownfields program three years later. Multiple federal and state agencies work together and use grants, tax breaks, special insurance protections, and revolving loan funds as incentives for communities and private businesses to join up.

Brownfields typically are not like Superfund sites, according to Jim Murphy, the EPA's regional spokesman. For example, he said, Ashland's Nyanza site, which has been undergoing cleanup for more than 25 years, is taking longer to remediate because of its size and the extent of its contamination. The Superfund site's cleanup cost, $50 million and climbing, also dwarfs that of most brownfields.

Last year, Framingham received $200,000 in EPA brownfields assessment funds, and was awarded a grant for another $200,000 this year. Kennedy said the money could help determine whether sites like the old General Motors plant or the Avery Dennison Corp. factory have contamination that would require extensive remediation.

In Marlborough, Savoie said she is trying to obtain a grant to determine whether there are hazardous substances at an abandoned auto sales plant on Route 20; the city now owns the property, she said, and wants to turn it into a public park.

Municipalities that foreclose on a vacant property can receive what is called a ``covenant not to sue'' from the state attorney general's office, providing protection from liability for contamination caused by a previous owner.

Finneran, with the state environmental agency's brownfields progam, said it is important for communities to hire a lawyer capable of steering them through the complicated process of obtaining the covenant, taking advantage of federal and state incentives, and clearing myriad assessment, cleanup, and redevelopment hurdles.

``I can understand why it might be overwhelming,'' Finneran said. ``We really try to get out there and make it a little less intimidating.''

Covenants have allowed private developers in Natick and Westborough to reclaim brownfields for residential and commercial projects. In Hudson, a former wool-processing facility is being converted into a village-style condominium complex, while the town acquired open space and a recreation area on the 42-acre site. Marlborough turned a former Frye Boot manufacturing facility into assisted-living homes for the elderly and disabled under the protection of a covenant.

Finneran said the state has overseen about 1,300 public and private brownfields projects.

Still, officials in several communities said they understand why municipalities might fear getting involved with brownfields due to the possible liability.

``That absolutely is a consideration,'' said Mark Haddad, town manager in Groton, where he said officials have no knowledge of any existing brownfields and have not applied for funds to locate any. ``That shouldn't prevent us from moving forward to clean up something that should be cleaned up. At this point, there's nothing on the radar that we're pursuing.''

However, Haddad said, if a municipal official, resident, or business reported such a site, the town would take action.

Connie Paige can be reached at connie_paige@yahoo.com

City Schools Seek To Make Buses Cleaner (*Pittsburgh Post-Gazette*)

Pennsylvania
May 25, 2009 Monday
SOONER EDITION
LOCAL; Pg. B-1
CITY SCHOOLS SEEK TO MAKE BUSES CLEANER
BY: Joe Smydo, Pittsburgh Post-Gazette
The Pittsburgh Public Schools is poised to join a growing number of districts nationwide working to purify the air inside and outside of school buses.

The school board will vote Wednesday on a new round of contracts with 19 carriers that provide yellow buses or other vehicles to transport students. The five-year agreements would take effect next school year.

By the end of 2013-14 year, carriers would have to have diesel particulate filters on at least 85 percent of their diesel-powered vehicles and closed crankcase ventilation systems on all diesel-powered vehicles. The filters are estimated to cut diesel emissions by as much as 90 percent, while the ventilation systems help to purify air inside the cabin.

Carriers could meet the requirements by retrofitting older vehicles or by buying new vehicles equipped with clean-air technology.

Grants are available to help pay initial retrofitting costs, which may run as much as $11,000. But there are also continuing maintenance costs.

District spokeswoman Ebony Pugh said the new contracts may include incentives for meeting the clear-air requirements sooner than the end of 2013-14. For example, she said the district could assign extra trips to carriers with the highest percentages of retrofitted vehicles.

The Group Against Smog and Pollution and Clean Water Action had lobbied for the changes, saying diesel fumes contribute to respiratory ailments and other health issues.

Tom Hoffman, Western Pennsylvania director for Clean Water Action, and Rachel Filippini, executive director of GASP, said the city school district's proposed requirements satisfy their demands. Ms. Filippini called them "quite strong."

Districts around the nation are retrofitting buses to be more environmentally friendly.

But not all require the diesel particulate filters, one of the cleaner but more costly clean-air options, said Robin Leeds, industry specialist for the National School Transportation Association, an industry group in Alexandria, Va.

Ms. Leeds said bus companies "are very happy to do whatever we can to improve the environment and the health of the students we're transporting."

But she said carriers face not only the costs of retrofitting vehicles but maintaining and replacing clean-air equipment. That expense, she said, would be passed on to customers.

"When contracts come up for renewal, it would be figured in, along with higher fuel prices and anything else that's been going up," she said.

Ms. Leeds said the **Environmental Protection Agency** began offering grants for retrofitting in 2003 and has expanded funding because of the federal economic stimulus program.

Besides any federal help that may be available, Pittsburgh's carriers may seek grants of about $7,000 per vehicle from the Healthy School Bus Fund, established about two years ago with a $500,000 grant from The Heinz Endowments and a $100,000 grant from the state Department of Environmental Protection.

A big chunk of that money already is taken. W.L. Roenigk Inc. plans to retrofit 50 buses by the end of the school year.

Another option is Allegheny County's Clean Air Fund, which allocated $500,000 for school bus retrofits. Guillermo Cole, county Health Department spokesman, said grants cover up to 75 percent of retrofitting costs.

"Unfortunately, we haven't had many takers," he said.

He said $485,000 remains in the fund, established about three years ago. He said only one district, Deer Lakes, has availed itself of grants and blamed the low participation on districts' reluctance to shoulder continuing costs of maintaining bus retrofits.

Ms. Pugh said the district's transportation costs are expected to increase about 2.5 percent, or $700,000, for the 2009-10 school year. She said the higher costs reflect a number of items, including tougher insurance requirements and beefed-up driver qualifications.

NOTES: Joe Smydo can be reached at jsmydo@post-gazette.com or 412-263-1548./

CLIMATE CHANGE / GLOBAL WARMING

==========

Hotter and Hotter (*Washington Post*)

If an unusually detailed computer simulation at the Massachusetts Institute of Technology has it right, **global warming** in this century is on track to be about twice as bad as predicted six years ago.

The MIT model is said to be the only one that incorporates among its variables possible changes in economic growth and other human activities and draws on peer-reviewed science on the climatic effects of atmospheric, oceanic and biological systems.

After running the model 400 times with slight variations in the inputs, the new predictions are for surface temperatures to warm by 6.3 to 13.3 degrees Fahrenheit. The prediction is for a 9.4-degree increase in the median temperature, more than double the 4.3 degrees predicted in a 2003 simulation.

Ronald Prinn, co-author of a paper in the Journal of Climate describing the results, said the higher numbers are due to several factors, including better economic modeling, new data showing a lower probability of low-emission scenarios in the future, and better accounting for the effects of past volcanoes and soot emissions.

The simulations also examined what is likely to happen under various policy scenarios. Without strong policies to curb greenhouse gas emissions, the changes in the computer model "stacked up so they caused more projected **global warming,**" Prinn said in a statement. With drastic steps to curb emissions buildup, however, there was less change from the earlier projections.

-- Nils J. Bruzelius

EDITORIAL / OP-ED / COMMENTARY / LETTERS

==========

Getting Ethanol Right (*New York Times*)

May 24, 2009 Sunday
Late Edition - Final
Section WK; Column 0; Editorial Desk; EDITORIAL; Pg. 7
Representative Collin Peterson is furious that the Environmental Protection Agency is

doing its job. The Minnesota Democrat says the agency is trying to kill off the biofuels industry -- to the dismay of the corn farmers and ethanol producers he represents. He has vowed to vote against any bill, including climate change legislation, that might require the involvement of the E.P.A.

What inspired this tirade was an E.P.A. draft proposal showing how it intended to measure the greenhouse gas emissions from corn ethanol and other renewable fuels. The agency said it will not make any final rules until it completes further research, but its preliminary findings were not flattering to corn ethanol.

The E.P.A. was only doing what Congress ordered in the 2007 energy bill, which required a quadrupling of annual ethanol production to 36 billion gallons by 2022. In practical terms, this meant more traditional corn ethanol, until other more advanced forms of ethanol could make their way out of the labs. Scientists believe that various grasses and scrub trees that do not compete with food crops can someday be turned into fuel.

Congress hoped the ethanol mandate would produce a more climate-friendly fuel that could help reduce oil imports. But just to make sure, it stipulated that ethanol from any source be cleaner than conventional gasoline. It handed the job of measuring emissions to the E.P.A., and told it to consider the fuel's entire life cycle.

This included counting the greenhouse gases released when forests or grasslands are plowed under and planted to make up for the crops used to make ethanol. When the E.P.A.'s scientists counted these indirect effects, corn ethanol emitted more greenhouse gases than gasoline over a 30-year period.

The E.P.A. says its analysis needs refinement, and in any case the 2007 bill grandfathers in existing corn ethanol plants or those under construction. That means there will not be any reduction in corn ethanol production; indeed, there could be more. Mr. Peterson and his farm bill colleagues are still steamed, because any adverse finding diminishes corn ethanol's appeal.

Lisa Jackson, the E.P.A. administrator, can expect heavy pressure in the months ahead. The ethanol industry and its Congressional champions will argue that the science is unclear, that indirect effects cannot be measured accurately, and so on.

Ms. Jackson should stand her ground. Biofuels have an important role to play, and some will eventually be produced without pushing up food prices or increasing emissions. It is the E.P.A.'s duty to give the most unbiased accounting it can of their strengths and defects.

ENFORCEMENT
==========

Feds warn state agency on pollution enforcement (*Henderson Gleaner*)

Henderson,KY
By Mark Wilson
Saturday, May 23, 2009
U.S. Environmental Protection Agency officials say they will watch Indiana closely to make sure it enforces environmental regulations appropriately.

That comes in the wake of concerns about changes the Indiana Department of Environmental Management announced in December.

The EPA sent a letter to IDEM Commissioner Thomas Easterly on Thursday summarizing local officials' and environmentalists' concerns and saying it will "monitor, among other things," how the state implements its federally authorized, delegated or approved programs "in light of the changes you are implementing."

But there is little the federal government can do to dictate how state governments enforce environmental regulations and administer their agencies as long as they meet the EPA's expectations for enforcement, said Cheryl Newton, director of the air and radiation division for EPA's Region 5, which covers Indiana.

She said the EPA expects states to commit to doing a certain number of inspections and enforcement actions each year.

"In essence, we are a backstop and can step in when needed," Newton said.

As a result, Dona Bergman, director of the Evansville EPA — a city department overseeing local air quality regulations — said she remains uncertain the state's changes will do more to protect people and the environment. IDEM officials have argued the changes will allow the agency to work more efficiently.

"I really believe the U.S. EPA listened and had some sympathy. It's just that they have to give IDEM an opportunity to mess up before they can do anything," she said.

Meetings, concerns

Concerns from Bergman and other local air quality officials and environmental groups prompted the EPA to meet with IDEM to talk about the changes. Those changes even prompted Democratic state lawmakers to try unsuccessfully to force IDEM to reverse the changes this spring.

After meeting with EPA officials in February, IDEM broadened how it described what it considers the most serious environmental violations.

Originally, the state's new policy included as the most serious violations those causing an "actual" threat to human health, safety or the environment. At the EPA's suggestion, the state dropped the word "actual."

"Our belief is that threats come in all kinds, and waiting until there is an 'actual' threat is too narrow an approach," Newton said.

The new policy was open for public comment March 2-April 16 and must be approved by four state environmental boards before it is final.

In addition to changing its policy for enforcing environmental regulations, IDEM did away with its Office of Enforcement and cut ties with local air quality agencies such as Evansville — all with little notice.

Instead, enforcement officers were reassigned to work in the agency's land, air and water divisions. Rather than contracting with Evansville to do inspections and oversee a network of air monitors, the state has taken on that job itself.

Although EPA officials were satisfied with IDEM's assurances, the letter noted that EPA had received a number of concerns about Indiana's intent and transparency, including lack of notice and better input on policy and program changes.

"It is our expectation that you will implement the necessary steps to overcome these perceptions and ensure a high level of communication and openness in the state's programs," wrote Bharat Mathur, the EPA's acting regional director.

Expanded duties

Bergman said she still worries IDEM will be unable to perform inspections and respond to complaints as well, because it will be covering a much larger area of Southwestern Indiana. She also questioned whether the EPA would get proper notice of any state lapses in time to anything.

"I do believe the U.S. EPA will be paying very close attention to IDEM's actions and reports. Unfortunately, it's just the nature of the case that they will be getting these

reports several months after the fact. It may be several months before EPA gets the summary of IDEM's actions," Bergman said.

ENERGY
==========

Testing the Resolve Of Obama on Energy (*New York Times*)

May 25, 2009 Monday
Late Edition - Final
Section A; Column 0; National Desk; THE CAUCUS; Pg. 10
By JOHN HARWOOD
COPENHAGEN
The pursuit of independence from imported oil has thwarted every president since Richard M. Nixon. But making that push while also seeking steep reductions in emissions of the heat-trapping gases that cause global warming significantly compounds the degree of difficulty.

