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ADMINISTRATOR JACKSON

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VA-VA-VA-VOOM BOOM (*Washington Times*)

June 14, 2010 Monday
A, NATION; Pg. 2
Inside the Beltway
By Jennifer Harper THE WASHINGTON TIMES
VA-VA-VA-VOOM BOOM
Memo to Environmental Protection Agency administrator Lisa P. Jackson, others. Some 15,000 Hooters waitresses in 44 states are "voluntarily donating their torn pantyhose in an effort to help absorb the oil spilled in the Gulf of Mexico. The laundered pantyhose are used to make containment booms which are stuffed with hair, fur and fleece to absorb the oil. Hooters expects to collect over 100,000 pairs of pantyhose through this effort, which could ultimately absorb 1 million gallons of oil in the Gulf, if the booms are reused 8 times, the average life of a boom."

Well, OK. Uh, that's nice. The pantyhose in question "will be shipped to environmental agencies and nonprofit organizations," Hooters spokesman Mike McNeil advises.

EDITORIAL / OP-ED / COMMENTARY / LETTERS

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Letters: Senate Must Not Check EPA Powers (*Richmond Times Dispatch*)

By Staff Reports
Published: June 12, 2010
Senate Must Not Check EPA Powers
Editor, Times-Dispatch: As an American who cares about health and safety, I am distressed that the Senate is about to consider a measure that would seriously jeopardize that. Alaska Sen. Lisa Murkowski's amendment would strip the EPA of its authority, gutting the Clean Air Act and rewarding polluters when we should hold them accountable for the environmental damage they cause.

Currently the EPA helps maintain good air quality, but its power to limit greenhouse gas emissions could soon be taken away, opening the door to years of unchecked pollution

The unpredictable weather, sea level rise, and strong storms associated with climate change should humble us. The melting glaciers, changing growing seasons, and expanding natural pest ranges should give us pause, and our legislators should act to strengthen legal provisions covering carbon pollution, not do away with the laws that help keep us safe.

Rather, if we are tough on polluters, we can protect the climate and incentivize investment in a clean energy revolution. We have seen in the BP spill how continued dependence on non-renewable, carbon-intensive fuel threatens our economy, health, and security. I hope that Sens. Warner and Webb will realize this and stand up for Virginia and America and help lead us to a future free of dirty energy by voting no.

Hannah Wiegard.
Chester.

•Editor's note: The Senate defeated the Murkowski amendment on Thursday. Sens. Webb and Warner voted no.

BP Would've Done More in a Free Market
Editor, Times-Dispatch: Recent letters have mistakenly asserted that the free market hurts the environment.
Imagine that we lived in an actual free-market economy (everyone who took fourth-grade civics knows we have a mixed-market economy) and it was possible to privately own the water in the Gulf, the shrimp, and the seabirds. Would BP not have taken every precaution to ensure it did not damage other people's private property? If it did not, the litigation it would face would almost assuredly bankrupt it.

Since no one owns the water, the shrimp, or the seabirds, why would BP go out of its way to make sure it did not harm them? The Deepwater Horizon spill was not a case of capitalism run amok. It is what economists call "the tragedy of commons" -- that which is not privately owned is generally not cared for.

What consequences will BP face in our mixed-market economy? Well, it might be slapped on the wrist with a few billion dollars in damages like Exxon was for the Valdez incident. Exxon is, of course, still alive and kicking. And the executives will be dragged in front of our oh-so-magnificent congressmen and scolded. And everyone will shake their heads and point their fingers, but nothing will really change. In a bureaucracy it rarely does.

Andrew Boehnlein.
Midlothian.

Our Energy Future Lies In Renewable Sources

Editor, Times-Dispatch: The Gulf Coast oil catastrophe is the epitome of what's wrong with our national energy policy. It's a clear call for taking action now to cut our nation's oil dependence.

The United States needs a new energy policy that will release us from our oil dependence, reduce carbon pollution, and lead our country to clean power. Virginia has an enormous potential for wind energy and we should be leading the charge toward a clean-energy future. The alternative is a continued attachment to fossil fuels that pollute our environment and drain our economy.

The future resides in wind, solar, and geothermal power sources. With the devastation in the Gulf unfolding before us, we need strong leadership from President Barack Obama and the Senate. They need to show a truly dedicated effort toward developing alternatives to outdated energy sources and toward re-stabilizing our economy.

J. R. Tolbert.
Richmond.

Charleston, WV - June 14, 2010 at 7:24 am

West Virginians like Rockefeller's words (*Charleston Daily Mail*)

Grandiose energy legislation will indeed affect real people
The Obama administration, having redesigned the auto industry and health care to its liking, intends in July to extend its control to the production and use of energy in the United States.

Many members of Congress, including many in his own party, have balked at imposing sweeping and costly energy legislation on a damaged American economy.

So the administration has been using the Environmental Protection Agency in an attempt to force Congress to do its bidding this summer. The agency, having declared that carbon dioxide is a dangerous pollutant, would regulate it in January.

Unless Congress acts in July.

That prompted a show in the U.S. Senate last week.

Sen. Lisa Murkowski, R-Alaska, with 40 co-sponsors, introduced a "disapproval resolution" that would essentially have vetoed the EPA's "endangerment" finding. The president threatened to veto Murkowski's resolution if it reached his desk.

Democrats defeated the resolution 53-47, but six of the faithful defected. One of them, in a rare show of independence, was Sen. Jay Rockefeller.

Observers said Majority Leader Harry Reid, D-Nev., won the day only by promising that a milder measure sponsored by Rockefeller would come to a vote. Rockefeller has introduced a bill that would give coal-fired power plants two years' worth of protection from EPA regulators.

Make no mistake. Both Rockefeller and Byrd uncritically buy into the notion that mankind is contributing to global warming - and further, that Washington can fix this with severe controls on the use of fossil fuels.

As Rockefeller put it, "Greenhouse gas emissions are not healthy for the earth or her people, and we must take significant action to reduce them."

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As Rockefeller put it, "Greenhouse gas emissions are not healthy for the earth or her people, and we must take significant action to reduce them."

Otherwise, the difference in tone was striking.

Byrd was still talking down to his constituents. Rockefeller spoke up for them.

In voting against the Murkowski resolution, Byrd said: "This in essence is like voting to assert that there is no climate change or global warming going on and to dismiss scientific facts that already exist.

"As I have pointed out before, to deny the mounting science of climate change is to stick our heads in the sand and say 'deal me out.' "

Rockefeller approached the matter differently.

"Their jobs matter," he said of West Virginians. "Their lives matter. And any regulatory solution that creates more problems than it fixes, in the real lives of real people, is no solution at all, or at least not one I'll be any part of."

West Virginians appreciate that sentiment.

They will expect the same sensitivity when members of Congress take up energy policy.

Views on Climate Change: What the Polls Show (*New York Times*)

June 14, 2010 Monday
Late Edition - Final
Section A; Column 0; Editorial Desk; LETTER; Pg. 22
Views on Climate Change: What the Polls Show
To the Editor:
Re "The Climate Majority," by Jon A. Krosnick (Op-Ed, June 9):

Regarding poll findings about climate change, Mr. Krosnick posits that his question is more legitimate than others. It is but one approach and hardly ideal. The question's preamble is "you may have heard about the idea that the world's temperature may have been going up slowly" and then asks whether this is "probably" happening. Such wordings often encourage a positive response: this is known in the polling world as acquiescence bias.

There are many different questions about climate change, none of them perfect, but almost all, except Mr. Krosnick's, show a significant decline in belief in climate change. Pew Research not only found fewer in 2009 seeing solid evidence of global warming, but also fewer calling it a very serious problem and fewer naming warming a top priority for the president and Congress.

Mr. Krosnick unfairly faults Gallup for asking whether climate change has been exaggerated, saying that it taps into views of media coverage. But Fox's rather direct question -- "Do you believe global warming exists?" -- shows the same trend: a 19 percentage point decline in belief in global warming between 2007 and 2009.

And while Mr. Krosnick cites ABC News/Washington Post survey results as similar to his, he doesn't note that this poll also found a 12 percentage point decline in the number saying global warming is occurring.

Far from being definitive, Mr. Krosnick's finding is but one indicator and an outlier at that.

Andrew Kohut Washington, June 9, 2010

The writer is president of the Pew Research Center.

A Sand Trap in the Gulf (*New York Times*)

June 14, 2010 Monday
Late Edition - Final
Section A; Column 0; Editorial Desk; OP-ED CONTRIBUTOR; Pg. 23
By ROBERT YOUNG.
Robert Young is a professor of coastal geology and director of the Program for the Study of Developed Shorelines at Western Carolina University.
Cullowhee, N.C.
OF the many cleanup solutions being pursued in the Gulf of Mexico, few are as ambitious as Louisiana's berm project. The Army Corps of Engineers recently authorized the state to construct some 45 miles of artificial berms in an effort to protect Mississippi River Delta wetlands and barrier islands from the oil gushing from the Deepwater Horizon leak, with BP promising to pay the state $360 million for the entire project. Many more miles may be authorized in the coming weeks.

The state understandably wants to move quickly and on a large scale, and no one wants to stop a project like this simply because it is spending too much of BP's money. The problem, however, is that the berms won't work as promised, and their construction will monopolize resources that could be used more effectively elsewhere.

