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ADMINISTRATOR JACKSON

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$90 million to give tribes better access to clean water (*Associated Press*)

Story also appeared: *AZ Central*

Felicia Fonseca - Jul. 13, 2009 12:00 AM
Associated Press

FLAGSTAFF - The road from the Navajo community of Sweetwater to Red Mesa is unpaved and rugged but well-traveled.

Twice a week, about 100 residents on the outskirts of Sweetwater load up 55-gallon drums and drive 12 miles so that they can have clean drinking water for themselves and their livestock.

Other water sources closer to home exceed standards for arsenic

"They say water is life, and that's true," said Sarah Lee, administrator of the Navajo Nation's Sweetwater Chapter. "It's hard when it's really not accessible right here at your fingertips, having water in your home."

Federal stimulus spending announced last week may end the long trek for water in Sweetwater and dozens of tribal communities across the nation.

Environmental Protection Agency Administrator Lisa Jackson said that $90 million in funding will help eliminate unsafe water sources, build infrastructure and create jobs in American Indian and Alaska Native communities.

Nearly 10 percent of homes in tribal communities lack access to safe drinking water, forcing many residents to haul water long distances or rely on unregulated or contaminated sources.

By comparison, less than 1 percent of homes in non-Native communities are without a safe water source, Jackson said.

The funding provides for 95 wastewater and 64 drinking-water projects that will benefit 30,000 homes, she said.

Alaskan communities are set to get nearly $28 million of the stimulus funding. The Navajo Nation that extends into New Mexico, Utah and Arizona will see the largest chunk of the funds: $13.3 million that will serve 4,577 homes.

The 30 projects on the Navajo Nation - the country's largest Indian reservation - range from septic-tank and drainfield upgrades to improvements at wastewater-treatment facilities.

The funding also includes $3.1 million for the first phase of a pipeline project from Shiprock, N.M., to Sweetwater. That alone will serve 1,900 homes on the reservation where 30 percent of residents don't have safe, piped drinking water.

The first of eight phases of the project will connect four public water systems in Sweetwater and three other Navajo communities.

Until then, residents of Sweetwater, about 20 miles from the Four Corners, will have to keep hauling water. Many perform the task before sunrise or after dark to beat the crowds.

They line up at an old trading post where a well provides them with water at no cost.

But the travel takes a toll on their vehicles, and Lee said the water often freezes during the winter.

The Navajo Tribal Utility Authority has promoted subdivisions to lower the cost of connecting residents to water systems. But traditional Navajos who prefer to live in scattered housing miles from their neighbors have opposed the idea.

In many Alaskan native villages, the environment greatly contributes to the lack of access to water or wastewater facilities.

Paula van Haagen of the EPA's water and watersheds office in Seattle said many villages are in the Arctic and remote parts of Alaska and don't have roads. Rivers that flow in the summer freeze in winter, and it can be expensive to get construction materials to the villages, she said.

"We're doing much better," she said. "There's been a continuous upgrade over time, but there are communities that do not have plumbed toilets and so on."

Projects for Alaskan communities range from installing pipes for water and sewage, to upgrading water-treatment plants and completing lagoons.

July 13, 2009 in City

Sims happy being No. 2 (*Associated Press*)

Story also appeared: *Spokesman Review*

Former King County chief is new deputy secretary at HUD
Associated Press

WASHINGTON, D.C. – Ron Sims has a new job in a new city. But he's still promoting an old pet cause.
During his 12 years as King County executive, Sims earned a national reputation as an advocate of "smart growth" – compact, walkable, transit-friendly development with a mix of offices, shops and homes.

Proponents contend it's part of the solution for everything from traffic congestion and obesity to global warming and sprawl.

Now Sims is the new No. 2 at the U.S. Department of Housing and Urban Development. He's also one of the point men on smart growth for an administration embracing it more fervently than any of its predecessors.

His track record on smart growth helped land him the post as HUD's deputy secretary, Sims said. Now part of his job is to persuade more state and local governments to explore it and to make sure federal regulations don't get in their way.

"We're no longer a housing agency," Sims said of HUD. "We're a community-development agency."

Championing smart, sustainable development is just part of the portfolio Sims has assumed since he quit his county job in May and moved to the other Washington.

During a recent interview in his new office overlooking the Potomac River, he admitted he still gets lost sometimes in the corridors of HUD's vast headquarters building.

He said former Gov. Gary Locke, now Commerce secretary, sits next to him sometimes when Cabinet members and their top deputies meet.