In the six months before world leaders gather in this city to seek a deal on climate change, President Obama will face a true test of presidential grit as he tries to deliver on his call for transformational policies on energy and the environment.

Last week, Mr. Obama toasted two victories. At the White House, he drew car companies, environmentalists and governors of both parties behind new regulations that raise vehicle efficiency standards and curb tailpipe emissions. On Capitol Hill, the House Energy and Commerce Committee approved its version of the president's "cap and trade" plan to reduce emissions of carbon dioxide.

Yet the tough calls facing Mr. Obama on the issue -- of policy, politics and diplomacy -- have only begun.

Obstacles to Action

A comprehensive health care overhaul in the United States, which has eluded Democratic presidents since Harry S. Truman, also poses immense challenges. Yet energy presents a harder challenge for two reasons.

First, the domestic constituency for action on energy independence and **climate change** remains smaller and less intense. While mounting health care costs touch everyone, interest in major change on energy and the environment fluctuates with gasoline prices and attention from the news media.

Second, Democratic leaders in Congress have opted not to pursue energy legislation

under filibuster-proof "reconciliation" procedures. That means Mr. Obama must attract 60 votes in the Senate to win; health changes can pass with just 50.

That leads to the first challenge Mr. Obama faces: pressing for the House to hold a floor vote. Some reluctant Democrats, chiefly moderates from energy-intensive states, want to dodge the political hazard of what Republicans call "cap and tax" without an assurance that the Senate also intends to move.

Even if the Senate cannot, Mr. Obama has strong incentive to seek House passage to convince other nations that the United States intends to lead.

"The ultimate objective is to get something through the House so they can show the international community progress at Copenhagen," said Douglas Holtz-Eakin, policy director for the 2008 presidential campaign of Senator John McCain, Republican of Arizona, who joined Mr. Obama in backing the cap-and-trade idea.

Some Obama allies argue that prospects for Senate action remain bright. Cap-and-trade skeptics "will write its obituary many times before Obama signs it," said Dan Weiss of the Center for American Progress.

But final passage will require a second tough call: how hard Mr. Obama plans to press liberal backers to accept concessions needed to gain 60 votes, including on contentious issues like increased domestic drilling and more nuclear power.

A breakthrough will also require cooperation by China, which has surpassed the United States as the world's leading emitter of heat-trapping gases. The House speaker, Nancy Pelosi, Democrat of California, is scheduled to travel there this week, and Mr. Obama plans to visit this fall. But given Washington's continuing dependence on Chinese loans to finance its budget deficit, pushing Beijing is not easy.

If Congress fails, Mr. Obama can act unilaterally, using powers the **Environmental Protection Agency** has asserted to regulate carbon emissions as a public danger. That would pit the president, acting alone, against all the economic interests threatened by his policy. Former Senator Timothy E. Wirth of Colorado, who leads the United Nations Foundation, said the "nexus of negative interests" -- including the oil, coal, utility and railroad industries -- made other business lobbies "look like kindergarten play."

Sending a Warning

Mr. Obama has always drawn high marks for brains and charisma. But aides insist that the president who shoved through a historic economic stimulus plan, steered Chrysler into bankruptcy and replaced his wartime commander in Afghanistan deserves more credit for being a strong leader who does what it takes to accomplish his big goals.

"People always miss that toughness, that steel in him," said Rahm Emanuel, the White House chief of staff.

Mr. Emanuel called Mr. Obama's moves to reshape the auto industry an indicator of his determination to get results and a signal of what opponents will face on energy and environmental legislation. "It would be a warning to all those other interests not to underestimate this president," he said. "That would be a mistake."

But achieving Mr. Obama's goals will require a fight by more than just the president, said Mr. Wirth, who was in Copenhagen over the weekend for a meeting in advance of the December event. "Rahm has to take it on" as well, he said, mobilizing the administration's economic, environmental and national security power centers.

"Will they all pull in the same direction and take on the biggest of all economic coalitions?" Mr. Wirth said. "The jury's out."

Article published May 22, 2009

It's a gas! UNH graduation ceremony features intro of renewable energy source (*Fosters Daily Democrat*)

DURHAM — All the sound and video systems at Saturday's commencement ceremonies at the University of New Hampshire will be fully powered by the byproducts of bacteria inside a Rochester landfill.

It's a first for the university, and it's only the beginning.

For the past three weeks UNH's cogeneration facility has received methane gas released from within the Turkey Landfill in Rochester. It is sent through a recently completed, 12.7-mile "EcoLine system" pipeline from the facility operated by Waste Management.

It's all part of a unique project intended to save money for the university by generating electricity and heat with a reusable energy source.

Alan Davis, Waste Management district manager of the 150-acre landfill, will address UNH President Mark W. Huddleston and the graduating Class of 2009 for about two minutes at the beginning of graduation ceremonies. He is to be presented to the assembly through a live video feed from the Waste Management facility.

"I'm definitely excited about it," he said, referring to the opportunity to speak at the graduation. " I think it's a great thing they're doing to help spread the word about the project," Davis said, adding he also looks foward to congratulating members of the graduating class.

Giving some background to the project, Davis said landfills naturally release methane

and other gases. Those gases must be filtered before being used to power the Turnkey Recycling and Environmental Enterprise facility, which uses about half of the available methane, with much of the remainder shipped southward along a 12.7-mile pipeline that took two years to construct. He added 3,000 to 4,000 cubic feet of pure methane is currently sent out per minute.

The methane powers turbines in UNH's cogeneration plant, in operation since 2006. The facility captures heat normally lost during energy production and reuses it to heat buildings on campus, according to Paul Chamberlin, assistant vice president of UNH's Energy and Campus Development Department.

Chamberlin said the project, started five years ago, cost $49 million and allowed UNH to become the first university in the nation to use landfill gas as its primary fuel source. He said the work has sparked a lot of interest. He added he spoke about the project Wednesday during an online "webinar" sponsored by the U.S. Environmental Protection Agency.

"Over the long haul, this project will be great thing for the university," Chamberlin said, adding when the system reaches full production, UNH will use it to produce 85 percent of the electricity and heat power on the five-million-square-foot campus.

Chamberlin said the system is a big step toward UNH meeting its goals of lowering emissions by 50 percent by 2020 and 80 percent by 2080. He said the university is committed to becoming less dependent on fossil fuels.

As Huddleson said in a press release issued by the university, "EcoLine showcases UNH's fiscal and environmental responsibility and secures our leadership position in sustainability."

The university can sell the renewable energy certificates (RECs) generated by using landfill gas to help finance the overall cost of the project and to invest in additional energy efficiency projects on campus.

In addition, UNH will sell power in excess of campus needs to the electric grid, according to the release.

FUEL

==========

Drivers May Need a Push Despite New Fuel Standards (*Washington Post*)

May 24, 2009 Sunday
Every Edition

FINANCIAL; Pg. G02
Every Zone
BY: Warren Brown
The Obama administration's proposed new standards for vehicle fuel economy mark a partial victory for common sense. A complete win is more difficult. It requires a provision ensuring that American consumers will buy the more fuel-efficient vehicles that American politicians are asking car companies to make.

That provision is missing from the White House's proposals, which demand that new cars sold in the United States meet a 39-mile-per-gallon standard and that light-truck fleets average 30 miles per gallon by 2016. That would be 11.5 miles per gallon higher than the current federal standard for cars (27.5) and 6.9 miles per gallon better than the current standard for trucks (23.1).

The administration's suggested standards also would dispense with the silliness of two federal agencies (the National Highway Traffic Safety Administration and Environmental Protection Agency), and would keep the District of Columbia, California and 12 other states from making their own rules to boost the mileage and reduce the tailpipe emissions of cars and trucks sold in this country.

In that regard, the Obama Rules constitute a stroke of genius. They eliminate years of state-federal and interagency conflicts that have done much to enrich lawyers but little to increase miles per gallon or decrease pollution.

Under the Obama Rules, there will be one set of standards -- truly national standards -- cooperatively administered by NHTSA and the EPA. That makes much more sense than a hodge-podge of competing rules, developed through expensive variations in testing procedures that yield marginally different results in real-world vehicle performance.

"It is just so much better with one standard," said Friedrich Eichiner, a member of the board of Germany's BMW Group, who was in town last week for the White House's announcement of the new mileage rules. Multiple standards are costly for manufacturers and confusing for automobile dealers and their customers, Eichiner said. "One set of standards is best for everybody," he said.

BMW initially will attempt to meet the Obama Rules with its advanced diesel technology, which is at least 30 percent more fuel-efficient than traditional internal-combustion technology using gasoline.

Diesel-powered cars from BMW, Mercedes-Benz and Volkswagen -- hugely popular in Europe -- are now ready for sale in the U.S. market. Their tailpipes have been cleaned up with advanced exhaust treatment technology. They are quiet and smooth-running. But they usually are substantially more expensive than their gasoline counterparts, making them a hard sell in a U.S. market awash with the cheapest gasoline in the developed world.

"A better balance" of fuel taxes would help the sale of diesel-powered vehicles in the U.S. market, said Eichiner. But his statement was more a matter of wishful thinking than it was an assessment of practical possibility in a country whose politicians have long opposed doing anything that would require registered voters to buy into energy conservation by paying more for gasoline.

Eichiner's "better balance" would mimic the fuel-tax system widely used in Western Europe, where less-efficient gasoline consistently is taxed at a higher rate than more efficient diesel.

In the United States, the opposite is true.

Federal and state taxes make up 20 percent of the cost of gasoline and 21 percent of the cost of diesel, according to information from the Energy Information Administration. In many parts of the country -- New England and the Central Atlantic region are examples -- diesel prices routinely exceed pump prices for gasoline.

However, nationally, gasoline and diesel prices are reaching parity, with gasoline costing an average $2.31 for a gallon of regular unleaded and diesel, increasingly sold with the super-low sulfur formula favored by modern engines, costing $2.23 a gallon, according to latest available EIA numbers.

Diesel prices have been affected by a decline in demand from long-distance trucking companies, long the biggest customers for diesel fuel in the United States. A national economy stuck in low gear, represented by depressed consumer demand for goods usually hauled by trucks, has played a major role in the decline of diesel fuel prices.

But recessions don't last forever. Economic recoveries often are accompanied by increases in fuel costs, with diesel in the United States taking the biggest price hikes over gasoline as more big trucks start rolling again.

Diesel-powered vehicles aren't the only models made more difficult to sell by the absence of a meaningful federal strategy to get consumers to buy them. Also affected are gas-electric hybrids, plug-in electric extended-range vehicles such as the Chevrolet Volt, 100-percent-electric models such as the BMW-sponsored Min-E car, and other alternatively powered models rolling out of automotive design and development studios.

All of those new models tend to be more expensive than their gasoline-powered counterparts. Many are smaller and lighter in weight. They generally require mastery and acceptance of new learning curves and comfort levels for users. Practically all of those things represent elements of resistance for would-be buyers -- not to mention, again, the pull of cheap gasoline in comparatively less expensive, gasoline-powered cars and trucks.

White House officials and environmental activists can talk all they want about how

Obama Rule cars and trucks would decrease the cost of driving. But in the hard-knock world of daily retail sales, such talk is just talk. Consumers need a compelling reason to abandon the old and comfortably familiar in acceptance of something that, for many of them, is radically new.

In the absence of a sensible fuel-tax strategy, or higher pump prices, or an active government-sponsored program such as cash-for-clunkers in which consumers are given subsidies for trading in less-efficient cars for more-efficient models, that something is sadly missing.

Biofuel industry path seen getting bumpier EPA proposal raises concern in Arkansas (*Arkansas Democrat-Gazette*)

Little Rock, Arkansas
May 25, 2009 Monday
FRONT SECTION
Biofuel industry path seen getting bumpier EPA proposal raises concern in Arkansas
BY NANCY COLE ARKANSAS DEMOCRAT-GAZETTE
Arkansas' first biodiesel plant began production nearly four years ago and state officials expected others to quickly follow, bringing employment to the Delta and converting soybeans into an environmentally friendly, renewable fuel that could help reduce U.S. dependence on imported oil.

Two biodiesel plants in the state are now operational, capable of producing 69 million gallons of fuel annually. Another two plants are ready to begin production shortly, and a fifth is scheduled to open early next year.

"I thought we'd have a much higher capacity by this time," Arkansas Agriculture Secretary Richard Bell said.

The United States' 176 biodiesel plants could produce 2.6 billion gallons of fuel each year, according to the National Biodiesel Board in Jefferson City, Mo., but only 700 million gallons of biodiesel were produced in 2008.

Many plants sit idle, and at least 20 have gone out of business.

The fledgling industry has faced a number of challenges, but possibly none more daunting than rules proposed earlier this month by the U.S. **Environmental Protection Agency** that would prevent soy-based biodiesel from qualifying under the federal renewable fuel standard.