The berms, essentially a series of long, low-lying islands made of dredged sand, seem like a good idea for blocking an oil slick. But as any engineer will tell you, the difficulties are often in the details. Although federal and state agencies were given only a short time to respond to the application, their comments, included in the permit documentation, raise serious concerns about the proposal and its potential effects.

The **Environmental Protection Agency** and the Department of the Interior, for

instance, question whether an effort that will take at least six months to build will appreciably diminish the amount of oil entering the delta wetlands.

Moreover, both agencies note that the berms are not designed to block the tidal flow of water completely, which would be deadly to the wetlands they are meant to protect. But that makes it unclear how much oil the berms would actually prevent from passing into the marshes and estuaries, even when the project is completed.

Then there is the question of the berms' longevity. The ebb and flow of coastal waters is extremely powerful; even without a storm, the berms will begin to erode immediately. Vast portions are likely to be already gone before the rest of the project is finished.

Of course, summer in the gulf is hurricane season, and at six feet above sea level at high tide, the berms will not have the elevation or sand volume to withstand storm waves or surges. If just one of this year's storms passes near them, they will be wiped out.

Then there are the environmental risks. A completed berm could potentially increase the impact of storm surges on the coastal lowlands, and instead of blocking oil it could merely redirect the natural tidal flow -- and with it thousands of gallons of oil -- to even more environmentally important areas. Likewise, by impeding the outflow of water, it could prevent the natural flushing of some oil.

If we knew for certain that the berms would keep significant amounts of oil away from fragile wetlands, then such risks might be worth it. But the proposal was so hastily written that no one has estimated its chances of success, or worked out the possibility of adverse consequences. There's not even a clear, scientific rationale for the efficacy of the design. Instead, it simply presents the project's logic as self-evident.

Now that this berms have been given permits, the Louisiana governor's office and the Corps of Engineers should, at the very least, engage scientists and engineers to monitor the first berm to see how it performs and examine any unintended impacts. If it does in fact take several months to build the other berms, there will be plenty of opportunities to change the design if needed or abandon the effort if it is failing.

We should also remember that while there is no magic bullet for the spill, that doesn't mean we should just try everything and see what sticks. It would be more prudent to continue fighting with methods like modified booms (as is being suggested for Alabama's Perdido Pass) and collection until effective long-term solutions can be fully vetted by engineers and scientists specializing in coastal environments.

The BP spill will be with us not for weeks or months, but for years. If we want to do our best to stop the oil from hurting critical habitats, then it's worth taking a little time to get it right.

Pacific islands not sinking from global warming (*Washington Times*)

June 14, 2010 Monday
B, EDITORIALS; Pg. 2
Pacific islands not sinking from global warming;
New study debunks Al Gore's hysterical fairy tale

By THE WASHINGTON TIMES
Of all the apocalyptic imagery summoned by global warming's proponents, the most compelling has been the threat of coastal devastation from rising sea levels. In his best-selling work "Earth in the Balance," Al Gore argued that the selfishness of Western industrialization would obliterate small, impoverished countries.

"Although the sea level has risen and fallen through different geological periods, never has the change been anywhere near as rapid as that now expected as a consequence of **global warming**," he wrote. "... [I]sland nations like the Maldives and Vanuatu (formerly New Hebrides), will be devastated if the projections made by scientists turn out to be accurate." Mr. Gore solemnly predicted that millions of poor inhabitants would be forced to flee their homelands in a desperate bid for survival - unless we adopt his political agenda. It just isn't so.

In a forthcoming issue of the journal Global and Planetary Change, researchers from the University of Auckland in New Zealand and the Pacific Islands Applied Geoscience Commission in Fiji documented changes in 27 vulnerable, low-lying reef islands in the Central Pacific. Using aerial photographs taken as early as 1944, the areas were carefully mapped and compared with modern satellite images.

It turns out that the islands did, in fact, change over time, but they are hardly sinking. Overall, 20 grew or remained stable. The island of Funamanu, for example, expanded from 7.4 acres to 9.5 acres in size - a 28 percent growth. Only seven islands shrunk, with the biggest percentage change occurring on Tengasu, which dropped from a tiny 1.7 acres to 1.5 acres - a diminishment of 9,670 square feet, the size of Mr. Gore's Tennessee mansion.

According to various studies, sea levels appear to have risen about 8 inches since the year 1860, but these Pacific islands continue to prosper nonetheless. This new study attributed size differences over time to the effect of ocean swells pounding and eroding windward shorelines. On leeward sides protected from the swells, coastlines grew. In other words, nature struck a near-perfect balance, wholly unaffected by the purported evils of America's internal-combustion engines.

This research was not conducted by scientists who disputed **climate change,** but even they noted the suspicious absence of verification for a key alarmist claim. "The lack of monitoring seems a gross oversight given the international concern over small island stability and pressing concerns of island communities to manage island landscapes," the report stated.

So the islands aren't sinking, the Hockey Stick has been thoroughly debunked, the Himalayas still have snow and the polar bears are alive and well. As just about every tenet in the Church of **Global Warming** has been debunked, it's time for the movement's high priest, Mr. Gore, to offer a refund to those from his flock who bought his work of fiction.

Posted on Mon, Jun. 14, 2010

GreenSpace: Disposing of the food-waste problem (*Philadelphia Inquirer*)

By Sandy Bauers
Inquirer GreenSpace Columnist
Lucky me. I live with the Soup King.
Back in the '60s, when my husband was a student at Abington High School, he took a boy chef class - yes, there are incriminating photos - and he's been improving on his techniques ever since.
He polices the fridge with astonishing vigor. He can rescue some marginal ingredients and come up with a gustatory masterpiece.

He'll be finishing a stock made with a chicken carcass and never fail to say, "I can't believe people throw these away!" To him, a ham bone is a boon.

As for me, not only do I get a good meal, I also cross one more thing off my green-guilt list.

In a study published in November in the journal PLoS One, federal researcher Kevin D. Hall and colleagues concluded that per capita food waste in the United States, like the food itself, has supersized. It has increased by about 50 percent since 1974, now amounting to 1,400 calories per person per day.

Americans discard one quarter of the food they prepare from homes to restaurants.

So this isn't just an environmental issue. It touches on hunger and poverty.

Plus, it's not just the food. It's all the resources embedded in its production - the corn to feed the cow, the water that irrigates the crops.

At least institutional facilities and restaurants are getting more options. In November, an industrial-scale composting facility opened in Wilmington.

Households are mostly on their own. One 2006 study estimated that Americans throw away 14 percent of the food they buy - 470 pounds a year, which originally cost them $600.

Once again, all we have to do to be greener in this department is to look at what our forebears did during the Depression or other times when thrift was valued.

The U.S. Environmental Protection Agency has a hierarchy of uses for foodstuffs, and I was astonished when I read it to realize I'd actually been doing something right.

The first step is to buy more wisely. Plan ahead. Or, in my case, fail to plan. With an otherwise empty refrigerator, you'll simply have to eat the leftovers.

That segues into the EPA's next step, which is using excess to "feed hungry people." Larger operations can send it to food kitchens, but that's another story.

Next on the priority list is to give it to animals. I suppose the EPA is thinking not of household pets, but of livestock, like giving scraps to a farmer's pigs. My cats are all but useless in this regard anyway. Coco and Charlie will deign only to accept the odd bit of fish or meat.

But my backyard chickens are champs. They devour grains and greens as if it were chicken candy. Pizza crust, wilted parsley (why do they sell it in such big bunches anyway?), the tips of green beans - they scarf it down.

Naturally, not everyone wants to or can have chickens. But there's always Fido, even though veterinarians warn against giving dogs too many table scraps.

Last stop on my personal animal chain: the basement bin of worms, which seem to have a particular penchant for eggplant peelings.

Alas, I'm not too attentive to these poor creatures, so a few wrigglers have died. But I'm learning. Plenty of elementary-school kids have worm bins, so there's certainly hope for me.

And no, it doesn't stink, or my mother, who will laugh when she reads this, would surely have told me.

Next on the EPA's list is industrial uses - such as turning the fat into fuel or rendering it. Sorry, but I'm not going to go into soapmaking.

Finally, there's composting. I have two bins in the backyard. I'm not too scientific about this, either, because I really don't care when I get the goods - the rich compost - out of the bottom. But I've seen even city dwellers who were aces at composting.

The black gold goes back into the garden. To grow more ingredients for the Soup King.

Contact staff writer Sandy Bauers at 215-854-5147 or sbauers@phillynews.com. Visit her blog at http://go.philly.com/greenspace.

Firm considers air quality (*Albany Times Union*)

First published: Monday, June 14, 2010
Air quality is a critical concern for Central Boiler, a manufacturer of outdoor wood-burning furnaces, along with other manufacturers. Manufacturers have invested significant resources to develop furnaces that can heat a home while producing extremely low emissions.
Technological advances -- made in concert with the U.S. Environmental Protection Agency -- are not understood by critics of these furnaces. Central Boiler, along with other manufacturers and state air regulators, worked with the EPA to establish testing standards for measuring emissions and efficiency, while providing education about proper installation, use and maintenance of its products.

Newer outdoor wood-burning furnaces are the result of the EPA's standards and voluntary Phase 2 "hydronic heater" program. According to EPA's schedule, federal emission rules will be enacted that limit sales of outdoor hydronic heaters after April 2012 to Phase 2 models, which are 90 percent cleaner than unqualified models.

Air quality is important to preserving life. Heating with renewable resources such as wood creates energy independence and carbon neutral heating options for people.

We are committed to innovation, education, testing and public-private partnerships that preserve both. For more information regarding outdoor furnaces, visit http://www.OutdoorFurnaceFacts.com.

Rodney Tollefson
Vice President,
Central Boiler
Greenbush, Minn.

AIR
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Monday, June 14, 2010

EPA offers Texas companies clean air audits (*Houston Business Journal*)

Dallas Business Journal
Texas lawmakers and federal regulators continue to clash when it comes to the issue of how to regulate emissions from businesses in the state.
As Texas legislators push back against intervening federal pollution regulation, the U.S. Environmental Protection Agency unveiled last week a Clean Air Act audit for Texas businesses.

EPA said last month it would replace Texas air permitting policies with a new federal version, sparking contention among state officials, who said the agency was overreaching and violating the 10th Amendment.

The EPA said the Texas Commission on Environmental Quality permitting rules have certain deficiencies that need to be addressed. And the voluntary audit program released this week offers companies protection from prosecution in exchange for undergoing a third-party review of pollution permits. Though, if excessive emissions are found, the business would have to make changes.

“While we support innovative approaches, we do have concerns with the efficiency of the audit concept and how it would overlap the state's permitting processes," TCEQ said. "We look forward to studying the proposal and seeing subsequent comments."

Lawn mower choices can be reeling (*The Republican*)

Monday, June 14, 2010
By STAN FREEMAN
Green lawns are getting greener.

Increasingly, people are buying electric or manual reel mowers as replacements for their gasoline-fueled machines, which are responsible for as much as a tenth of the air pollution in some areas in summer.

However, electric mowers are not pollution-free, and reel mowers can pose a challenge if your lawn is anything larger than the proverbial postage stamp.

According to the U.S. Environmental Protection Agency, the average homeowner spends 40 hours a year mowing, and one hour of lawn mowing with an older gas model emits the equivalent pollution of driving a car 100 miles.

While that may not seem like a lot of pollution, multiply that by nearly 45 million - the number of mowers the agency estimates operate in the United States - and the pollution becomes significant.

"There's been a good amount of interest in the reel mowers," said Gerik J. Sienkiewicz, of the family-owned Florence Hardware in Northampton. "We've been selling them quite a long time, but we're definitely selling more of them now than in the past."

One advantage is their cost, typically $100, less than half of what even the least expensive gasoline-powered mowers usually cost.

"The disadvantage is that they can be a lot of work," Sienkiewicz said. " If you get into tall grass, it will bog down, and it will be hard to push."

Jennifer King, a spokeswoman for Home Depot, also says the interest in reel and non-gasoline powered mowers is increasing.

"In the last few years, while more and more customers have been purchasing reel, (battery) electric and cordless (electric) mowers, the majority of mowers we sell are still gas-powered," King said. "However, the number of customers interested in eco-friendly mowers has been increasing."

Barbara Rada, a spokeswoman for Sears, said, "The price they must pay for a product is the most important factor" in what consumers buy, and battery-powered mowers often cost $100 more than a comparable gasoline mower.

However, gasoline mowers have gotten cleaner, thanks to tougher EPA standards for their manufacture.

Since 1997, the EPA's regulations have reduced pollution from new mowers by 70 percent. In 2011 or 2012, new EPA standards are scheduled to go into effect that will further reduce emissions by about 35 percent.

Using an electric mower is not pollution-free. While the mowers themselves are a source of no pollution as the lawn is mowed, the electricity used to run them was created in a power plant that likely created air pollution or radioactive waste.

However, a 2005 study by University of Florida engineers found that conventional gasoline-powered mowers created as much as 1,500 times more carbon monoxide than electric mowers, 31 times more hydrocarbons and nitrogen oxides and 18 times more carbon dioxide than the electric varieties. All the compounds are ingredients of smog, and carbon dioxide is a greenhouse gas.

But the study also found that the lead in battery-driven mowers may ultimately be a more significant source of carcinogens and other toxins to people and the environment when they are discarded. The researchers said that the least polluting mowers were electric-corded models.

6/14/2010

Senate Votes Down Measure to Block EPA Regulation of Greenhouse Gases (*Truckinginfo*)

In a 47-53 vote, the U.S. Senate barely voted down a measure Thursday that would have blocked the Environmental Protection Agency from regulating greenhouse gas emissions.

The resolution, proposed by Sen. Lisa Murkowski (R-Alaska), was in response to the EPA's efforts to regulate carbon dioxide emissions under the Clean Air Act. The measure faced opposition from most Democrats and the White House, according to MEMA.

Supporters of the measure believe that Congress should have a hand in drafting climate change legislation, not just EPA, according to reports by the Associated Press. They also fear the EPA's rules would lead to increased energy costs and lost jobs, the AP said. Six Democrats voted in support of the measure.

"I had hopes, for the security of our economy, that we would prevail today," Murkowski said, in a statement. "But regardless of the outcome, I believe it's important that every member of the Senate is on the record on whether they think the EPA regulation is the appropriate way to address climate issues."

Meanwhile, those against the proposal argue that blocking EPA's authority would cause greater dependence on oil and more pollution.

"We all know the high stakes in continuing our dependence on oil," said Sen. Jeff Merkley (D-Ore.). "The spill in the Gulf will cause untold economic damage while our reliance on foreign oil makes us more vulnerable. We should be doing much more to encourage the development of red, white and blue clean energy technology that we can make here in America and export to the world."

The move could signal a positive step forward for President Obama's climate change policy, the AP said.

Replace everyone in Congress for their bad decisions (*Las Vegas*)

Gene Grabau, Las Vegas
Monday, June 14, 2010 | 2:02 a.m.
What are our senators in Washington doing? Why would our elected officials let control of greenhouse gases go to the Environmental Protection Agency? The EPA doesn't have to answer to the voting public and it will do as it pleases. It will cost everyone more.

The Gulf of Mexico oil spill had something to do with their thinking when they said it made no sense to undermine efforts to curtail greenhouse gas emissions and reduce dependence on oil and other fossil fuels. But this country needs oil and you just wait and see, the EPA is going to do everything in its power to stop all oil drilling.

This cap and trade bill is a disaster. Before long the government will be telling everyone what they can and can't do. Before you sell your house, you will have to meet EPA

standards, and they will cost more and get worse every year. Fuel will be sky high until this country can convert from oil.

In the meantime, drilling rigs will be shut down — they are shut down in the Gulf now — putting thousands of people out of work. Look at all the families who will be affected. We will be buying more oil from other countries and the cost will go up.

Our government is out of control. We need to replace everyone in the Senate and House. They do what they want to and are not looking out for the best interests of the United States.

Letter to the editor (*Anchorage Daily News*)

EPA carbon emission regulation critics operating in the absurd
The failure of Sen. Murkowski's resolution shows at least marginal commitment to the idea that, in the absence of robust legislation to deal with carbon emissions, measures should be taken to rein in some of the most damaging carbon pollutants.

Those who took to the pulpit warning that allowing the EPA to regulate carbon emissions posed the possibility of running urbanites out of cities or agriculturalists off their farms due to cow manure, are participating in a classical fallacy -- Reductio ad absurdum (i.e., "reduction to the absurd").

Those who take regulation of carbon to the logical extremes (making the idea absurd) know that they're not being reasonable in addressing air pollution.

Without praising the EPA outright, I would argue that any regulation, similar to others already in place, should attempt to address the most apparent and potentially damaging carbon air pollutants -- namely, vehicle and large industrial pollutants.

Asking farmers to prevent cows from defecating or attempting to keep people from breathing, I assume, wouldn't be under the purview of the EPA's regulatory power.

-- Forest Kvasnikoff

ASBESTOS
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Group plans for BoRit site future (*The Reporter*)

Monday, June 14, 2010

By Thomas Celona

The Community Advisory Group's future uses work group has presented a preliminary vision plan for how it hopes the BoRit asbestos site will be used in future years.

The BoRit site, is the subject of work by the Environmental Protection Agency to address contamination at the site.

The EPA has begun its Remedial Investigation/Feasibility Study (RI/FS) at the site, a three- to five-year process to analyze site conditions and assess remedial actions before the EPA selects a final route to address the on-site asbestos.

While the completion of both the RI/FS and the eventual remediation at the site are still years away, the work group has prepared a plan for how it would like the site to be used and integrated into the surrounding community once remediation is complete.

In the preliminary vision plan, the group proposed the site should be used as a regional greenway park.

The group advised the site should become "a greenway park along the regional Wissahickon Greenway and Green Ribbon Trail that provides a mix of recreational, conservation and community park uses, evokes the area's history and heritage, connects

to neighborhood and nearby open space attractions and complements Ambler's revitalization and redevelopment initiatives," according to the plan.

"This is a greenway that has regional and countywide significance," said Beth Pilling of the Montgomery County Planning Commission, who is the chairwoman of the future uses workgroup.

The plan contains both general recommendations for the entire site and specific advice for the individual parcels at the site.

The recommendations include creating a 75-foot riparian buffer along all creeks at the site, along with a 100-foot buffer along the on-site reservoir.