"This will have a drastic impact on our business, as well as the other Arkansas biofuel producers," said Jon Hornbeck, coowner of Arkansas SoyEnergy Group LLC near DeWitt.

Arkansas SoyEnergy built a soybean-crushing plant in 2007 and is commissioning a biodiesel plant.

The **EPA's** proposed regulations are designed to cut greenhouse-gas emissions blamed for **climate change** and to make sure that alternative fuels such as biodiesel have no indirect effects, such as deforestation in other countries, that could increase greenhouse-gas levels.

The move comes on the heels of a California Air Resources Board decision last month to factor indirect land-use changes into its renewable fuel standard.

U.S. officials' concern is that if more U.S.-grown soybeans are used in biodiesel, other countries will convert more environmentally sensitive land to produce soybeans for food and feed.

EPA spokesman Cathy Milbourn declined to answer questions on its proposal, instead pointing to a five-page "technical highlights memo" called "**EPA** Lifecycle Analysis of Greenhouse Gas Emissions from Renewable Fuels," available at the **EPA's** Web site (www.**epa.**gov).

A dozen scientific reports in the last 18 months have said indirect land-use changes are "of sufficient concern that we should simply avoid using productive land for biofuels," said Tim Searchinger, a researcher at Princeton University.

"What the calculations do is assign to biofuels a credit for the carbon absorbed by the plant used to produce it," Searchinger said. "But you have to count the costs as well as the benefits of devoting land to biofuels." By diverting U.S. soybeans into biodiesel, it forces the market to find replacement sources for vegetable oil, which are primarily palm-oil expansion in southeast Asia and soybean expansion in Latin America, he said.

Previous calculations incorporated a "big accounting error," Searchinger said. "They assigned the benefit of using land, but not the cost." The proposed rules are part of the **EPA's** effort to implement the Energy Independence and Security Act of 2007, which increased the volume of renewable fuel that must be sold annually in the U.S. to 36 billion gallons by 2022.

Biodiesel producers applauded the law because the "renewablefuel standard" carved out a minimum-use requirement for biodiesel, starting with 500 million gallons in 2009 and increasing to 1 billion gallons in 2012.

However, to qualify under the renewable-fuel standard, biodiesel must emit 50 percent less greenhouse gas than petroleum diesel.

Although previous government studies have shown that biodiesel emits 78 percent less carbon dioxide than petroleum diesel, the proposed **EPA** formula shown in its memo - which incorporates indirect land-use changes - gives soy-based biodiesel credit for only

a 22 percent reduction in greenhouse gases.

"Dropping those emission standards down for soy-based biodiesel is going to just basically decimate the biofuels industry in this country, which is just now starting to take off," Hornbeck said.

About 65 percent of U.S. biodiesel is made from soybean oil, while most of the balance comes from animal fats and waste grease.

FutureFuel Chemical Co. near Batesville uses beef tallow to make its biodiesel, and Pinnacle Biofuels Inc. in Crossett uses primarily chicken fat.

Like Arkansas SoyEnergy, Delta American Fuel LLC near Helena-West Helena plans to use mostly soybean oil.

The **EPA's** proposed rule already has driven up the price of animal fats as biodiesel producers abandon soybean oil, said Rich Byers, biofuels manager at FutureFuel.

EPA will accept comments on its 549 pages of draft regulations for 60 days after publication in the Federal Register. Publication is expected by the end of this month, spokesman Milbourn said.

A public hearing on the proposed rules is scheduled for June 9, and a special workshop on "lifecycle greenhouse-gas analysis" will be held June 10-11, both held in Washington, D.C.

The **EPA** expects to issue a final rule by Nov. 30 that will take effect Jan. 1.

`OUR NICHE'

Biodiesel is important to Arkansas, said Bernie Crowley, general manager of Delta American Fuel.

"It allows us to get in on the ground floor of something that's going to capitalize on the ag products that we grow," Crowley said.

Soybeans are the state's No. 1 crop by acreage, with more than $1 billion worth harvested in 2008.

"If you're an Arkansan, you should be very enthusiastic about it because this is our niche in the new energy economy," Crowley said.

Biodiesel production at Delta American has been delayed because of both mechanical and economic problems, he said.

For the past two years, record high prices for soybean oil and low prices for petroleum

diesel have made it difficult, if not impossible, to produce and sell soy-based biodiesel at a profit. Even the plants that use animal fats are struggling with razor-thin margins.

Critical to keeping the industry afloat has been a federal excise tax credit of $1 for every gallon of pure biodiesel that is blended with petroleum diesel.

The most common blends are B2 and B5, with the numbers representing the biodiesel percentage (B2, for example, is 2 percent biodiesel, 98 percent petroleum diesel). Many engine manufacturers warranty their equipment for use with blends of up to B20.

Recently, the $1 biodiesel tax credit has been renewed only on an annual basis, making it hard for producers to justify long-term investments, said Tommy Foltz, Little Rock representative for Greenline Industries Inc., a biodiesel-equipment manufacturer.

"If we believe that energy security is a national policy objective, then we need to commit to it," Foltz said. "One year is not a commitment." Earlier this month, Sen. Blanche Lincoln, D-Ark., introduced Senate Bill 1046, which would extend the biodiesel tax credit through 2018.

Meanwhile, European biodiesel producers have argued that the U.S. tax credit is an unfair subsidy. In mid-March, the European Commission levied anti-dumping and countervailing duties on imported U.S. biodiesel.

At least half of the U.S. biodiesel produced in 2008 was exported to Europe. In March, U.S. biodiesel production fell by half to just 30 million gallons.

NEXT-GENERATION FUELS

Biodiesel's major problem has been a lack of interest from the over-the-road trucking market, said Steve Danforth, co-owner of Agri Process Innovations Inc., a Stuttgart-based engineering firm. "Even if biodiesel is less expensive than petroleum diesel, you still can't sell it," said Danforth, who was a co-owner of Patriot BioFuels Inc., a Stuttgart-based biodiesel plant.

Patriot BioFuels began operation in April 2006 and was destroyed by a tornado in May 2008. The owners have no plans to rebuild, Danforth said.

"One of the biggest problems that the whole renewable-fuel sector has is that the general public has the perception that renewable fuels are going to be cheaper and/ or easier to use than petroleum products. And, quite frankly, that will never be the case," he said.

Liquid transportation-fuel systems in the U.S. have developed over the past century with petroleum products in mind, he said.

"The real opportunity right now is electricity from biomass," and electric cars have "a lot

more immediate potential than liquidbased biofuels," Danforth said.

Jim Wimberly, president of Fayetteville-based BioEnergy Systems LLC, agrees.

"I lost interest in biodiesel some years ago because, even if the economics were good ... the production in gallons per acre per year is so low," Wimberly said.

Wimberly sees much greater potential in so-called secondgeneration, or cellulosic, biofuels - produced from logging debris, agricultural residues or crops such as switchgrass - or third-generation biofuels, made from algae.

There is a catch, though. No commercially viable method of making fuel from cellulosic biomass or from algae has been proved.

"There is a role for this-generation biodiesel technology to play in the energy-security debate and the greenhouse-gas debate," said Foltz of Greenline.

"We can't rely on tomorrow's technology to solve our problems today," he said.

Hornbeck of Arkansas SoyEnergy agrees.

"We've got to focus on what we have now," he said.

Although Hornbeck supports research into algae and cellulosic fuel, he opposes waiting for them.

"We could just wait ourselves right out of oil."

This article was published 05/25/2009

Ethanol backers see risk in EPA fuel-study plan (*Northwest Arkansas' News Source*)

BY ALAN BJERGA BLOOMBERG NEWS
Posted on Friday, May 22, 2009
URL: http://www.nwanews.com/adg/Business/260227
A U.S. Environmental Protection Agency plan for measuring a biofuel's effects on land cultivation would curb investment in ethanol, industry representatives said at a congressional hearing Thursday.
The EPA's proposed plan to gauge greenhouse-gas emissions would deter new fuels made from crop wastes, wood or other sources, Carlos Riva, the chief executive officer of Verenium Corp., told lawmakers. By weakening corn-based ethanol companies, the rules could hurt their attempts to develop new fuels, Riva said. The standards are also based on shaky science, he said.

"It's important to support the corn-ethanol industry as well as the advanced-ethanol industry, because corn is a bridge to the future," Riva told the House Agriculture Committee. His company is a second-generation ethanol producer.

An EPA study released May 5 found that certain methods of corn-based ethanol production don't meet a requirement for gasoline substitutes to lower greenhouse-gas emissions by at least 20 percent. The average was 16 percent when the effects of land clearing are included, EPA Administrator Lisa Jackson said.

The next day, Agriculture Committee Chairman Collin Peterson said the EPA plan would "kill off" corn-based ethanol production. Peterson has introduced a bill that would eliminate the EPA's land-use provision.

Support for his bill, which has 44 co-sponsors, shows enough concern to jeopardize separate climate-change legislation being debated in Congress, the Minnesota Democrat said.

"We don't have the right policies to be sure that we can produce a cost-effective domestic supply of clean, renewable fuels," Peterson said at Thursday's hearing.

Pacific Ethanol Inc. on May 17 filed Chapter 11 bankruptcy petitions for the subsidiaries that own its four ethanol plants. On May 7, White Energy Holding Co., a closely held ethanol maker with plants in Texas and Kansas, became at least the eighth producer to file for bankruptcy, joining VeraSun Energy Corp., Aventine Renewable Energy Holdings Inc. and Cascade Grain Products LLC.

Penalizing ethanol for landuse practices unfairly singles out the biofuel when other forces can play a role in how land is managed, said Brian Jennings, an executive vice president of the American Coalition for Ethanol. He cited currency fluctuations, the changes in emerging economies, cattle grazing and other forces.

Cellulosic ethanol, made from switchgrass, wood chips and agricultural waste such as corn cobs, is expected to account for 20 billion gallons of required biofuel additives. The country must use 10.5 billion gallons of renewable fuels this year.

The rising ethanol mandate means that as much as 35 percent of the U.S. corn crop may be used for the fuel for the next decade, the U.S. Department of Agriculture said in February.

The U.S., with 196 distilleries, has the capacity to produce 12.6 billion gallons of ethanol a year, according to the Renewable Fuels Association in Washington.

Car clarity (*Chicago Tribune*)

May 24, 2009 Sunday
Final Edition
NEWS ; ZONE C; Pg. 25
America's new cars and trucks will have to meet strict fuel efficiency and emission standards in seven years, President Barack Obama announced Tuesday. By 2016, cars will have to get an average 39 miles per gallon, light trucks an average 30 miles per gallon -- and all vehicles will have to emit one-third less carbon dioxide.

Detroit's Big Three carmakers resisted this for years. They fought stricter fuel and emission standards. They stalled. They sued.

We've never been enthusiastic about government-imposed fuel standards. They amount to an indirect tax that masks the real cost of reducing fuel demand. A carbon tax would be much more straightforward. It would impact consumer decisions to save fuel, but would give them more choices in the showroom. They could buy big, heavy, gas-guzzling SUVs if they really wanted them, but they'd pay much more at the pump to operate them.

The government has imposed stiff tobacco taxes and is considering higher taxes on alcohol and sugary drinks to modify consumer behavior. But when it comes to cars, the idea of changing behavior with price signals gets tossed out the window.

So, here we are. And there they all were, smiling into the sun on a fine spring day with the president -- auto execs, labor leaders, environmental advocates, Cabinet secretaries and the governors of California and -- gasp -- Michigan, signing onto a policy that once would have been unthinkable.

What brought about this change? Well, the federal government is providing so many billions to Chrysler and General Motors, it can call the shots in the boardrooms. The boss wants tougher emission and fuel standards.

Car companies get a benefit: a national standard for fuel efficiency and emissions. Right now, the Transportation Department administers fuel rules but the **Environmental Protection Agency,** responding to a Supreme Court decision, has been moving to limit greenhouse gas emission. Thirteen states, led by California, have been seeking to impose stricter limits on such emissions. Now, there will be one standard from coast to coast. That provides a critical clarity and certainty for carmakers.

Obama extolled the primary virtue of this policy: "We will save 1.8 billion barrels of oil over the lifetime of the vehicles sold in the next five years ... more oil than we imported last year from Saudi Arabia, Venezuela, Libya and Nigeria combined. ... This is the projected equivalent of taking 58 million cars off the road for an entire year."

There is a cost, of course: about $1,300 more for a new vehicle, $700 for the better fuel efficiency and $600 for the lower emissions. The administration says that upfront cost will be more than offset by $2,800 in fuel savings over the life of a vehicle.

This wasn't our preferred way to get that reduction in fuel use, but the country does need to reduce consumption. So all in all, it's quite an accomplishment.

You just have to wonder if it would have been necessary if the domestic automakers had responded more nimbly to consumers demand for this in the first place.