The BoRit site is split among three properties: the former Wissahickon Park owned by Whitpain Township; the reservoir owned by the Wissahickon Waterfowl Preserve; and the asbestos pile formerly owned by Kane Core.

The group suggested the Whitpain property be reopened as a township park with a combination of active and passive recreation facilities that would be accessible to the West Ambler community. The group also advised the reservoir continue to be used as a natural habitat in the local Important Bird Area.

Meanwhile, the group recommended the Kane Core parcel become an open park area in conjunction with the adjoining Montgomery County- and PennDOT-owned open space along Butler Park.

The draft plan suggests creating a unified pedestrian area along North Maple Street in both Ambler and Whitpain that would provide views of and access points to the redesigned BoRit site, along with a pedestrian bridge across the Wissahickon Creek.

"You end up with a comprehensive greenway park that's embraced by all the adjoining uses," Pilling said.

The group hopes to prepare a final draft of the vision plan by October before presenting it to the EPA in November.

AWARDS

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Kesecker on EPA award-winning team (*News Leader*)

June 14, 2010
BLACKSBURG —Scott Kesecker of Mount Sidney, a senior majoring in biological systems engineering at Virginia Tech, was on a team of undergraduate students from the school's Department of Biological Systems Engineering in the College of Agriculture and Life Sciences and the College of Engineering that won an Environmental Protection Agency P3 Award.

Winners developed sustainable projects that protect the environment, encourage economic growth and use natural resources more efficiently.

The team was awarded $75,000, which will be used to implement a pilot-scale model at Stroubles Creek in Blacksburg.

Kesecker is a graduate of Fort Defiance High School.

BP SPILL

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JUNE 14, 2010

U.S. to Demand BP Fund (Wall Street Journal)

Unusual Account Would Take Some Reimbursement Decisions From Oil Giant
Article Video Interactive Graphics Comments more in Politics »
By AMY SCHATZ And GUY CHAZAN
The Obama administration, facing growing public anger over the Gulf of Mexico oil spill, plans to ask BP PLC to establish an independently administered fund for reimbursing victims—in effect, taking some of the compensation decisions out of the company's hands.

The calls came as BP said over the weekend it was now collecting about 15,000 barrels of oil a day at the site, due to a special cap installed over the leaking pipe. U.S. officials upped their leak estimate last week to as much as 40,000 barrels a day, although on Sunday, Coast Guard Admiral Thad Allen said they believe the leak was closer to 35,000 barrels a day.

A controlled burn of spilled oil in the Gulf of Mexico on Sunday. Scientists estimate the BP well is leaking up to 40,000 barrels a day.
White House officials on Sunday said they wanted BP to put "substantial" funds into an escrow account to cover claims by Gulf Coast businesses and residents affected by the spill.

President Barack Obama plans to bring up the idea at a White House meeting Wednesday with top BP executives, including Chairman Carl-Henric Svanberg.

The call was echoed by congressional leaders and state officials. In a June 10 letter to BP released on Sunday, Senate Majority Leader Harry Reid (D., Nev.) and other Democrats asked BP to establish a $20 billion account, administered by an independent trustee, that would be used to pay the damages and clean-up costs associated with the spill. Florida Governor Charlie Crist and other officials in the Gulf Coast region joined the chorus.

It remained unclear how any such funds would be supervised, in particular who would oversee the compensation decisions. Administration officials on Sunday didn't comment on the size of the escrow account they will seek, or on where money might come from. Nor did officials detail the legal status of the proposal.

Such a fund would provide a measure of security, proponents argue, for people concerned BP might file for bankruptcy protection or otherwise stop paying claims at some point in the future. It also has the potential to give the government or its designees control of distributing a significant pool of relief money.

More
Alabama Puts Its Best Face On Drilling Rules Hit Alaska Pipeline BP Tackles Crisis Amid Political Challenges Tar Balls Avoid Mississippi -- But So Do Tourists At the Helm,

Adm. Allen Plies Perilous Political Waters Opinion: The Gulf Spill, the Financial Crisis and Government Failure Legal Basis for Liability Debated
A BP spokesman said Sunday the company expects to discuss the escrow account proposal with President Obama on Wednesday. "We're preparing our response and we want to respond constructively," he said.

While not opposed to the idea of the fund, BP objects to the implication that if it isn't required to set money aside, it might try to avoid paying it in full, according to a person familiar with the company's position. BP insists it has the financial muscle to settle the final bill for the clean-up, as well as pay its dividend.

Legal experts struggled to come up with a precedent for such a move. Examples of government-run funds exist, but they differ from the proposal facing BP.

In the early 1980s the government passed Superfund legislation that would create a fund to pay for the cleanup of hazardous-waste dump sites.

Through the law, the Environmental Protection Agency can compel the polluter to clean up the site or pay for it through the Superfund and sue for reimbursement.

Around the same time, the first of about 40 trust funds were set up with court approval by Johns Manville Corp. and later other companies with asbestos liability to alleviate some of the problems of lengthy asbestos-related litigation. But their creation stemmed from bankruptcy proceedings for Johns Manville. The trusts now oversee about $20 billion in assets, a sum that has nearly tripled since 2005, consultants say.

Typically, corporations fund such victims accounts to settle class action lawsuits, although there have been a few examples of legislatively mandated funds such as the 9/11 victims fund, according to Howard Erichson, a law professor at Fordham University. "If the idea is to get BP to do this voluntarily, the question is what's in it for them? Is there some liability protection in it for them?" Mr. Erichson said.

Over the weekend, U.S. officials told BP to devise a more effective plan for containing the oil that has been gushing from its deepwater well since April 20. They also demanded the company put more ships and other resources in the Gulf in case of additional equipment failures.

The Gulf Oil Spill
See graphics covering how the spill happened, what's being done to stop it, and the impact on the region.

View Interactive

Timeline
Follow key developments since the initial explosion.

View Interactive

Live Video of Spill Stream Ban Crimps Drilling Outlook BP said it would respond to the Coast Guard by the U.S.-set deadline to lay out a more-aggressive plan, but declined to comment further.

Last week, Mr. Obama suggested BP suspend its second-quarter dividend payout so the company could pay claims by Gulf Coast residents. Many Americans say the company shouldn't be rewarding shareholders while oil continues to spill into the Gulf and wash onto U.S. shores.

On Saturday, Mr. Obama spoke with British Prime Minister David Cameron during a 30-minute phone call that attempted to lessen tensions on both sides of the Atlantic over the oil leak.

BP has proposed installing new systems to collect more oil spilling from the site. However the most effective of those systems—which could collect an estimated 40,000 to 50,000 barrels a day—wouldn't be completed until mid-July.

The escrow-fund and other demands come as anger continues to grow in the U.S. over the failure by BP and U.S. officials alike to stop the leak, which has started to wash ashore, killing wildlife and threatening the livelihoods of residents in coastal states.

BP's directors were expected to discuss the idea of a clean-up fund in London at their weekly board meeting on Monday. It will be one of the options that they will be asked to look at ahead of the White House meeting. People familiar with BP said that the company understood any such account wouldn't include money originally earmarked for dividend payments.

Other options under consideration include cutting or deferring the company's second-quarter dividend, or paying it in scrip—a kind of I.O.U.—as a way of easing the pressure on the company from the Obama administration.

Last month, BP said it was appointing an independent mediator to review and assist with claims, a step which it says shows it understands the need for external oversight. "It's important that there's a set of rules that allow people to have confidence in the claims process," said a person familiar with the company.

In Alabama, frustration about cleanup and containment efforts mounted Sunday as oil washed up on stretches of white beaches for a second straight day and threatened inlets.

Authorities ramped up efforts to limit the damage but struggled in big tourist towns such as Orange Beach and Gulf Shores, where oil that was alternately thick and gooey or fine like ground-up coffee gathered in the surf and spread across the sand.

"It's disgusting. They ought to have the military out here," said Becky Sutton, 63, an Orange Beach resident, as she stood on one stretch of beach that had turned brown at the water's edge.

Tourists typically spend more than $1.5 billion along the state's coast between Memorial Day and Labor Day.

Authorities said more than 1,900 workers were deployed to help clean up the state's beaches Sunday, up from about 1,200 a few days ago. BP is paying for the clean-up efforts through private contractors.

A Federal Reserve report on the U.S. economy last week said business contacts indicated that the potential impact on the tourism industry along the coastlines of Louisiana, Mississippi, Alabama and western Florida could be substantial.

President Obama is expected to try to keep up the pressure on the oil giant this week, after heading back to the Gulf Coast for his third visit on Monday and Tuesday to assess cleanup efforts in Mississippi, Alabama and Florida. He will address the nation Tuesday night after he returns from his trip to the Gulf, White House aides said.

—Dionne Searcey, Andrew Morse, Mike Esterl and Perry Stein contributed to this article.
Write to Amy Schatz at Amy.Schatz@wsj.com and Guy Chazan at guy.chazan@wsj.com

After delays, U.S. begins to tap foreign aid in gulf spill (*Washington Post*)

June 14, 2010 Monday
Suburban Edition
A-SECTION; Pg. A04
Maryland
After delays, U.S. begins to tap foreign aid in gulf spill;
Domestic interests in cleanup keep some offers on hold

By Juliet Eilperin and Glenn Kessler
Four weeks after the nation's worst environmental disaster, the Obama administration saw no need to accept offers of state-of-the-art skimmers, miles of boom or technical assistance from nations around the globe with experience fighting oil spills.