MINING

==========

Coal concerns shifting Methane released in mining is now target of state, federal officials Colorado mines are being pressed to capture the gas to pare emissions, but some say the technology may not be ready. (*Denver Post*)

May 23, 2009 Saturday
FINAL EDITION
DENVER & THE WEST; Pg. B-01
Coal concerns shifting Methane released in mining is now target of state, federal officials Colorado mines are being pressed to capture the gas to pare emissions, but some say the technology may not be ready.
BY: Mark Jaffe The Denver Post
Colorado coal mines are now a greenhouse-gas target for state and federal environmental officials - but not because burning coal is a key source of the climate-changing gases.

It is the methane released during coal mining that environmental officials want controlled and used as fuel or flared to reduce its greenhouse potency.

Across the nation, the number of mines tapping methane has doubled to 24 since 2003, according the federal **Environmental Protection Agency.**

At the West Elk Mine in Somerset and the proposed Red Cliff Mine near Mack, the agencies are pressing for methane-capture technology.

"Methane is a potent greenhouse gas. It is also a valuable resource," said Larry Svoboda, environmental-

assessment director of the **EPA's** Denver office.

Western Colorado coal mines are projected to put as much greenhouse gas into the atmosphere each year as 1 1/2 coal-burning power plants, based on federal data.

The West Elk and Red Cliff mines have drawn the attention of environment officials and environmental groups because they are on federal land overseen by the Bureau of Land Management.

The **EPA,** the Colorado Department of Public Health and Environment and the state Department of Natural Resources are urging the BLM to press methane capture at the mines.

"We are looking to manage significant environmental impacts," said Paul Tourangeau, director of the state Air Pollution Control Division.

Coalition files complaint

A coalition of environmental groups also has filed a complaint in federal district court over a BLM decision to allow West Elk to vent methane and is calling for methane capture on the Red Cliff project.

"Controlling methane is going to be a big part of controlling greenhouse gases," said Jeremy Nichols, director of WildEarth Guardian's climate program.

Methane has 20 times the heat-

trapping power of carbon dioxide released from burning coal and other fossil fuels.

Five western Colorado coal mines, including Red Cliff, are projected to emit about 8 billion cubic feet of methane a year, based on **EPA** estimates.

A broad range of scientific studies has shown that these gases - which trap extra solar heat - are building up in the atmosphere.

Mining-company officials say that while the use of methane capture is growing, there are still technical and legal issues to be resolved.

"We are caught between a rock and a hard place," said Corey Heaps, project manager for the Red Cliff Mine project. "There is a lot of pressure to do it, but the technology may not be ready yet."

Rhino Energy LLC, which is developing the mine, also contends that the emissions from Red Cliff are likely to be less than a third of the BLM estimate.

Mines that have instituted methane capture are using it as part of a safety plan to cut the risk of methane explosions, said Pam Franklin, director of the **EPA's** Coalbed Methane Outreach program.

"Methane degassification can cost millions of dollars, so no one has yet put in a system just to capture methane," Franklin said.

The system being developed by Congress and the Obama administration to cap and trade greenhouse-gas emissions may help boost methane capture because mines that capture methane could sell credits to other emitters, Franklin said.

"Unique situation"

The West Elk mine has been in operation since 1982 but recently was granted permission to drill 168 methane-venting wells.

The mine operator - a subsidiary of Arch Coal Co. of St. Louis - said it couldn't collect the methane because the federal lease was just for coal.

In January, the BLM amended the lease to allow, but not require, the mine to capture and use methane.

The operator would pay a 12.5 percent royalty - the same as natural-gas drillers - on methane sold or used.

West Elk is "a unique situation" and "groundbreaking," said Steven Hall, a BLM spokesman.

The West Elk mine is using a small amount of methane in heaters. Arch Coal declined to comment because of the pending lawsuit.

The Red Cliff proposal is currently under BLM environmental review, which includes an analysis of methane as a greenhouse gas.

The review is "taking a look at a variety of means of capturing methane," said the BLM's Hall.

Rhino has been looking into the cutting-edge technologies and already has been approached by investors looking at developing carbon credits at the mine.

"We are going to be required to do it someday," Heaps. "It just looks like that is the way things are going."

Mark Jaffe: 303-954-1912

or mjaffe@denverpost.com

SUPERFUND
==========

Fish at your own risk (*Daily News*)

New York
May 24, 2009 Sunday
SPORTS FINAL EDITION
SUBURBAN; Pg. 41
FISH AT YOUR OWN RISK Experts say it's unsafe to eat from Gowanus Bay, but anglers persist
BY JEFF WILKINS DAILY NEWS WRITER
THESE RED HOOK fishermen have been hooked on this spot for years - and don't care if the feds think it's dangerous to eat what they catch.

The rag-tag group of amateur and experienced anglers have started their annual summer of fishing in the Gowanus Bay - even as the waters where they catch their dinner swirl with controversy.

Federal Environmental Protection Agency officials say eating the fish caught from the Erie Basin Pier is a health risk - a key reason behind the plans to designate the Gowanus Canal a Superfund site and clean it up.

But the fishermen - groups of men who fish together so often they've formed clubs, such as The Red Hook Pescaderos - think the safety warnings are all wet.

"I think I have a better shot at catching swine flu than catching a poisoned fish," said Dan Roman, 45, who has fished off the pier at the end of Columbia St. his entire life. "I haven't heard of anyone getting sick from it, and all I hang out with is these fisherman."

The Gowanus Canal flows right into the bay waters by the pier. **EPA** testing found high levels of cancer-causing PCBs and metals such as arsenic in the water. When federal officials learned the fishermen were eating what they caught, it prompted them to move to get the canal cleaned up through the **Superfund** program.

"It's a real health risk," said **EPA** spokesperson Mary Mears. "We know the pollutants in these fish are harmful to humans. There's no question."

Opponents of the **Superfund** designation include the developer Toll Brothers, which plans to build 460 condos and townhouses along the banks of the canal. They contend the Gowanus' waters pose no health threat and that a lengthy **Superfund** cleanup will drive away $400 million in development.

On warm days, the Erie Basin Pier fills up fast with fishermen playing music and enjoying beers as they wait patiently for their poles to bend, signalling a fish on the line. Most plan to go right on eating what they catch. "Of course I eat them. What else am I

going to do with them?" said Larry Wiggins, 55, who regularly filets and bakes the bluefish and striped bass he catches off the pier. "I've been fishing here for 13 years and I ain't dead yet."

Others were more surprised by the news the water might be polluted.

"Oh man, I had striped bass for dinner last night," said Zenothia Woodhouse, 26, as she sat under an umbrella watching her husband, Thadeus Roberts, fish. "I'm worried that I might get sick. They should have a sign out here warning people it's polluted."

There are currently no signs on the pier warning anglers of the dangers of consuming fish caught in the area.

At other piers around the city the state Health Department has posted signs warning anglers not to eat more than one meal a week of any fish caught in New York Harbor. Women of childbearing age and anyone under the age of 15 are advised to avoid eating fish from the area altogether.

"Once a month is good enough for me," said retired city Sanitation worker Tony Buzzetta, 55, as he baited his hook. "I won't do it on a daily basis or I'll get sick. People up and down this pier should pay attention to that."

TOXICS

==========

Phased-out carbon tetrachloride lingers in Louisville's air (*Courier-Journal*)

Louisville, Kentucky
May 24, 2009 Sunday
SECTION: GREEN
Phased-out carbon tetrachloride lingers in Louisville's air
BY: James Bruggers jbruggers@courier-journal.com
A toxic chemical once used to dry-clean clothes, extinguish fires and even clean collectable stamps was mostly phased out of production more than a decade ago, yet it lingers in Louisville's air and around the world.

Carbon tetrachloride is still detected by air-quality monitoring equipment run by the University of Louisville, even though Louisville industries have reported no emissions of it since 1990 and dry cleaners haven't used it for at least 17 years.

"Carbon tet," as it is often called, is not the only such substance. Many that once were key building blocks of our modern world -- polychlorinated biphenyls or PCBs, lead,

chlorofluorocarbons -- have hung on in the environment, long after their dangers were recognized and governments took steps against them.

Allen Robinson, a Carnegie Mellon University engineering professor who has studied toxic air in Pittsburgh, says carbon tet, which once held an honored place in laundry rooms across America as an effective spot remover, serves as a cautionary tale.

"This is a great example of this sort of problem where we thought we had some great technology but we learned there were unintended environmental consequences," Robinson said. "Unfortunately ... we've placed those consequences onto future generations."

Most uses of carbon tetrachloride were discontinued in the United States for health and safety reasons in the mid-1960s to the mid-1980s. The U.S. **Environmental Protection Agency** classified the chemical as a probable human carcinogen that was also known to damage the liver, kidneys and brain. It was largely phased out of production worldwide in 1996 to protect the Earth's ozone layer.

Lauren Anderson, executive director of the Louisville Metro Air Pollution Control District, said there's nothing local officials can do about the carbon tet that is already in the air, so her agency's focus is on current toxic emissions.

"We are reducing the chemicals we are using now to as low as we possibly can," she said.

But for nine years since U of L started monitoring for toxic chemicals in Louisville air, carbon tet has been detected at levels that could cause between one and 100 additional cancer cases among 1 million people over a lifetime of exposure -- or up to 100 times higher than the city deems safe.

The levels have stayed about the same for the nine years, and are typical of what's found around the world, officials said.

The risk it presents generally is somewhat less than vehicle tailpipe emissions such as benzene, said Melanie Marty, a toxicologist with the California **EPA.**

"There are many other concerns that I feel are more pressing, like traffic-related pollution, particulate matter, ozone (and) some of the other air toxics," she said.

Nonetheless, a 2003 Louisville study found carbon tet accounted for between 2 percent and 15 percent of Louisville residents' cancer risks from among dozens of chemicals in the air.

The study found several chemicals associated with Rubbertown chemical plants to be of higher risk, but the companies have since reduced those emissions.

Carbon tet is a clear, sweet-smelling liquid that easily evaporates, so most of what escapes to the environment is found as a gas, according to the U.S. Agency for **Toxic Substances** and Disease Registry.

EPA says its primary use was to make chlorofluorocarbons used as refrigerants and propellants. It was a target of the Montreal Protocol, which 20 years ago banned or restricted chemicals eating the ozone layer of the Earth's atmosphere after it was ratified by 194 countries, including the United States. Carbon tet restrictions came in 1996.

And it's been banned in consumer products such as stamp-cleaning fluid since at least 1973.

Retired Louisville chemist Leland Bell, who has collected stamps for 70 years, said hobbyists thought little about using the chemical. "You'd put the stamp face down in a little black tray, and put a few drops of carbon tetrachloride on," he recalled. "We really didn't give it much thought."

EPA officials and scientists who study toxic air said some of the carbon tet comes from smokestacks and leaky pipes and valves at industrial plants in the United States that still are allowed to release the chemical on a limited basis.

U.S. companies reported they emitted 165,000 pounds of carbon tet in 2007, the most recent year for which numbers are available through the **EPA's Toxics Release Inventory.** That compares to 3.5 million pounds 20 years ago.

In Louisville, the last recorded industrial release was two pounds 19 years ago.

Some of the chemical wafts up from landfills, including Outer Loop Landfill south of Louisville International Airport, Anderson said. The United Nations Environment Program also is investigating the possibility that some businesses may be emitting the chemical but not reporting it.

And much of it is just left over from the past, because carbon tetrachloride degrades so slowly, said Kenneth Mitchell, chief of the **EPA's** air toxics program in its Atlanta regional office. "On the whole, you can expect (carbon tetrachloride) you release to the air to stick around about 50 years," he said.

Mitchell said atmospheric circulation mixes carbon tetrachloride in the air throughout the world, creating a fairly steady level globally.

And it's not the only toxic chemical or substance to hang around. Production of PCBs used in electrical equipment, paints, plastics and other hundreds of other industrial applications was banned in the 1970s, yet they linger, too, moving through the world's food web.

Mitchell said people can be exposed to PCBs by eating contaminated fish and shellfish, ingesting contaminated breast or cow's milk, and breathing indoor air in buildings where electrical equipment contains them.

Another example is lead. While no longer allowed in car and truck fuel and or in many paint products, it can be picked up from soil near roads or homes, he said, or from drinking water in old lead pipes.

For Jane Williams, chair of the Sierra Club's Toxics Committee, these pollutants and carbon tet illustrate how it can be hard to fix mistakes. "It's like Pandora's box," she said. "Once you open it up, you can't put it back in the box."

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

Clean, green clothing (*Star-Ledger*)

Newark, New Jersey
May 24, 2009 Sunday
STATE/ROP EDITION
BUSINESS; Pg. 001: Clean, green clothing More New Jersey laundry services are trading traditional chemicals for earth-friendly methods Head_overline_24 herey
BY: BEV MCCARRON, FOR THE STAR-LEDGER
In the early 1990s, when customers began worrying about the dangers of dry-cleaning chemicals, the owner of the high-end Linder's French Cleaners in Bernardsville whipped up his own batch of eco-friendly detergent and wrote a how-to manual on wet cleaning.