"We'll let BP decide on what expertise they do need," State Department spokesman Gordon Duguid told reporters on May 19. "We are keeping an eye on what supplies we do need. And as we see that our supplies are running low, it may be at that point in time to accept offers from particular governments."

That time has come.

In the past week, the United States submitted its second request to the European Union for any specialized equipment to contain the oil now seeping onto the Gulf of Mexico's marshes and beaches, and it accepted Canada's offer of 9,842 feet of boom. The government is soliciting additional boom and skimmers from nearly two dozen countries and international organizations.

In late May, the administration accepted Mexico's offer of two skimmers and 13,779 feet of boom; a Dutch offer of three sets of Koseq sweeping arms, which attach to the sides of ships and gather oil; and eight skimming systems offered by Norway.

"As we understand what we need and identify domestic and foreign sources, we will act," said State Department spokesman P.J. Crowley, who said the United States has received 21 aid offers from 17 countries and four international groups. "We are maintaining contact with these countries, we are grateful for the offers, and we will take them up on these offers."

But some lawmakers and outside experts are questioning whether the administration has been too slow to capitalize on these offers, lulled by BP's estimates on the oil flow rate and on its capacity to cope with the aftermath of the April 20 explosion of the Deepwater Horizon rig.

"We're clearly behind the curve because BP did not have the game plan to deal with this spill," said Sen. Benjamin L. Cardin (D-Md.), who visited Louisiana on Friday. "I don't know if the federal government has the capacity it needs at this point."

Anthony H. Cordesman, a national security and energy analyst at the Center for Strategic and International Studies, said the administration has been hampered because the spill is "a rare case" where the traditional emergency response routine does not apply.

"Most emergency relief is based on proven technology and precedence," he said. "We are now confronted by something that doesn't match any of the models."

A slippery slope

The State Department sent letters to some U.S. allies two weeks after the accident, and the Coast Guard initially sought to assess what supplies might be available overseas, but the administration's public posture on aid has been inconsistent. On May 5, Crowley announced that 13 international offers had been received and that decisions on what to accept would be made "in the next day or two." Two weeks later, the State Department said the government saw no reason to accept any of the offers.

Crowley said the Obama administration is well aware of what happened after Hurricane Katrina, when the U.S. government failed to capitalize on an unprecedented amount of foreign aid offers. Allies offered $854 million in cash and in oil meant to be sold for cash.

In the end, only $126 million in cash from 40 donors was received.

"This is different," Crowley said of the oil spill. "We are and will be drawing on the foreign assistance."

In many cases, this equipment is being provided by private companies -- at BP's expense. And like other elements of the joint response, decision-making has been complicated because federal officials must consult with the oil giant before signing off on any offer.

"The coordination on this side of the ocean was not completely clear," said Floris van Hovell, press counselor for the Dutch Embassy in Washington, adding that when a Dutch official was seeking to broker an aid agreement last month, "it was for a long time unclear on where he should go to and who should take the decision."

According to government sources who spoke on the condition of anonymity because they are not authorized to discuss the matter, Secretary of State Hillary Rodham Clinton appealed to the White House several weeks ago, suggesting that it needed some foreign aid for practical and diplomatic reasons.

BP declined to comment.

'We want to help'

Coast Guard Lt. Cmdr. Christopher T. O'Neil wrote in an e-mail that decisions on foreign assistance are made between the top federal official on the scene, BP and "other represented agencies including state and local governments." The Coast Guard has a 51 percent "overriding vote in cases where consensus is not possible," he wrote. "All qualifying offers of assistance have been accepted."

In some cases, the administration rejected offers because they failed to meet U.S. specifications: The private consortium that serves as Norway's spill-response team uses a chemical dispersant that the **Environmental Protection Agency** has not approved.

In other cases, domestic politics are at play. Dutch authorities have worked in Louisiana since Katrina hit and were among the first to offer to help. After some hesitation, BP has obtained the state-of-the-art Dutch skimmers, two of which are in operation. Meanwhile, a massive sand-dredging operation is moving slowly.

A plan by Louisiana Gov. Bobby Jindal (R) to create sand berms to keep oil from reaching the coastline originally came from the marine contractor Van Oord and the research institute Deltares, both in the Netherlands. BP pledged $360 million for the plan, but U.S. dredging companies -- which have less than one-fifth of the capacity of Dutch dredging firms -- have objected to foreign companies' participation.

Garret Graves, who chairs Louisiana's Coastal Protection and Restoration Authority,

wrote in an e-mail that state officials "have made it clear to our contractors from the beginning that we want to use American dredges to complete this sand berm as quickly as possible . . . Ultimately, any effort to expedite these berms will be fully considered, but we remain committed to our American companies."

In the meantime, governments around the world are mobilizing help. In addition to boom, Canada has dispatched an aircraft for surveillance flights as well as several technical experts. Japan is still offering to send boom; the Swedish Coast Guard said it can send three ships that can each collect 370 barrels of oil an hour, but it is waiting to hear from the U.S. government or BP.

The Norwegian Coastal Authority has approved sending nearly a third of the nation's spill response equipment to the gulf if asked.

"We want to help the U.S. with whatever they need," said Espen Myhra, energy counselor at the Norwegian Embassy. "But of course, it's up to the U.S. and BP to decide what they need, and we will respond to that."

Q&A: BP testing Kevin Costner's device to clean oil from water (*St. Petersburg Times*)

BP tests Costner cleaning device

Has BP tested Kevin Costner's vacuum system yet and what was the outcome? I haven't seen anything on it for a couple of weeks and BP was going to test it a couple of weeks ago.

BP agreed last month to test devices promoted by Kevin Costner that essentially would vacuum up the oil.

Costner's company, Ocean Therapy Solutions, has been testing the machines onshore using samples provided by BP, according to CEO John Houghtaling. The company has been outfitting the machines to prepare them to handle the deep waters of the gulf, and testing of the equipment on the water began this month.

Costner has invested more than $24 million to develop centrifuge devices designed to clean water polluted by oil. Houghtaling, his business partner, says the devices are capable of cleaning up to 200 gallons of water per minute, or 210,000 gallons per day, by separating the oil and storing it in tanks.

BP fines will go to U.S. Treasury

The media is reporting the EPA is going to levy a fine on BP each day until the gulf oil spill is corrected. Fines like this are not new, so where does the money acquired from these penalties go? And how much did the EPA collect in penalties last year, or the latest year the information is available?

The Environmental Protection Agency has not yet fined BP for the gulf oil spill — details of possible penalties will be worked out later. The fine will likely be in the hundreds of millions of dollars, and may be much more, depending on how much oil ends up being spilled.

If there is a fine, the money will go into the U.S. Treasury, the general pot of money used to run the federal government.

The most recent figure the EPA has for collected fines comes from the 2009 fiscal year, which ended Sept. 30, 2009. During that year, $90.1 million in civil penalties were collected.

Some recovered oil usable

Does the oil collected from oil spills like the one in the Gulf of Mexico get recycled?

Yes, there is use for some of the recovered oil. Doug Helton of the National Oceanic and Atmospheric Administration and Michael O'Brien of the International Tanker Owners Pollution Federation Limited shared the details recently with Slate.com.

The purest oil — skimmed from the top of the water — can be sent to refineries and processed to be used in furnaces, cars and manufacturing milk jugs, Slate.com reported. Oil that is too salty or contaminated with small particles can help power brick kilns or incinerators.

The oil that comes up on shore can be combined with quicklime, a chemical compound, and turned into pavement, the experts said.

GENERAL

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Chemists going green in world of nanotech (*News & Observer*)

"Green" is a ubiquitous label that is even creeping into nanotechnology. But to engineer designs so small they can only be seen through the most powerful microscopes - plus use renewable materials and no harmful processing chemicals - is no easy feat, Renzo Shamey and Khaled El-Tahlawy discovered.

The two chemists at N.C. State University's College of Textiles set out to spin cornstarch into nanofibers that are porous and could, for example, carry medicines.

But the nanofibers continued to break. So Shamey and El-Tahlawy decided to regroup rather than resort to solvents long used in the spinning process. Instead of making fibers, they decided to produce starch-based foam particles that are smaller than a bacterium, light and environmentally friendly.

"It's very simple, but it has a lot of potential applications," El-Tahlawy said.

Researchers have been working for more than 15 years to conserve chemicals and energy and cut down on waste, said Barbara Karn, a green nanotechnology expert at the Environmental Protection Agency's National Center for Environmental Research in Washington, D.C. "Green chemistry has been around for a while," Karn said.

But what Shamey and El-Tahlawy are doing, she said, is "green engineering."

Shamey and El-Tahlawy went beyond conservation, designing the starch-based nanoparticles to have certain properties. Depending on the intended use, they could absorb or repel water. Then, El-Tahlawy went to work in the lab, dissolved starch in water, cooked the mixture and through a series of chemical reactions produced copies of the designs.

Fresh out of the lab, the nanoparticles look and feel like very fine powder or talc.

The air pockets enlarge the particles' surface area, which scatters light better and holds a larger load. Mixed into paint, the powder could replace titanium dioxide, a chemical that is added to make paint and milk snowy white and give sunscreen its protection against ultraviolet light. As a filler, the powder could make automotive and airplane parts lighter. And in medicine, the nanoparticles could be used to make bone replacements or to deliver medicine inside cells.

GRANTS

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$140,000 Funding Available for Strategic Agricultural Initiatives (*Targeted News Service*)

June 14, 2010 Monday 4:58 PM EST
By MANISHA BISWAS, Targeted News Service
WASHINGTON
WASHINGTON, June 14 -- The U.S. Environmental Protection Agency has announced that it expects to award a maximum of two discretionary grants for promoting the

transition to reduced-risk pest management practices in agriculture.

The estimated total program funding available was cited as $140,000 with a ceiling of $70,000 for each award under this program.

This funding opportunity is open to state, county, city and township governments; public and state controlled institutions of higher education; Native American tribal governments and organizations; nonprofits; private institutions of higher education; and individuals.

A funding opportunity from the **EPA** Region 10 states: "The Strategic Agricultural Initiative, (SAI) program focuses financial resources primarily on minor agricultural crop production. Grant funding assistance under this program is generally available to: States, U.S. territories or possessions, federally recognized Indian tribal governments and Native American Organizations, public and private universities and colleges, hospitals, laboratories, other public or private nonprofit institutions, local governments, individuals, and international entities. For profit organizations are not eligible. Non-profit organizations described in Section 501(c)(4) of the Internal Revenue Code that engage in lobbying activities as defined in Section 3 of the Lobbying Disclosure Act of 1995 are also not eligible to apply. Grant activities that are supported under the SAI program and this Request for Applications (RFA) include: education, extension, demonstration, and studies for Food Quality Protection Act (FQPA) transition and reduced risk pest management practices in agriculture. Project activities should support achieving the adoption of reduced risk pest management practices, and/or ecologically based Integrated Pest Management (IPM)."

The funding opportunity number is **EPA**-R10-SAI-10-001 (CDFA 66.716). It was posted on June 1 with an application closing date of July 15.

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HAZARDOUS WASTE

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Ash warning hazardous to some Jacksonvlle home sales, residents say (*Florida Times Union*)

Source URL: http://jacksonville.com/news/metro/2010-06-13/story/ash-warning-hazardous-some-jacksonvlle-home-sales-residents-say
By Steve Patterson
If there's a way to say land is targeted for a $100 million environmental cleanup without calling it hazardous, that would really help Jacksonville City Hall right now.
But finding those words is proving tough for the city and the U.S. Environmental Protection Agency.
And people living around the cleanup areas are running short on patience.
The Duval County Property Appraiser's Office marks its records for about 3,400 lots around town with a note saying: "There are or may be hazardous substances on the property."
The warning, added last July at the city's instruction, alerts people that the land is inside an area where EPA is making the city clean up lead-laden ash created by trash incinerators decades ago. It's on records for lots scattered from the Ribault River to the North Riverside area off Interstate 10.

But some neighborhood advocates say the warnings are killing real estate deals and discouraging banks from refinancing homes in the cleanup areas. They say that punishes landowners for a problem they didn't create.

"That wording is causing financial harm to property owners," said Doug Vanderlaan, who chairs the city's Citizens Planning Advisory Committee for the core city.

The committee voted last week to urge the city to remove notices once properties are cleaned or tested and found not to need cleanup.

Cleanup work under way

Environmental contractors hired by the city started large-scale cleanup work in January but won't reach some houses for years.

Even that work won't settle every concern, because the work planned covers fewer than 2,500 properties where ash may have been dumped or buried. There are hundreds of other lots, also carrying warning notes, that EPA wants checked for airborne contamination.

There are fears that landowners could be trapped owning their houses until the warnings go away.

"The lenders have started looking at that now. ... Most of them will not lend," Realtor Crissie Cudd told the committee. "We are already seeing buyers who are being scared off, who say the heck with it."

Cudd said one of her customers lost a job here, left town to take new work and was trying to set up a short sale on a house in Springfield with an ash warning.

One buyer who could pay cash backed out after learning about the notice, Cudd said, and another gave up because it was hard to get lenders to accept the ash warning.

The house is standing empty now, Cudd said, and could go into foreclosure.

When a federal judge approved the cleanup agreement in 2008, it required a warning to appear on some property records, although Vanderlaan points out that areas mentioned specifically were much smaller than the cleanup area now.

For Springfield resident Lewis Lawrence, who has four young children, the uncertainty created by the ash warning adds one more hurdle to any thoughts of selling and moving to the bigger house he'd like for his family.

"I'm upside-down with the market already, and now I'm upside-down with the Superfund," he said. "If I wanted to sell my house and move ... I can't."

Federal Housing Administration rules for federally insured mortgages say the borrower "shall not cause or permit the presence, use, disposal, storage, or release of any hazardous substances."

City attorney Kristina Nelson said the city and EPA are trying to negotiate new language for the property records that won't refer to hazardous substances, but that's not simple.

Caroline Philson, an EPA attorney based in Atlanta, told the committee she has to get approval from several levels of her agency's management and from the U.S. Justice Department.

That will likely take at least six to eight more weeks, she said.

Said Nelson: "We're working with the EPA as fast as we can."

steve.patterson@jacksonville.com, (904) 359-4263

SUPERFUND
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In for the long haul (*Providence Journal*)

01:00 AM EDT on Monday, June 14, 2010
By Talia Buford
Journal Staff Writer
The Providence Journal / Sandor Bodo
SMITHFIELD — There are few generalities that hold true when it comes to cleaning toxic-waste dumps or Superfund sites.

Each site is different. Different soil. Different chemicals. Different circumstances.

But for Superfund sites that end up on the U.S. Environmental Protection Agency National Priorities List — a compilation of the most contaminated areas in the country — it seems one thing is clear: what takes a short time to contaminate can often take a lifetime to clean up.

One of the most contaminated sites in northern Rhode Island — the Davis Liquid Waste Superfund site — is entering its 25th year of remediation. EPA officials recently unveiled a multimillion-dollar long-term plan to clean the groundwater on the site, which served as a major chemical and tire dump in the late 1970s and early 1980s, when the dumping was legal. They say it will take at least 40 years for the groundwater to once again become drinkable, and 80 years for the water deep in the bedrock to be cleaned.

The EPA identified the Davis Superfund site as a priority in 1983 and subsequently started work to remove the 6 million tires 1,400 drums and 15,000 laboratory containers of chemicals and waste. Then, the agency built a facility to treat the contaminated soil. What they could clean, they put back; what they couldn't, they disposed of off-site.

The $24 million worth of work was paid for by the sources of the chemicals and tires.

There are 13 Superfund sites in Rhode Island on the long-term cleanup or National Priorities List. All but three of them are in the monitoring phase, which means that treatment has been done and officials are watching the progress.

"We revisit sites often," Michael R. Jasinski, chief of the New Hampshire and Rhode Island Superfund Section for the U.S. EPA. "We have, on occasion, changed our decision at sites as we learn more, as the technology improves or as the cleanup doesn't proceed as quickly as possible."

That's what's happened with Davis. Originally, there was a plan to pump all of the water out of the ground, treat it, and then pump it back. But officials said the ground couldn't absorb the water quickly enough. So they began looking at alternatives.

The revised groundwater treatment plan proposes drilling holes into the ground and then pouring in small particles of iron and other compounds such as molasses and lactic acid that will react with the contaminants. The reaction would help stimulate naturally occurring microbes that would help to break down the contaminants, said Byron Mah, EPA remedial project manager for the site.

The process — called biological degradation — already naturally occurs, but injecting the compounds would speed the process. The first application would take a few weeks, Mah said, but EPA would re-administer the treatment and monitor the area for the next 40 years at least. The plan would cost $11.3 million, according to EPA estimates, Mah said. EPA will negotiate with the responsible parties to pay for the cleanup, he said, but no agreements have been reached yet on the groundwater cleanup.

It’s not just the contamination, but also the system of checks and balances the EPA has instituted for dealing with these types of sites.

“The whole process takes awhile,” said Gary Jablonski, principle engineer at Rhode Island Department of Environmental Management. “We don’t do everything at once. We do it step by step, draw out a work plan and then everyone has to agree on the work plan. We had to get rid of the tires. And then take care of the drums. There were a lot of things going on there — the site doesn’t just sit down. Stuff was going on in the early ’90s, the mid ’90s and 2,000s to get rid of the soil. Now we’re on the groundwater. That’s why it takes so long.”

But the Davis site posed its own set of problems.

Not the least of which was Davis himself.

In years past, Davis took the EPA to court to keep them from trespassing on his property to clean the Superfund site, and would reportedly patrol his property with a gun and his dog, Bubba. On Tarkiln Road, signs along the road convey a stern message for anyone thinking of stepping onto Davis’ property, much of which is protected by a barbed-wire topped fence.

Keep Out. Private Property.

“It just keeps adding another layer,” Jablonski of DEM said. “He has rights and we’re not going against that. It’s just something you don’t think about. You think you can just go in there and get it done, but when someone won’t let you on their property it takes a little bit of time.”

Officials also had a veritable maze of potentially responsible companies to negotiate with to pay for the clean up at the Davis site. Companies as far away as New Jersey were suspected of dumping waste there.