But the trend for wet cleaning never really caught on, and even Linder's continued to do a lot of its dry cleaning with the chemical perchloroethylene, which has been used by cleaners for half a century.

Fast forward to today. Consumers searching for fuel-efficient cars, organic foods and alternative energy sources now have turned their attention to dry cleaning. They want their professionally laundered clothing clean, yes, but they also want the process to be green. And they want their clothes not to reek of chemicals.

So Linder's has resuscitated the wet-cleaning process that first landed it on the **Environmental Protection Agency's** list of green cleaners and the Greenpeace USA website. It also uses biodegradable plastic wrap and reusable cloth bags. Inside the store, a small tower of cardboard hanger caddies invites customers to bring their wire hangers back.

"We get greener every day of the week. You have to," said owner Jason Lafer, whose father, David, created the shop's detergent 14 years ago. "We are planning on the conversion of all of our equipment in that direction."

He, like many other cleaners, is looking for a safer alternative to perc, a solvent long favored by the dry-cleaning industry because it doesn't shrink or discolor clothes. But perc is also a toxic pollutant and is listed by the **EPA** as a probable human carcinogen. In New Jersey, where it is one of the 10 top air pollutants, there is a proposal to do a study to see if a ban is warranted.

Demand by customers looking to patronize shops kinder to the environment slowly but surely is pushing dry cleaners toward new, cleaner technology. Of about 1,700 cleaners registered with the state Department of Environmental Protection, 200 are using alternatives to perc, such as hydrocarbon, silicone-based or carbon dioxide cleaning. Many others offer wet cleaning, in which garments are swished gently in special high-tech washing machines using water and a mild detergent, and then reshaped on a tensioning machine.

The industry is listening. Clamor for greener cleaning, and how to best provide it, led to a summit last fall in New York City by the industry group America's Best Cleaners.

"We had leaders from the environmental movement, fashion, chemical industry and dry cleaners," said Jeff White, director of business development for America's Best Cleaners.

But there is no consensus, White says, over which technology is best. Some environmentalists advocate only wet cleaning, which uses no chemical solvents, or a liquid carbon dioxide process. Neither process pollutes.

But there also is hydrocarbon cleaning, which uses a petroleum-based solvent and is highly popular in Europe. And there is liquid silicone-based cleaning, a gentle solution made of sand and developed by Green Earth Cleaning System. Both products have their detractors, however, who say they are safer and cleaner than perc, but may pose their own environmental or health risks.

HYDROCARBON MACHINES

Vijesh Patel has worked in dry cleaning for more than 30 years, the past 13 as the owner of London Dry Cleaners in Green Brook. As concern about perc heightened, Patel decided it wasn't good for his own health, let alone the environment.

"I also inhale while I am pressing clothes," he said, surrounded by mounds of clothing waiting to be cleaned in his small storefront.

After studying different technologies and scouting out cleaners in Europe, Patel bought a hydrocarbon machine he saw in Italy for about $48,000. It uses an odorless petroleum-based solvent called DF2000, which is sprayed on garments that are then thrown into what looks like a giant dryer. About 40 pounds of clothes spins for 40 minutes.

The process uses far less water compared with his perc machine, according to Patel. And, while perc left him with a barrel of **hazardous waste** residue to dispose of every three months, DF2000 leaves one-third of a barrel of waste for an entire year, he said.

With the volume of cleaning Patel does he can to keep prices low -- $1.69 for most items (dresses and coats are more). He also recently re-opened Royal Cleaners in Raritan as a wet-cleaning shop only, and charges a flat $1.99 for most clothes.

Customer Emily Brotschul of Bridgewater came into the Green Brook store on Route 22 one afternoon, her 7-month-old in tow, to pick up her husband's shirts and suit.

Patel had explained the hydrocarbon process to her mother, who passed the word along.

"I have to be as green as I can because I've got two little kids and I feel it's a responsible thing to do," Brotschul said. "The only thing I wish they did do here was not use plastic. That would be even better."

SPECIALIZED CLEANERS

There is no single source for finding a green cleaner in New Jersey, other than to ask around or search the internet. While New Jersey regulates dry cleaners that use solvents, it does not offer lists of green cleaners, nor does it regulate or track the wet-cleaning industry, a process environmentalists generally place at the top of the list for eco-friendly cleaning.

But, in an effort to nudge the industry toward a less-toxic approach to cleaning, the state this year is planning to fund five cleaners willing to give up perc and try wet cleaning only.

A similar trial in California by the Pollution Prevention Center at Occidental College in Los Angeles found most clothes can be wet-cleaned in specialized machines at the same cost and with equally good results as dry cleaning, according to Peter Sinsheimer, director of the center, which will be working with the Jersey cleaners.

For those who don't trust their silk blouse to soap and water, carbon dioxide cleaning is the next-cleanest method. The downside is there are only a handful of such cleaners in New Jersey, largely because of the cost of the compression equipment, which turns CO2 gas into liquid, then mixes it with biodegradable detergent.

Two years ago, David Kistner, who worked in the airline industry, opened a carbon dioxide-based cleaning business in Lodi after his pregnant wife was advised not to wear dry-cleaned clothing. That one shop has spun off into five -- three in New Jersey (also Mahwah and Hackensack) and two in New York.

A fierce believer in the process, Kistner has invested more than $1 million in the technology, and reached out to 600 customers before he even opened Green Apple Cleaners. The prices on his website list sweaters for $7.75, pants for $8 and a suit for $16.50. He said the prices in his New Jersey shop are about 15 percent less.

Without any type of green certification available in New Jersey, consumers will need to do their homework before dropping off a basket of shirts and skirts at the closest available place.

Beyond checking the type of technology a cleaner uses, consumers also should look at whether hangers are recycled and plastic wrap is biodegradable.

In most cases, prices for green cleaning should be comparable to regular dry cleaning -- with the bonus of better-smelling clothes and a cleaner planet.

Tannery had chromium 6, now at the center of a cancer lawsuit (*Kansas City Star*)

May 24, 2009 Sunday
A; Pg. 1
Tannery had chromium 6, now at the center of a cancer lawsuit
BY: KAREN DILLON, The Kansas City Star

Five years ago, the state of Missouri gave a St. Joseph tannery an environmental pass to spread waste sludge on farmland.

The decision came after the company told regulators that several hazardous chemicals, including chromium 6, were "prohibited" at the plant.

But on Friday, the former owner of the plant acknowledged that it had been using chromium 6, maintaining the process was entirely safe.

The presence of chromium 6 - now at the center of a cancer lawsuit against the plant - came as a surprise to the Missouri Department of Natural Resources.

The department exempted the sludge produced by the tannery from water pollution regulations based on the tannery's reports to the state.

DNR spokeswoman Susanne Medley said she was unaware the tannery even had chromium 6.

"Based on their application (for the exemption), we did not think they were using chrome 6," Medley said.

But Grover Elliott, vice president and chief financial officer of Prime Tanning Co. in

Maine, which owned the plant until March, said the use of chromium 6 was acceptable.

"We purchased chrome 6, but it was never used in our tanning process," Elliott said.

Instead, workers converted chromium 6 to a safer form of chromium to tan the hides, he said.

Elliott was responding to questions from The Kansas City Star, which found documents showing large amounts of chromium 6 at the plant.

"We can't stress it strongly enough that chromium 6 was never used in the tanning process," Elliott said.

The tannery was sued last month, accused of spreading sludge containing chromium 6 on thousands of acres of farmland. The chemical, the suit alleges, has caused brain tumors in at least two residents of the area.

National Beef Leathers, which has owned the plant since March, said Friday that it uses only the safer chromium 3.

A tannery expert said the St. Joseph operation was the last one in the country still to use a process that converted chromium 6 to chromium 3, which other tanneries now purchase.

Nicholas J. Cory, director of the Leather Research Laboratory at the University of Cincinnati, said he has worked with the St. Joseph tannery on projects and understands its operation.

The conversion process of chromium 6 to chromium 3 is a simple one, he said.

Some experts point out, however, that the process is not foolproof, and that some chromium 6 can remain.

A spokeswoman for Sen. Charlie Shields, a St. Joseph Republican and the Senate president pro tem, said Shields has told his legal counsel to track developments.

"We are monitoring this case," said spokeswoman Farrah Fite.

Spreading sludge

Since 1983, the tannery has been giving away its waste sludge free to farmers. The company's ultimate goal was to sell the fertilizer, which it called Organic Plus.

Rick Ream, the tannery's environmental manager, applied in 1998 for the exemption, which would allow sales of the fertilizer and exempt it from DNR regulation.

"We have operated our program under your department for the past 17 years, with a great deal of success," Ream wrote to the agency in 2000. "Through the years of data collection, no toxic materials have been found."

Ream did not return phone calls.

Because of what appears to be a paperwork mix-up, the department never granted the exemption and the tannery reapplied in 2004.

The company listed eight hazardous chemicals, including chromium 6, that it said it would prohibit. Any use of such chemicals would be restricted, according to documents obtained by The Star through open-records requests.

"The procedure basically restricts certain kinds of substances from being used in the plant," according to the application. The plant would "endeavor to limit" the use of those chemicals.

The department granted the exemption, placing regulation of the sludge under the University of Missouri fertilizer program, which does not test for hazardous chemicals.

"This determination is based upon the testing results and other information submitted to the department," wrote Curt Gateley, a DNR environmental specialist, to Ream.

But each year for the past three years, the tannery has reported to emergency agencies that it has sodium dichromate - at least 100,000 to 1 million pounds at any given time. Sodium dichromate is a chromium 6 compound.

Records from previous years were not immediately available.

State and federal laws require companies to report the types and amounts of **hazardous waste** they have at their facility each year to the Missouri Emergency Response Commission and local fire departments. The information allows emergency responders to know what they are facing when fighting fires and dealing with other emergencies.

Different chromes

For years, tanners obtained chromium 6 and then used a process that reduced it to the safer chromium 3 by mixing it with other ingredients.

There were reasons for that, experts say.

Chromium 6 is cheaper than chromium 3, and it also gave tanners more control in the tanning process, Cory said.

But today, tanneries can buy chromium 3 directly from suppliers.

Indeed, most tanneries had moved away from using chromium 6 by the end of the 1990s because of the environmental hazards, and many have closed, moving their operations overseas. Chromium pollution has become a big problem in other countries.

"As far as I know, the St. Joseph tannery is the only U.S. facility that reduces sodium dichromate (chromium 6) to prepare its own chromium sulfate (chromium 3) tanning agent," Cory said.

The **Environmental Protection Agency's** Matt Hale, director of the national office of solid waste and emergency response, agreed that most tanneries purchase chromium 3 and not chromium 6.

Elliott confirmed that the St. Joseph plant was purchasing chromium 6 and converting it to chromium 3.

The plant used that process because it had the equipment and capacity to do the conversion, he said.

"Chrome 6 was converted on a batch-by-batch basis to the benign chrome 3 in a separate process - before the tanning process began," Elliott said. "We were diligent in testing each and every batch of chrome 3 to ensure that proper conversion to chrome 3 took place."

The conversion process is simple, but it can be flawed, some experts say.

Indeed, there's no guarantee that all chromium 6 will disappear in the conversion process to chromium 3, said Michael Baldwin, an associate professor in the chemistry department at the University of Cincinnati, the location of the Leather Research Laboratory.

George Baggett, a Kansas City environmental consultant who has sold lime to tanneries for the conversion process, said errors can occur. If an inadequate amount of reducing agents is used, there can be an incomplete reaction, which could leave chromium 6 in the sludge, he said.

Investigators for the law firms that filed the recent cancer lawsuit took samples of the tannery sludge and said in the lawsuit that the results showed dangerous levels of chromium 6. The **EPA** and the Missouri Department of Natural Resources are conducting their own investigation and are awaiting results of samples.

Rick Riesterer, former president of the tannery's union, said the company told workers that it wasn't using chromium 6 several years ago after the release of the movie "Erin Brockovich," which detailed chromium 6 contamination.

Brockovich is connected to one of the law firms that filed the tannery lawsuit.

Riesterer, who wasn't rehired in March when the company was sold, didn't think the sludge caused brain tumors.

"I think they are barking up the wrong tree," Riesterer said. "We spread this sludge all over this countryside for years. Why is it just all of a sudden brain tumors in Cameron?"

To reach Karen Dillon, call 816-234-4430 or send e-mail to kdillon@kcstar.com

Clean, green clothing More New Jersey laundry services are trading traditional chemicals for earth-friendly methods (*Star-Ledger*)

Newark, New Jersey
May 24, 2009 Sunday
STATE/ROP EDITION
BUSINESS; Pg. 001
Clean, green clothing More New Jersey laundry services are trading traditional chemicals for earth-friendly methods Head_overline_24 herey
BY: BEV MCCARRON, FOR THE STAR-LEDGER
In the early 1990s, when customers began worrying about the dangers of dry-cleaning chemicals, the owner of the high-end Linder's French Cleaners in Bernardsville whipped up his own batch of eco-friendly detergent and wrote a how-to manual on wet cleaning.