The site itself is easy to pass by. Trees and grass grow in the area seen from the main road. Houses have popped up on neighboring roads, but for the most part, resident’s interest in the site has died off. A recent public meeting was attended by a handful of people, one of whom was Maxine Cavanagh, who lives on Log Road not far from the site.

“I’m disappointed there aren’t more people here,” she said after the meeting. “They just aren’t interested.”

UPDATE Superfund long-term cleanups

Of the 13 Superfund sites in Rhode Island slated for long-term cleanups, three of them are still in the remediation phase. The rest of the sites are being monitored to track the

progress of the cleanup treatments.Centredale Manor Restoration Project (North Providence): Testing and study of area and erection of fencing around site and design of soil caps began in 1999. The soil contaminated with dioxins, metals and other toxins was removed; signs were erected advising that fish caught in the Woonasquatucket River not be eaten. Currently, a feasibility study of long-term cleanup options was slated to be finished in 2009. Cost so far: $4 million has been set aside from the responsible companies for long-term cleanup efforts.

Davis Liquid Waste (Smithfield): Cleanup began in 1985. Initial cleanup complete and water main and 300,000-gallon water storage tank installed and completed by 1997. Groundwater decontamination plan proposed, awaiting public feedback. Cost so far: $24 million paid by responsible companies, plus a proposed $11.3 million for groundwater cleanup.

Peterson/Puritan Inc. (Cumberland/Lincoln): The former commercial site suffered a 6,000 gallon aerosol solvent spill in 1974, contaminating the sand and gravel aquifer that feeds into the Blackstone River and the Martin Street and Quinnville wells. Cleanup began in 1982 and residents in Lincoln were placed on municipal water. Treatment systems to clean the soil and groundwater were completed in 1998 and are maintained by the responsible parties. Cost so far: Not disclosed; paid by the responsible companies.

tbuford@projo.com

TOXICS

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http://newsinfo.inquirer.net/breakingnews/nation/view/20100614-275515/Dont-leave-toxic-legacy-Arroyo-told

Don't leave toxic legacy, Arroyo told (*Philippine Daily Inquirer*)

By Alcuin Papa
Philippine Daily Inquirer

Posted date: June 14, 2010

MANILA, Philippines—Don't forget to send back the shipments of toxic endosulfan to Israel, an environmentalist watchdog told the outgoing Arroyo administration.
The Pesticide Action Network (PAN), Global Alliance for Incinerator Alternatives (GAIA), and the EcoWaste Coalition in a statement over the weekend said the Arroyo government should return to its Israeli manufacturer some 10 metric tons of the highly toxic pesticide retrieved from the sunken MV Princess of the Stars before its term ends on June 30.

The groups said the pesticide shipment, which has been in private storage since 2008, must be urgently shipped out of the country to prevent a potential health and environmental disaster.

Last Wednesday, the influential United States Environmental Protection Agency (EPA) made an international appeal to end all uses of endosulfan, saying it “can pose unacceptable neurological and reproductive risks to farm workers and wildlife, and can persist in the environment.”

The EcoWaste Coalition said the Department of Environment and Natural Resources (DENR) confirmed that the endosulfan shipment was still in storage in Meycauyan, Bulacan, despite the government’s announced “return to sender” order.

“We strongly urge the outgoing government to resolve this serious threat to public health and safety by ensuring the immediate shipment of the endosulfan stocks to its manufacturer, and not to leave a toxic legacy that the new government has to worry about,” said Manny Calonzo, Co-Coordinator of GAIA.

Toxicologist Dr. Romy Quijano, PAN-Philippines president, said: “The US EPA decision is expected to energize the push for a worldwide ban on the manufacture, trade, and use of endosulfan.”

WATER

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Containment the goal of initial oil spill cleanup (*Salt Lake Tribune*)

Oil leak » EPA, Coast Guard officials join Chevron-led investigators to look into why the pipeline failed Saturday.
By Mike Gorrell
Salt Lake Tribune
Updated:06/13/2010 11:24:17 PM MDT
Chevron is expected to unveil a cleanup plan this morning, after a day in which the company focused on containing an oil leak that fouled Red Butte Creek and Liberty Park pond, in hopes of keeping the toxic spill from reaching the Great Salt Lake.

An oily sheen could be seen Sunday afternoon on the surface of the Jordan River as it flowed through Rose Park Golf Course. But Utah Division of Water Quality scientists did not visually detect any oil farther downstream at a small dam in the lake's marshlands, almost seven miles from the source of the leak in a Chevron pipeline on Salt Lake City's east bench.

"That's good news that it hasn't reached the Great Salt Lake," DWQ Director Walt Baker said of the critical migratory bird habitat, the ultimate recipient of whatever flows down normally docile Red Butte Creek.

The creek's character changed sometime early in the weekend when a buried, 10-inch diameter Chevron pipeline carrying crude from northwestern Colorado's oil fields sprung a major leak.

An estimated 50 gallons of oil gushed into the stream each minute for an unspecified amount of time before the leak was detected. By the time the flow finally was cut off, Salt Lake City Fire Department officials said as much as 21,000 gallons of oil may have entered the creek, which flows into Liberty Park.

Homeowners in the posh Harvard-Yale-Yalecrest neighborhood traversed by the creek assessed the damage to their yards Sunday as Salt Lake City officials made the rounds, listening to concerns and urging property owners to leave the cleanup to Chevron's expert crews.

"It's best if you allow teams that are trained to do their jobs," said Lisa Harrison-Smith, spokeswoman for Mayor Ralph Becker, who visited the impacted area with city council members J.T. Martin and Jill Remington Love.

"This is one of the most beautiful parts of the city," Becker said as he walked the rainy streets. "They've taken care of the river for years because they know what an amenity it is."

While a team of Chevron-led investigators carefully excavated a trench to gain access to the pipeline and find out why it failed, most of the 70 people the company had on the ground Sunday were dealing with the denser concentration of oil accumulating in Liberty Park pond.

They manipulated plastic booms to confine the oil to small portions of the pond, where it could be vacuumed more easily and deposited in storage containers and mobile oil tankers flanking the shore.

Colleagues along the banks repeatedly honked foghorns to scare sea gulls and other birds away from landing on the pond's filmy surface. Their efforts were mostly successful, but Harrison-Smith said more oil-covered birds were sent Sunday to Hogle Zoo for cleaning, increasing the overall number of treated waterfowl to about 200.

An intense odor arose from the pond, to the chagrin of joggers and walkers who were allowed to return to the park Sunday after Saturday's closure for initial disaster response.

"It smells like the inside of a gas station," said Jack Mayer, an everyday exerciser at the park. "It's just horrible, especially with all the baby ducks out there. You expect these [oil company] people to do better than that. There shouldn't be any chance of this happening."

But it did. And Chevron spokesman Sean Comey reiterated Sunday the company's commitment to clean up the damage and respond appropriately to claims filed by impacted residents.

"We regret this problem that has caused the challenges now facing the community. Chevron takes full responsibility for addressing the situation," he said.

Dan Johnson, another Chevron spokesman, said the company has brought in employees from California, Texas, Colorado and Idaho to supplement efforts of local crews and contractors.

U.S. Environmental Protection Agency and Coast Guard officials also arrived Sunday in Salt Lake City to participate in the investigation of the pipeline rupture, which occurred in a utility corridor near other buried water and natural gas pipelines. EPA also will have a say on the acceptability of the emergency response plan Chevron was putting together Sunday, Johnson said.

"We have to submit it to the [government] agencies to see if it's what they think needs to be done," he said. "I'm sure the cleanup plan will be part of the discussion," at a public meeting at 7 p.m. Monday at Clayton Middle School, he said.

To keep oil from reaching the Great Salt Lake, crews installed booms that absorb oil "like a big roll of socks" around the outlets of two storm drains that carry water underground from Liberty Park pond to the Jordan River.

Additional booms were laid down across the river at several locations as it flows north toward the lake, each group of booms seemingly reducing but not completely eliminating the flow of the oily film.

Kevin Tetreault, 41, a homeless man who has been staying with friends in the brushy area near the storm drain's intersection with the river, thought the spill was worse Sunday than Saturday.

"Not just with the sheen on it, but the stench. I don't like the smell," he said, then chuckling: "There were a bunch of kids here earlier, saying 'There goes the fishing.' "

Along with Salt Lake Valley Health Department officials, state Water Quality inspectors took samples along the length of Red Butte Creek and the lower Jordan River, trying to quantify the extent of toxic elements such as toluene or benzene actually in the water.

Results of those samples should be available today, said Water Quality Director Baker.

Harrison-Smith said the mayor's office has been satisfied with Chevron's response to the spill. "They have worked quickly to resolve the problems," she said. "We hope that continues. We have no reason to believe it won't."

mikeg@sltrib.com
Want to sound off?

What » Town hall meeting with Chevron and city representatives, including Mayor Ralph Becker.

When » Today, 7 p.m.

Where » Clayton Middle School, 1470 S. 1900 East, SLC
Oil spill town meeting

Issues arising from the weekend spill that tainted Re Butte Creek are slated to be discussed at 7 p.m. Monday at Clayton Middle School, 1470 S. 1900 East.

EPA Reports Beaches Open for 95% of 2009 Season (*EP Magazine*)

Jun 14, 2010
The U.S. Environmental Protection Agency's annual national beach swimming season report, viewable online, indicates that the nation's coastal and Great Lakes beaches were open 95 percent of the time during the 2009 swimming season.
Since the passage of the Beaches Environmental Assessment and Coastal Health (BEACH) Act of 2000, EPA has provided grants totaling nearly $92 million to coastal and Great Lakes states, territories, and eligible tribes to monitor their coastal and Great Lakes beaches and to notify the public when water sampling for pathogen indicators identifies potential health problems.

Just anger flows (*Newsday*)

New York
June 14, 2010 Monday
ALL EDITIONS
NEWS; Pg. A03
Just anger flows; Fans want unauthorized natural spring restored;
But county can't guarantee water's safe to drink
BY DEBORAH S. MORRIS deborah.morris@newsday.com
Spring water enthusiasts from across Long Island rallied yesterday in Cold Spring

Harbor to urge Huntington and the Suffolk County Department of Health to restore access to a spring on Route 25A that has served the community for more than 40 years.

Last month, the town cut two pipes that had been set up by residents to allow access to the unauthorized water source on town-owned property across the street from the Cold Spring Harbor Public Library. That was after the county health department sent a letter to the town advising officials that the public should not have access to it because the water is unregulated.

"We want our water back," Joe Oliva, 63, a Huntington resident and protest organizer, said yesterday. "The government should give the people what they want."

James Meyers, principal public health engineer for the county health department, said on Friday that county sanitation code does not allow a natural spring to be used as a water supply.

"It's an unprotected, untested source of water that's the concern," Meyer said. "We sample public water supplies and this is not an official water supply."

About 35 people showed up at the spring yesterday to get people to add to the 300-plus signatures on a petition to be presented at tomorrow's Huntington Town board meeting. It asks that access to the spring be restored and periodic testing and monitoring of the water be provided.

Protesters said people from as far away as Connecticut come to use the spring's water.

They also said they have never heard of anyone getting sick from the water.

"I've been drinking it since the '50s and never had a problem," said Lois Newman, 66, of Glen Head, yesterday.

The spring, the namesake of the hamlet, according to Oliva, was tapped around 1965. Residents said the town has periodically removed the access pipes, citing public safety.

"You can't taste contaminants in drinking water so you don't really know what you are getting out of that source of water," Meyer said. "The public water supply comes from the same general area, but it's well tested, regulated and monitored, and that's what we want people drinking."

According to the county's May letter to the town, the spring was last tested in 2003 and revealed the presence of 1,2 dichloropropane, a colorless, flammable liquid with a chloroform-like odor, at a concentration that exceeded federal and state standards for public drinking water.

But proponents have the results of a water test conducted this spring showing some contaminants, including 1,2 dichloropropane, were "not above the referenced standard"

as defined in the **EPA's** primary and secondary drinking water regulations.

John Lovell of Syosset said if it's liability the town and county are worried about, they should just keep it simple.

"Restore access and put up a sign that says 'Drink at your own risk,'" Lovell said yesterday.

Sestak, Toomey on opposite sides of energy debate (*Pittsburgh Post-Gazette*)

The spotlight on energy issues, from the Deepwater Horizon disaster in the Gulf to the debate over development of Marcellus Shale gas wells, illuminates the clear philosophical differences between Pennsylvania's Senate candidates.

From drilling to the overall debate on global warming, Republican Pat Toomey and Democrat Joe Sestak take contrasting positions.

In keeping with his general hostility toward big government, Mr. Toomey is skeptical of proposals to expand federal oversight of drilling in the Marcellus Shale fields. He opposes open-ended moratoriums on new ocean drilling, arguing that the nation needs the oil from deep water wells and that the Gulf spill, however disastrous and worthy of investigation, is an exception to a track record of generally safe operations by the industry.

He is a sharp critic of the cap-and-trade bill supported by his opponent, contending that it would have disastrous consequences for Pennsylvania businesses.

Mr. Sestak counters that Mr. Toomey's aversion to government regulation poses short- and long-term threats to the environment and the economy.

The Delaware County Democrat has endorsed legislation proposed by his colleague, Sen. Bob Casey, D-Pa., that would bring Marcellus Shale drilling under the oversight of the Safe Drinking Water Act. He has echoed President Barack Obama's call for a strict moratorium on offshore drilling.

Before the Deepwater Horizon spill, he expressed reservations about the administration's decision to expand the areas available for offshore drilling. Mr. Sestak championed the House version of cap-and-trade legislation designed to use market forces to increase the costs of carbon emissions.

Those overlapping issues have provided ammunition for persistent sniping between the campaigns. "Toomey sides with Big Oil in the wake of BP disaster," the Democrat

charged in one of the dueling press statements that the campaigns have exchanged in recent days. "On energy, Sestak to the left of many Democrats," a Toomey statement contended.

While the contrasts in their positions are for the most part fairly clear, the contenders have argued over where that leaves them on the overall political spectrum.

In a state with a significant Democratic registration edge, Mr. Sestak argues that Mr. Toomey's strict conservatism and aversion to government regulation -- on the environment as well as on the economy -- makes him the ideological outlier.

Mr. Toomey, on the other hand, characterizes Mr. Sestak's voting record as more liberal than the views of his state on energy as on other issues. On cap and trade, for example, the Republican notes that four of Mr. Sestak's colleagues in the House Democratic delegation voted against the bill. All of those Democratic "no" votes came from districts carried by Sen. John McCain in the 2008 presidential race.

In Congress and later as president of the Club for Growth, Mr. Toomey argued that a major solution to the nation's energy problems was in increasing the supply of domestically produced oil, whether from the ocean floor or from such currently protected areas as the Arctic National Wildlife Refuge.

In contrast to Mr. Sestak, he welcomed Mr. Obama's decision earlier this year to expand the areas where offshore drilling would be permitted, a step he had long advocated.

Mr. Sestak has been more outspoken in assailing BP's actions in response to the spill. He wrote a letter to BP executives last week urging the corporation to suspend their corporate dividend and direct the revenue to cleanup efforts.

Mr. Toomey has argued that congressional efforts to curtail carbon emissions pose a severe threat to the state's coal industry and to consumers in general. In an interview this week, he pointed to an energy industry estimate, also cited by several PUC commissioners in a 2009 letter to Pennsylvania lawmakers, that the measure would cost as many as 66,000 Pennsylvania jobs over the next decade.

Defending his vote in favor of the cap-and-trade bill, Mr. Sestak counters that it would actually increase the number of jobs in the state in the longer term. Mr. Sestak invokes a projection from a 2009 paper written by scholars at Yale, the University of California and the University of Illinois that estimates that the House version of the bill would add more than 70,000 jobs in Pennsylvania.

Mr. Sestak also maintains that the carbon curbs would help protect the state's $4.7 billion agriculture industry. He concedes its emissions controls could lead to residential electricity price increases in the short term, but says that consumers would realize savings in the longer term as new and cleaner fuel sources become available.

The candidates also differ on the core issue of global warming, and whether climate legislation would do anything to alleviate it. Unlike some conservative figures, Mr. Toomey acknowledges that global warming exists but he is an agnostic on the crucial question of whether it is a product of human activity.

"There's no question that the Earth's surface temperature has increased," he said in a statement. "There is much debate in the scientific community as to the precise sources of global warming. There is no doubt that the proposed cap-and-trade 'solution' would do nothing to stop global warming but would be devastating to jobs and the economy in Pennsylvania."

Mr. Sestak said global warming is principally man-made, citing a series of scientific findings on the matter. "I know Congressman Toomey is quite extreme, quite radical, but the vast majority of the mainstream says yes, it is [man-made]," he said.

In keeping with those positions, the opponents split this week on a closely watched Senate bill, sponsored by Republican Sen. Lisa Murkowski, that would have stripped the EPA of the ability to regulate carbon dioxide emissions.

Mr. Sestak's campaign said he would have opposed the measure. Mr. Toomey supported the bill, calling the EPA's regulatory proposals a back-door effort to institute a cap-and-trade system, which is stalled in the Senate.

While describing the Marcellus Shale as "a boon to our economy," Mr. Sestak has called for state taxes on the natural gas. Mr. Toomey is averse to new taxes in general.

The Democrat has also endorsed a proposal from Mr. Casey and New York Democratic Sen. Charles E. Schumer that is designed to increase federal oversight of gas drilling.

Asked about the measure last week, Mr. Toomey warned that overlapping bureaucracies pose threats of inefficiency and rising costs. He pointed with approval to the regulatory steps taken by Pennsylvania's environmental officials in response to a Clearfield County gas blowout last week.

To justify the new federal oversight, Mr. Toomey said, "the burden is on Mr. Sestak" and other supporters of the Casey-Schumer bill to demonstrate that Pennsylvania's environmental officials are somehow derelict in their oversight.

Mr. Sestak tied his opponent's position to his business and finance background and his general opposition to government regulation. Mr. Toomey worked as an investment banker and then founded a restaurant business before being elected to Congress.

"We're fortunate we haven't had any deaths or anything like that [in Pennsylvania gas drilling] but part of good leadership is about preventing a crisis from occurring," Mr. Sestak said. "Congressman Toomey will always side with big business, Wall Street, big corporations. Recklessness is what causes joblessness."

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