But the trend for wet cleaning never really caught on, and even Linder's continued to do a lot of its dry cleaning with the chemical perchloroethylene, which has been used by cleaners for half a century.

Fast forward to today. Consumers searching for fuel-efficient cars, organic foods and alternative energy sources now have turned their attention to dry cleaning. They want their professionally laundered clothing clean, yes, but they also want the process to be green. And they want their clothes not to reek of chemicals.

So Linder's has resuscitated the wet-cleaning process that first landed it on the **Environmental Protection Agency's** list of green cleaners and the Greenpeace USA website. It also uses biodegradable plastic wrap and reusable cloth bags. Inside the store, a small tower of cardboard hanger caddies invites customers to bring their wire hangers back.

"We get greener every day of the week. You have to," said owner Jason Lafer, whose father, David, created the shop's detergent 14 years ago. "We are planning on the conversion of all of our equipment in that direction."

He, like many other cleaners, is looking for a safer alternative to perc, a solvent long favored by the dry-cleaning industry because it doesn't shrink or discolor clothes. But

perc is also a toxic pollutant and is listed by the **EPA** as a probable human carcinogen. In New Jersey, where it is one of the 10 top air pollutants, there is a proposal to do a study to see if a ban is warranted.

Demand by customers looking to patronize shops kinder to the environment slowly but surely is pushing dry cleaners toward new, cleaner technology. Of about 1,700 cleaners registered with the state Department of Environmental Protection, 200 are using alternatives to perc, such as hydrocarbon, silicone-based or carbon dioxide cleaning. Many others offer wet cleaning, in which garments are swished gently in special high-tech washing machines using water and a mild detergent, and then reshaped on a tensioning machine.

The industry is listening. Clamor for greener cleaning, and how to best provide it, led to a summit last fall in New York City by the industry group America's Best Cleaners.

"We had leaders from the environmental movement, fashion, chemical industry and dry cleaners," said Jeff White, director of business development for America's Best Cleaners.

But there is no consensus, White says, over which technology is best. Some environmentalists advocate only wet cleaning, which uses no chemical solvents, or a liquid carbon dioxide process. Neither process pollutes.

But there also is hydrocarbon cleaning, which uses a petroleum-based solvent and is highly popular in Europe. And there is liquid silicone-based cleaning, a gentle solution made of sand and developed by Green Earth Cleaning System. Both products have their detractors, however, who say they are safer and cleaner than perc, but may pose their own environmental or health risks.

HYDROCARBON MACHINES

Vijesh Patel has worked in dry cleaning for more than 30 years, the past 13 as the owner of London Dry Cleaners in Green Brook. As concern about perc heightened, Patel decided it wasn't good for his own health, let alone the environment.

"I also inhale while I am pressing clothes," he said, surrounded by mounds of clothing waiting to be cleaned in his small storefront.

After studying different technologies and scouting out cleaners in Europe, Patel bought a hydrocarbon machine he saw in Italy for about $48,000. It uses an odorless petroleum-based solvent called DF2000, which is sprayed on garments that are then thrown into what looks like a giant dryer. About 40 pounds of clothes spins for 40 minutes.

The process uses far less water compared with his perc machine, according to Patel. And, while perc left him with a barrel of **hazardous waste** residue to dispose of every

three months, DF2000 leaves one-third of a barrel of waste for an entire year, he said.

With the volume of cleaning Patel does he can to keep prices low -- $1.69 for most items (dresses and coats are more). He also recently re-opened Royal Cleaners in Raritan as a wet-cleaning shop only, and charges a flat $1.99 for most clothes.

Customer Emily Brotschul of Bridgewater came into the Green Brook store on Route 22 one afternoon, her 7-month-old in tow, to pick up her husband's shirts and suit.

Patel had explained the hydrocarbon process to her mother, who passed the word along.

"I have to be as green as I can because I've got two little kids and I feel it's a responsible thing to do," Brotschul said. "The only thing I wish they did do here was not use plastic. That would be even better."

SPECIALIZED CLEANERS

There is no single source for finding a green cleaner in New Jersey, other than to ask around or search the internet. While New Jersey regulates dry cleaners that use solvents, it does not offer lists of green cleaners, nor does it regulate or track the wet-cleaning industry, a process environmentalists generally place at the top of the list for eco-friendly cleaning.

But, in an effort to nudge the industry toward a less-toxic approach to cleaning, the state this year is planning to fund five cleaners willing to give up perc and try wet cleaning only.

A similar trial in California by the Pollution Prevention Center at Occidental College in Los Angeles found most clothes can be wet-cleaned in specialized machines at the same cost and with equally good results as dry cleaning, according to Peter Sinsheimer, director of the center, which will be working with the Jersey cleaners.

For those who don't trust their silk blouse to soap and water, carbon dioxide cleaning is the next-cleanest method. The downside is there are only a handful of such cleaners in New Jersey, largely because of the cost of the compression equipment, which turns CO2 gas into liquid, then mixes it with biodegradable detergent.

Two years ago, David Kistner, who worked in the airline industry, opened a carbon dioxide-based cleaning business in Lodi after his pregnant wife was advised not to wear dry-cleaned clothing. That one shop has spun off into five -- three in New Jersey (also Mahwah and Hackensack) and two in New York.

A fierce believer in the process, Kistner has invested more than $1 million in the technology, and reached out to 600 customers before he even opened Green Apple Cleaners. The prices on his website list sweaters for $7.75, pants for $8 and a suit for

$16.50. He said the prices in his New Jersey shop are about 15 percent less.

Without any type of green certification available in New Jersey, consumers will need to do their homework before dropping off a basket of shirts and skirts at the closest available place.

Beyond checking the type of technology a cleaner uses, consumers also should look at whether hangers are recycled and plastic wrap is biodegradable.

In most cases, prices for green cleaning should be comparable to regular dry cleaning -- with the bonus of better-smelling clothes and a cleaner planet.

Banned toxic chemical lingers in Louisville air (*Courier-Journal*)

Louisville, Kentucky
May 23, 2009 Saturday
GREEN
Banned toxic chemical lingers in Louisville air
By: James Bruggers jbruggers@courier-journal.com
A toxic chemical once used to dry-clean clothes, extinguish fires and even clean collectable stamps was mostly phased out of production more than a decade ago, yet it lingers in Louisville's air and around the world.

Carbon tetrachloride is still detected by air-quality monitoring equipment run by the University of Louisville, even though Louisville industries have reported no emissions of it since 1990 and dry cleaners haven't used it for at least 17 years.

"Carbon tet," as it is often called, is not the only such substance. Many that once were key building blocks of our modern world - polychlorinated biphenyls or PCBs, lead, chlorofluorocarbons - have hung on in the environment, long after their dangers were recognized and governments took steps against them.

Allen Robinson, a Carnegie Mellon University engineering professor who has studied toxic air in Pittsburgh, says carbon tet, which once held an honored place in laundry rooms across America as an effective spot remover, serves as a cautionary tale.

"This is a great example of this sort of problem where we thought we had some great technology but we learned there were unintended environmental consequences," Robinson said. "Unfortunately . . . we've placed those consequences onto future generations."

Most uses of carbon tetrachloride were discontinued in the United States for health and safety reasons in the mid-1960s to the mid-1980s. The U.S. **Environmental Protection Agency** classified the chemical as a probable human carcinogen that was also known

to damage the liver, kidneys and brain. It was largely phased out of production worldwide in 1996 to protect the Earth's ozone layer.

Lauren Anderson, executive director of the Louisville Metro Air Pollution Control District, said there's nothing local officials can do about the carbon tet that is already in the air, so her agency's focus is on current toxic emissions.

"We are reducing the chemicals we are using now to as low as we possibly can," she said.

But for nine years since UofL started monitoring for toxic chemicals in Louisville air, carbon tet has been detected at levels that could cause between one and 100 additional cancer cases among 1million people over a lifetime of exposure - or up to 100 times higher than the city deems safe.

The levels have stayed about the same for the nine years, and are typical of what's found around the world, officials said.

The risk it presents generally is somewhat less than vehicle tailpipe emissions such as benzene, said Melanie Marty, a toxicologist with the California **EPA.**

"There are many other concerns that I feel are more pressing, like traffic-related pollution, particulate matter, ozone (and) some of the other air toxics," she said.

Nonetheless, a 2003 Louisville study found carbon tet accounted for between 2 percent and 15 percent of Louisville residents' cancer risks from among dozens of chemicals in the air.

The study found several chemicals associated with Rubbertown chemical plants to be of higher risk, but the companies have since reduced those emissions.

Carbon tet is a clear, sweet-smelling liquid that easily evaporates, so most of what escapes to the environment is found as a gas, according to the U.S. Agency for **Toxic Substances** and Disease Registry.

EPA says its primary use was to make chlorofluorocarbons used as refrigerants and propellants. It was a target of the Montreal Protocol, which 20 years ago banned or restricted chemicals eating the ozone layer of the Earth's atmosphere after it was ratified by 194 countries, including the United States. Carbon tet restrictions came in 1996.

And it's been banned in consumer products such as stamp-cleaning fluid since at least 1973.

Retired Louisville chemist Leland Bell, who has collected stamps for 70 years, said hobbyists thought little about using the chemical. "You'd put the stamp face down in a

little black tray, and put a few drops of carbon tetrachloride on," he recalled. "We really didn't give it much thought."

EPA officials and scientists who study toxic air said some of the carbon tet comes from smokestacks and leaky pipes and valves at industrial plants in the United States that still are allowed to release the chemical on a limited basis.

U.S. companies reported they emitted 165,000 pounds of carbon tet in 2007, the most recent year for which numbers are available through the **EPA's Toxics Release Inventory.** That compares to 3.5million pounds 20 years ago.

In Louisville, the last recorded industrial release was two pounds 19 years ago.

Some of the chemical wafts up from landfills, including Outer Loop Landfill south of Louisville International Airport, Anderson said. The United Nations Environment Program also is investigating the possibility that some businesses may be emitting the chemical but not reporting it.

And much of it is just left over from the past, because carbon tetrachloride degrades so slowly, said Kenneth Mitchell, chief of the **EPA's** air toxics program in its Atlanta regional office. "On the whole, you can expect (carbon tetrachloride) you release to the air to stick around about 50 years," he said.

Mitchell said atmospheric circulation mixes carbon tetrachloride in the air throughout the world, creating a fairly steady level globally.

And it's not the only toxic chemical or substance to hang around. Production of PCBs used in electrical equipment, paints, plastics and other hundreds of other industrial applications was banned in the 1970s, yet they linger, too, moving through the world's food web.

Mitchell said people can be exposed to PCBs by eating contaminated fish and shellfish, ingesting contaminated breast or cow's milk, and breathing indoor air in buildings where electrical equipment contains them.

Another example is lead. While no longer allowed in car and truck fuel and or in many paint products, it can be picked up from soil near roads or homes, he said, or from drinking water in old lead pipes.

For Jane Williams, chair of the Sierra Club's Toxics Committee, these pollutants and carbon tet illustrate how it can be hard to fix mistakes. "It's like Pandora's box," she said. "Once you open it up, you can't put it back in the box."

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

Do It Yourself: Cleaning Up Mold (*Washington Post*)

By Gene Austin
McClatchy-Tribune News Service
Saturday, May 23, 2009

Q: *We are rehabilitating an older house that had a leaky roof, which caused extensive mold problems inside the house. We have already cleaned up a lot of the mold, using a cleaner from a home center, but are looking for more information and tips. Can you help? -- W. Horn*

A: Homeowners can clean up small areas of mold, generally defined as covering no more than about 10 square feet, but extensive mold damage should be handled by a mold-remedial expert. Mold often appears as a black or gray coating on surfaces that have been exposed to water, such as floors or ceilings under roof leaks, walls that contain trapped water, areas around plumbing leaks and seeping basement walls.

It is usually recommended that interior mold cleaning be done by scrubbing with a solution of household detergent, not with chlorine bleach. If bleach is necessary, dilute a quarter cup in a quart of water. An effective dust or respirator mask should be worn, along with gloves, goggles and other protective clothing. Rooms being treated should be sealed off from other parts of the building. Mold testing kits are not recommended.

The Washington State Department of Health (http://www.doh.wa.gov) and the Environmental Protection Agency (http://www.epa.gov/mold) have useful information on their Web sites.

Q: We have a damp basement with a musty odor. We use a dehumidifier regularly to remove moisture. Is it a good idea to open basement windows for ventilation? -- K. Glista

A: I think it is a fine idea to ventilate basements by opening windows on fair days when the outdoor relative humidity is low -- not more than 40 or 45 percent. The dehumidifier should be turned off when ventilating, of course. If possible, set up a fan at one of the windows to exhaust damp, stale air and pull in fresh air. Ventilating when the outdoor relative humidity is high will add more moisture to the damp air and possibly increase the chances of condensation and foster formation of mold.

Q: My central air-conditioning unit is quite old and I am considering getting a new one to take advantage of tax credits. I use oil for heating and my bills are moderate. A contractor recommended installing a heat pump. I understand these don't work well in cold climates like where I live. Do you think the heat pump is a good idea? -- L. Jalbert

A: Heat pumps, which provide both heat and air-conditioning, are popular in warm climates, where they are quite efficient and cost-effective. However, typical air-to-air heat pumps, which draw heat from outside air in winter to provide heat inside the

building, aren't very effective in cold temperatures, causing expensive all-electric backup heat to kick in. It is possible to substitute oil or gas heat for backup in some pumps.

I have talked to a number of heat-pump owners in cold-climate areas, and some who own conventional air-to-air pumps are unhappy with the winter performance. Some newer air-to-air models are more effective in lower temperatures, and pumps that draw heat from the ground or underground water are also more efficient (and more expensive to install) than typical air-to-air models.

Ask the contractor for names of others in your area who use them. Check on the performance. If the reports aren't positive, keep the existing heating system and consider updating the air-conditioning unit only.

Questions and comments should be sent to Gene Austin, 1730 Blue Bell Pike, Blue Bell, Pa. 19422. Send e-mail to doit861@aol.com. Questions cannot be answered personally.

WATER

==========

California gets stimulus money for water projects (*Associated Press*)

Story also appeared: *CNBC News*

By: The Associated Press | 22 May 2009 | 10:22 AM ET
LOS ANGELES - The U.S. Environmental Protection Agency is awarding California nearly $440 million in stimulus money to fund water projects around the state.
The state Water Resources Control Board would get $280 million and the California Department of Public Health $159 million, largely to fund wastewater treatment and drinking water projects, officials said Thursday.
The money is part of $6 billion set aside for similar infrastructure projects across the country under the Recovery and Reinvestment Act of 2009. At least 20 percent of the funds must be used for environmentally innovative projects.
The California agencies have already selected the first 33 projects and are preparing to sign contracts with agencies from San Diego County in the south to Humboldt County in the north.
The first deal was cemented Thursday with the city of Delano in Kern County to help complete a stalled sewage treatment plant. The city requested $33.4 million. It received a $2 million grant and a $31.4 million loan at 1 percent interest.

Other cities and agencies poised to sign some of the larger contracts include the city of Millbrae in San Mateo County, the Eastern Municipal Water District in Riverside and the Inland Empire Utilities Agency in Riverside.
Barbara Evoy, water resources deputy director, said state officials intend to move the money quickly to get jobs created.
"This money has been a wonderful infusion of cash for the state of California, especially for disadvantaged communities in the state," she said.

Connecticut Rethinks Stormwater Permit, Water Quality Standards (*Environment News Service*)

HARTFORD, Connecticut, May 25, 2009 (ENS) - In view of concerns raised by the construction industry and environmentalists over proposed modifications to the state's General Permit for Discharges of Stormwater Associated with Industrial Activities, the Connecticut Department of Environmental Protection has begun a new process of determination and public hearing.

The current general permit originally expired on September 30, 2007. It has been reissued without modification three times, most recently on April 14, and this latest version is set to expire September 30, 2010. The most recent renewal requires permittees to reregister their facilities.

On July 30, 2008, DEP Commissioner Gina McCarthy published a Notice of Tentative Determination to renew the general permit with modifications. Based on that notice, stakeholders filed petitions for a public hearing and requests to intervene. As a result, the DEP suspended the proceedings and worked with stakeholders to address the issues and concerns that were raised and to further revise the proposed general permit.

Stakeholders included the Connecticut Business and Industries Association, Connecticut Construction Industries Association, Connecticut Marine Trades Association, Connecticut Fund for the Environment and Long Island Soundkeeper.

Due to the extensive revisions to the proposed general permit, the DEP determined, with the agreement of the stakeholders, that the July 30, 2008 notice would be withdrawn and replaced with a new tentative determination and public hearing process. That process has now begun.

On June 4, the Connecticut Department of Environmental Protection is holding a meeting to identify parties and outline issues for hearing on the agency's latest notice of its intent to renew the General Permit with modifications. The meeting will be held at 1 pm at the DEP headquarters office on Elm Street in Hartford.

Then, on June 17, DEP will hold a meeting to review proposed evidence, witnesses, and issues in advance of a public hearing on renewal of the general permit. That

meeting takes place at 10 am at the DEP headquarters. The public hearing is set for June 24, also at DEP headquarters.

Click here to view the draft General Permit issued on May 20.

The Connecticut Business and Industries Association has posted an extensive fact sheet on the modifications the DEP has written into the General Permit.

The most significant modification to the General Permit is the transformation from the Connecticut format used since 1992 to a "hybrid" format including provisions of the 2008 EPA Multi-Sector permit.

The new format incorporates a new separate section with 10 sectors covering specific industries: asphalt plants; nonmetallic mines and quarries; refuse systems; auto salvage yards; scrap recycling facilities; electric power generation; transportation and public works facilities; marinas, yacht clubs and boat dealers; ship and boat building and repair; and small scale composting facilities.

Each sector has specific requirements for those facilities in that particular sector that are in addition to, or in lieu of, the basic general requirements of the permit.

Not all industrial activities are included in a sector. Facilities not in a sector must comply only with the general requirements of the permit. Most of the provisions of the previous Connecticut general permits have been continued in the general requirements. However, these requirements have been expanded, made more prescriptive and reorganized in a format similar to the EPA permit.

The general permit proposes new requirements for stormwater discharges to impaired waters. The permit will include requirements for existing facilities that discharge to an impaired water with or without a completed Total Maximum Daily Load, TMDL. There are separate requirements and restrictions for discharges to impaired waters by new facilities.

In addition, the DEP is soliciting public input for its triennial review of Connecticut's Water Quality Standards.

The review will evaluate the need to update or revise the Water Quality Standards in order to remain consistent with state and federal law and to ensure that Connecticut's standards continue to reflect the best available science and support sound water quality management policies to improve and protect the water resources of the state.

The department is particularly interested in comments on areas that are currently being considered for revision - the anti-degradation provisions of the Water Quality Standards, dissolved oxygen criteria for marine waters, a nutrient control implementation strategy and updating the criteria for toxic pollutants.

Water Quality Standards provide guidance about existing water quality in the state as well as the DEP's goals for maintaining or improving that quality.

They indicate the general types of discharges allowed and ensure the segregation of drinking water supplies from waters used for waste assimilation.

The standards show areas of conflict between usages, and areas where ground and surface waters are degraded. They provide the standards for toxicity consideration to protect aquatic life; provide a framework for the establishment of priorities for pollution abatement, dispensation of state funding, and remediation goals; and finally, provide clear guidance for location decisions for business and industry.

Comments should be submitted to dep.wqsreview@ct.gov no later than July 15 for consideration during this triennial review.

The Department expects to complete its review of the Water Quality Standards, including any comments received, and begin the process of formally revising the standards towards the end of 2009.

Prior to adoption, notice of any proposed revisions will be published and a public hearing will be held to receive formal comment on the proposals. Final action to adopt any revisions and submission of those revisions to the U.S. Environmental Protection Agency is anticipated by the middle of 2010.

A Bay Full of Broken Promises (*Washington Post*)

May 24, 2009 Sunday
Regional Edition
METRO; Pg. C07
Maryland
BY: Gerald W. Winegrad and Howard Ernst; Annapolis
Last December marked the 25th anniversary of the first Chesapeake Bay Agreement. More than 700 Chesapeake Bay enthusiasts turned out in 1983 to watch the governors of three states, the mayor of Washington and the head of the Environmental Protection Agency sign this solemn commitment to restore the bay.

Despite this pledge and 25 years of efforts under the voluntary-collaborative Chesapeake Bay Program, the bay is in dismal shape. In many ways, it is worse off today than when the multistate restoration effort began. Recently, the federal government declared the blue crab fishery a disaster and allocated $20 million to the states. This disaster declaration could equally apply to the bay's oysters, shad, eels, soft clams and sturgeon.

We have so poisoned our waters that reports abound of serious infections in people

who have come in contact with bay water. Fish kills are common, rockfish are contaminated with mercury, catfish have been found to have cancerous lesions, male bass from the Potomac are turning up with female egg sacs, and swimmers are advised to avoid the bay and its tributaries after heavy rains.

There was a time when bright-eyed environmentalists tried to frighten the lethargic public into action with doomsday scenarios, but the fact is that "scenario" is no longer applicable; the nightmare has become reality for the bay. It is important to remember that the bay did not naturally reach its polluted state -- political decisions stole the soul of the Chesapeake.

In 1987, the states in the bay watershed and the federal government solemnly committed to reduce two key pollutants, nitrogen and phosphorus, 40 percent by 2000. When these goals were not met and there were no consequences for the states apart from a dying bay, the governors and the **EPA** in 2000 set definitive new goals to be met 10 years later. It is now clear that the restoration effort is nowhere near meeting these goals. Our bay leaders warn us that at the current rate of implementation, the goals will not be achieved until after 2050, and by then the Chesapeake may be so ecologically stagnant that true recovery will not be feasible.

So what did the states' "leaders" do when confronted with these failures? They reconvened this past week and agreed to postpone the actions needed to reach the goals set in 2000; the new deadline is 2025. Moreover, the 2025 goal is not for actual restoration of the bay, it is the deadline they have given themselves for enacting the measures that might someday restore the bay. They also set modest two-year pollution reduction goals, objectives that for some states are weaker than the former goals, and once again they provided no sanctions for failing to meet the cleanup targets.

And the federal government's response? President Obama stole a page from Ronald Reagan's playbook and issued a declaration that the Chesapeake Bay is a national treasure. Now, the Obama executive order requires the **EPA** to review laws and regulations that might move bay restoration forward and to report back in 120 days. Mr. President, the **Clean Water Act** was passed 37 years ago; the **EPA's** attorneys and other staffers are well aware of their statutory authority. No delay is necessary. Enforce the law.

With a new administration in charge in Washington and with progressive Democrats in charge of the key bay states, many environmentalists thought that this was the time when tough new federal and state actions would be taken to turn around the beleaguered bay restoration effort. But the states and their federal partners once again punted, avoiding the hard decisions they know are necessary. They again postponed aggressively addressing the development juggernaut with tough new statewide land-use controls. Equally important, they failed to adopt mandatory measures for farm pollution, the leading reason the bay is dying. Continuing to avoid these tough decisions dooms the Chesapeake to a death of a thousand cuts.

Our bay "leaders" have gone from postponing definitive goals set for a distant time when they are out of office with even more distant goals when many of us will be dead. They fully understand the problems the bay faces and the major initiatives that are necessary to restore this once great ecosystem. No more studies, no more promises, no more delays -- it is time to enforce the **Clean Water Act** and take the bold, necessary steps to clean up the bay.

Gerald W. Winegrad is a former Maryland state senator and chairman of the Senate Subcommittee on the Environment. He teaches a course on bay restoration at the University of Maryland Graduate School of Public Policy. Howard Ernst is the author of "Chesapeake Bay Blues" and is the final stages of a second bay book. He is an associate professor of political science at the U.S. Naval Academy. The opinions expressed here are those of the authors and do not represent the official positions of their employers.

Recession beach (*Chicago Tribune*)

May 23, 2009 Saturday
Chicagoland Final Edition
NEWS ; ZONE C; Pg. 1
Recession beach; Fees for lakefront fun are climbing in some suburbs as the city cuts its swimming hours to trim lifeguard costs

By James Janega, Tribune reporter

Nothing beats a cheap day at the beach.

But in a sour economy, some local beaches are cutting back hours and others are not so cheap.

Chicago has reduced its beach swimming hours by 30 percent, citing the cost of lifeguards.

Some North Shore towns are reacting to higher demand by adding lifeguards or expanding beach swimming areas -- but they're also charging non-resident visitors more.

Which adds up to an overcast outlook at the beginning of the Memorial Day weekend, the traditional start of the beach season.

The Chicago Park District will save $700,000 over the summer by trimming hours for the city's 800 or so lifeguards, said Park District spokeswoman Marta Juaniza. Lifeguard times will be 11 a.m. to 7 p.m. instead of 9 a.m. to 8:30 p.m. Swimmers face fines if they enter the water when lifeguards are not present.

Chicago's approach is unique for a major city and is "manifestly unwise," warned U.S. Lifesaving Association President B. Chris Brewster.

"The reason you've had lifeguards providing services at the time they have is because that's when history shows they're needed," he said. "The failure or absence of lifeguards means potentially death or serious injury. It's a bit unrealistic to expect that laws are going to resolve your public safety problems."

Juaniza said Park District statistics show the eliminated beach hours came at times when people weren't swimming, anyway.

"We did do the research and discovered a lot of people weren't coming to the beach until noon," Juaniza said.

Chicago expects 20 million visitors to its lakefront path and beaches this season, and opened a new beach Friday at 39th Street.

Beaches in Lake Forest and Wilmette are under increasing demand, and that has prompted those communities to change policies.

To pay for its increasingly burdened lifeguard staff, Lake Forest will charge a $10 flat fee to non-residents, officials say. It used to be free.

And this summer, Wilmette's Gillson Park is adding two more lifeguard chairs to a popular beach that keeps expanding southward. Fees also went up by 5 percent for residents and non-residents, said Kathy Bingham, Wilmette superintendent of recreation.

Along with shorter hours and higher fees, area beachgoers face the annual concern over high bacteria levels and closings.

Among the factors that contribute to beach closings are rainy weather, in which water runoff gathers pet waste and bird droppings to feed bacterial colonies in the lake, said U.S. **Environmental Protection Agency** regional beach program manager Holly Wirick. Other factors include the heavy presence of birds, trash, warmer water and beach shape.

Some beaches seem prone to closings. Of last season's 37 closings in Chicago, Park District records show Montrose Avenue Beach was closed 10 times, followed by 31st Street and Rainbow Beaches with four closings each.

Swim bans due to high bacterial counts have increased in recent years, Wirick said. So has monitoring, which in many cases has increased from once a week to five to seven days a week. But confirmation of dangerous bacterial counts takes 18 to 24 hours, meaning that swim bans are instituted a day too late and often unnecessarily, critics

say.

In an attempt to detect problems more promptly, beaches in Lake County began in 2005 to also use SwimCast, a system that tracks lake conditions such as temperature, current and rainfall to flag situations in which bacteria flourish. Swim bans are then ordered immediately.

It's right more than 85 percent of the time, said Wirick. Similar models are in use in Ohio and Indiana, and a related software tool tested in Wisconsin last year soon will be available to beach managers around the Great Lakes, she said.

One of the next to use SwimCast will be Chicago. The city this year will collect data to make the system reliable at 63rd Street Beach, Juaniza said. But it will take at least a season of readings before officials start making closures based on the data.

- - -

Chicago-area beaches

The recession is causing some local beaches to increase fees and shorten hours this summer.

ILLINOIS BEACH STATE PARK, Zion

Hours: Sunrise-8 p.m. Cost: Free

Lifeguards: None

WAUKEGAN MUNICIPAL BEACH

Open: Saturday Cost: Free for residents, $20 non-residents

SUNRISE BEACH, Lake Bluff

Open: Saturday Hours: 8 a.m.-8 p.m.

Lifeguards: None until June 13

Cost: Free for residents with beach pass, $10 for non-residents

FOREST PARK BEACH, Lake Forest

Open: Saturday Hours: 6 a.m.-11 p.m. Lifeguards: 10 a.m.-7 p.m.

Cost: Free with proof of residency, $10 for non-residents

- After a spike in usage, Lake Forest has hired more lifeguards. Parking is limited to residents with a city sticker. Non-residents must park near the Lake Forest Metra stop one mile away.

ROSEWOOD BEACH, Highland Park

Open: Now Lifeguards : Not on duty until June 15

GLENCOE BEACH

Open: Saturday Hours: 10 a.m.-8 p.m.

Cost: Residents $6 adult, $4 youth 17 and under; non-residents $9 adult, $7 youth

WINNETKA BEACH

Open: June 12 (swimming prohibited until open)

Cost: Residents $4 adult, $3 youth; non-residents $10 adult, $8 youth

GILLSON PARK BEACH, Wilmette

Open: Saturday Hours: 9 a.m.-8 p.m.

Cost: $4 resident, $8 non-resident

- Growing beach traffic prompted expansion to include a new beach to the south. There are now seven lifeguards instead of five.

EVANSTON BEACHES

Open: June 13 (swimming prohibited until open)Cost: $8 for 12 and older, $6 for children 1-11-years-old

CHICAGO BEACHES

Open : Now Hours: 11 a.m. - 7 p.m. with lifeguards

Cost: Free

- To save nearly three-quarters of a million dollars over the season, swimming hours will start later and end sooner. Swimming is prohibited when lifeguards are not present, and could result in a fine.

WATER SAFETY

A system that predicts dangerous bacterial counts will be in place for a full season at 63rd Street Beach as the Chicago Park District begins to implement a faster way to impose swim bans. Daily bacterial testing that sends beach water samples to labs for confirmation will continue at 63rd Street and other Chicago beaches.

jjanega@tribune.com

And the beach goes on

Consult our handy beach giuide, courtesy of the folks at Metromix, at chicagotribune.com/beach

Troubled Water (*Columbus Dispatch*)

Ohio
May 23, 2009 Saturday
Home Final Edition
SECTION: NEWS; Pg. 01A
TROUBLED WATER;
Toxic algae, a threat to humans and animals alike, has been found in Grand Lake St. Marys, already one of Ohio's most polluted lakes. Warnings have been posted, but state parks officials say they won't keep people out of the water on the busy holiday weekend.
BY: Spencer Hunt and Doug Caruso, THE COLUMBUS DISPATCH
ST. MARYS, Ohio
A toxic algae is so thick in a western Ohio lake that state parks officials are warning people who plan to swim and water-ski there over the holiday weekend.

The blue-green algae growing in Grand Lake St. Marys can cause skin rashes, sicken people and kill small animals, including dogs.

The algae are called planktothrix and they produce a neurotoxin called microcystin.

A water sample taken this week shows the level of microcystin is four times as high as a "low-risk level" set by the World Health Organization for swimmers and 82 times as high as its standard for safe drinking water.

State officials say the higher levels pose a "moderate health risk."

The 13,000-acre lake has long been considered one of the state's most-polluted. Fertilizers and manure from Mercer and Auglaize county farms have turned the lake green with algae.

But the planktothrix problem surprised state officials. Grand Lake St. Marys is the first inland lake in Ohio where algae pose a health threat. Lake Erie has had toxic algae blooms for several years.

Joe Logan of the Ohio Environmental Council, an advocacy group, said the state should have known sooner.

"This is an inevitable outcome of their failure to address pollution issues in the lake over many, many years," Logan said.

Bill Ringo, president of the Grand Lake St. Marys Lake Improvement Association, said he hopes the state's warnings will force regulators to protect the lake from farm runoff.

"When you bring that up, everyone seems to have their hands tied," he said. "You get all these reasons why no one can do anything and the evidence is right in front of us."

Despite the algae levels, state parks officials said they won't keep people out of the water at Grand Lake. About 30,000 visitors are expected this weekend, said Cristie Wilt, a Department of Natural Resources spokeswoman.

Workers posted warning signs at the lake's beaches and marinas yesterday.

"We're not recommending swimming, jet-skiing or water-skiing," Wilt said. "It's their choice."

Chris and Christie LeMaster launched their refurbished boat on the lake yesterday but reconsidered other plans after hearing about the contamination.

"I was going to get an inner tube and get the kids in there," Chris LeMaster said. "Now it looks like (we're going to) Indian Lake."

At the nearby marina of the St. Marys Boat Club, Don Davis prepared his sailboat for a weekend regatta. He said he rarely goes into the water.

"In the summer, if you put your hand in the water, you can't see your fingertips in this stuff," he said.

Blue-green algae are common in Ohio waterways, but they usually don't pose a threat.

Jeff Reutter, director of Ohio State University Sea Grant Program, said they grow thick in warm, shallow lakes polluted with fertilizers, manure and sewage.

In Erie's western basin, the algae grow into dense "blooms" that help create a vast, oxygen-depleted dead zone where no plant or fish life can survive.

In humans, the toxin can cause skin rashes, sore throats and watery eyes. In high concentrations, it can cause weakness, dizziness, breathing problems, convulsions, and liver and kidney damage.

In 2007, the Ohio **Environmental Protection Agency** took a sample from Grand Lake St. Marys and 19 other lakes for a U.S. **EPA** study.

Ohio **EPA** spokeswoman Dina Pierce said the state officials asked to see test results about a month ago.

The Grand Lake sample showed 78 parts per billion for microcystin. The World Health Organization's low-risk standard for drinking water is 1 part per billion. The standard for swimmers is 20 parts per billion.

The Ohio **EPA** did its own tests this week and found microcystin at levels ranging from 42 parts per billion to 82 parts per billion. Pierce said the **EPA** takes new samples every week.

Despite the safety alerts, the LeMasters still launched their boat yesterday afternoon. As the couple eased out from the ramp, two state parks workers drove up and posted another warning sign.

shunt@dispatch.com

dcaruso@dispatch.com

Box Story: Toxic algae \ \

\ WHAT IS PLANKTOTHRIX?

It is a type of blue-green algae that occurs naturally in small concentrations in most lakes. It forms small colonies that look like floating blue-green pollen or sand grains. High concentrations can appear as dense blankets or surface foam. \ \

\ WHY IS IT HARMFUL?

Planktothrix produce microcystins, which can cause rashes and sicken people and even kill wildlife and pets if enough is ingested. It might also cause liver damage in animals if smaller amounts are eaten over a long period of time. \ \

\ HOW MUCH IS HARMFUL?

World Health Organization guidelines set "safe levels" at no more than 1 part per billion in drinking water and 20 parts per billion for swimmers. A water sample taken at Grand Lake St. Marys this week found a level of 82 parts per billion.

Our Bay: Attacking the bay's nitrogen problem (*The Capital*)

Annapolis, Maryland
New goals aim to reduce pollution
By PAMELA WOOD, Staff Writer
Published 05/23/09
The restoration of the Chesapeake Bay, in many ways, all comes down to a single number: 175 million.
Gov. Martin O'Malley joins other government leaders at Mount Vernon earlier this month in announcing efforts to cut more nitrogen and phosphorus pollution that reaches the Chesapeake Bay by 2011. Even if those goals are met, however, there is still a long way to go to get nitrogen down to the ultimate goal of 175 million pounds per year. Currently, nitrogen pollution is nearly 260 million pounds per year. That's how many pounds of nitrogen pollution can flow into the Chesapeake Bay and not screw up the ecosystem too badly.

The bay cleanup effort has scores of goals for cutting phosphorus and sediment pollution and restoring grasses, fish and oysters. But nitrogen is front and center.

If nitrogen pollution is slashed, experts said, the bay has a shot of returning to a healthy, productive estuary.

"Nitrogen and phosphorus are the main pollutants that are affecting the health of the Chesapeake Bay and our local rivers and streams," said Beth McGee, a scientist with the nonprofit Chesapeake Bay Foundation.

Nitrogen is the key driver of the process that leads to the bay's infamous, oxygen-deprived "dead zones," where fish, crabs and oysters can't survive.

Just as nitrogen-rich fertilizer nourishes lawns and plants on land, nitrogen also spurs the growth of plants in the water - in this case, algae.

The algae block light from reaching vital underwater grasses and they suck life-sustaining oxygen from the water.

Nitrogen is found in the environment naturally, but human activities send it running into streams, rivers and the bay in high amounts. Nitrogen comes from farms, suburban and urban stormwater runoff, sewage plants, septic systems and air pollution from vehicles and power plants.

The current rate of nitrogen pollution is, on average, 259.4 million pounds annually, according to computer models. That's all the nitrogen that flows from the entire 64,000-square-mile watershed that drains to the bay.

Maryland has 14.4 percent of the watershed and contributes 21.1 percent of the nitrogen that reaches the bay - almost 55 million pounds per year, experts said.

Pennsylvania contributes the most of all bay states, sending 39.6 percent of the bay's nitrogen pollution running down the Susquehanna River. But Pennsylvania's share of the watershed land area is 35.2 percent.

Virginia is third, contributing 27.2 percent of nitrogen pollution.

The other bay watershed states - West Virginia, New York, Delaware and the District of Columbia - contribute just a few percent each.

Earlier this month, governors from the bay watershed states agreed to speed up their nitrogen and phosphorus pollution reductions - though the promises still keep the bay way behind previous goals for bay restoration.

The new promises should cut annual nitrogen pollution from 259.4 million pounds down to 243.6 million pounds by 2011.

Maryland's goal is to cut nitrogen from 54.78 million pounds per year down to 51.03 million pounds.

State officials said they plan to meet the goals largely through existing programs, such as sewage plant and septic system upgrades paid for through the "flush fee."

They'll also rely on federal Farm Bill money to help farmers with environmentally friendly practices.

Air-pollution reductions from power plants due to the state's Healthy Air Act also will help.

The Chesapeake Bay Foundation, as the leading watchdog group, is glad to see short-term goals, rather than the repeated long-term promises that have gone unfulfilled.

"The good news from the milestones is that for the first time, the signatories from the jurisdictions have set for themselves short-term, measurable goals that we can hold them accountable for achieving," McGee said.

By way of comparison, the last round of goals were set in 2000, back when Parris Glendening was Maryland's governor. At that time, current Maryland Gov. Martin O'Malley was just settling into his first term as mayor of Baltimore.

"One of the problems in the past is that they set long-term goals and those that signed the agreements won't be around when it's time to pay the piper," McGee said.

That said, bay foundation officials said they were hoping for bigger goals, as there's still a long way to go to reach that magic nitrogen number of 175 million pounds.

"We were hoping for more of a stretch in the pollution reductions," McGee said.

****

E-Clips contain copyrighted materials and are made available to designated recipients. Neither the E-Clips nor any individual article within may be further distributed.

****