And he vowed to stay out of the contest to fill his old job. "They have five good candidates. I know and respect them all," Sims said. HUD, a traditionally low-profile department, suddenly finds itself in the spotlight, thanks to the mortgage crisis. Sims' boss, Secretary Shaun Donovan, and other administration officials have rolled out plans aimed at averting foreclosures and keeping people in their homes.

Sims said it's part of his job to make sure HUD's bureaucrats carry out those plans, which critics contend aren't having much impact yet. The deputy secretary supervises the department's day-to-day operations.

But Sims also has been given responsibility for some policy initiatives, smart growth among them.

The Obama administration's support for the idea is unprecedented, advocates say. Donovan, Transportation Secretary Ray LaHood and Environmental Protection Agency Administrator Lisa Jackson laid out plans to work together to promote it at a Senate hearing last month.

Pat Callahan, of the Seattle-based Quality Growth Alliance, said their joint appearance signaled "a different, rational approach to growth in America."

Sims' growth-management initiatives in King County didn't meet with universal approval, especially his moves to limit development in rural areas – the flip side of more density in cities.

But Sims said the Obama transition team knew of his record and brought it up when it first contacted him in November about a possible job.

It isn't the federal government's role to tell states and local governments how to plan or regulate land use, Sims said. "Even I would bristle at that."

Instead, he said, HUD intends to use federal grant dollars to "stimulate and encourage" them to adopt new approaches.

The department's proposed 2010 budget includes $140 million to help local governments adopt new plans and rules that better integrate housing, land use and transportation. The grants would be administered in part by a new office that reports to Sims.

Sims said he hopes some of the money will explore how to better provide affordable housing in new "smart" communities. That's been a shortcoming, he acknowledged.

He's also in charge of a new effort to identify legal and regulatory barriers within HUD that inadvertently impede smart growth and sustainable development.

Sims doesn't leave this part of his job at the office. He chose the neighborhood where he's living in Arlington, Va., in part because it's a smart-growth community, near transit and a bike path.

Sims said his shift from No. 1 in a big county to No. 2 in a big federal agency has been relatively smooth. He's traveling more and working longer hours than when he was county executive.

"But I actually sleep better and I'm losing weight, because I tend to eat when I'm nervous. I don't have to worry about a lot of things now."

For instance?

Re-election, Sims said.

EDITORIALS/ OP-ED/ COMMENTARY / LETTERS

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Monday, July 13, 2009
EDITORIAL:

Sotomayor in review (*Washington Times*)

The Senate Judiciary Committee today opens hearings on the most radical Supreme Court nominee in memory. Despite her compelling story of personal accomplishment, Judge Sonia Sotomayor has proved by her own words and actions that she is unfit for the nation's highest court.

On **gun rights**, we learn from U.S. v. Sanchez-Villar that Judge Sotomayor sees no "fundamental right" at issue. On **property rights**, we learn from Didden v. Village of Port Chester that she thinks a town can seize land from its owner to give to another private developer for the same basic purpose, without a public hearing. (She also ruled, bizarrely, that the original owner would have had to sue before the land was even seized in order to meet the statute of limitations.)

On **abortion**, the New York Times describes Judge Sotomayor as "an involved and ardent" supporter of the legal efforts of the Puerto Rican Legal Defense and Education Fund while serving 12 years on its board -- efforts that included repeatedly filing suits arguing that government should not "in any way restrict" abortion "rights." The group argued that the Constitution mandates that public funds must be made available for abortions and that states cannot require parental notification or consent, informed consent or waiting periods. Those radical positions are outside the mainstream of American public opinion, and they put her more in favor of unrestricted abortions than is Justice David H. Souter, whom she would replace on the Supreme Court.

On **voting privileges**, Judge Sotomayor ruled in Hayden v. Pataki that currently imprisoned murderers and rapists have a constitutional right to vote. On **racial discrimination**, she ruled in Ricci v. DeStefano that firefighters who earned a promotion can be denied the promotion merely because they are white. On **lawsuit abuse**, we learn from Merrill Lynch v. Dabit that she can be so biased in favor of jackpot justice that a unanimous Supreme Court -- liberals included -- slapped her down.

On **environmental issues**, Judge Sotomayor seems to think deleterious economic effects of regulations should be ignored. The Supreme Court reversed Judge Sotomayor 6-3 in Entergy Corp. v. EPA, when she tried to force the Environmental Protection Agency to ignore the economic costs of superstrict regulation of water use at power plants.

Finally, in several cases, the Supreme Court has unanimously castigated Judge Sotomayor's legal reasoning even when some of the judges have agreed with her results.

We know from The Washington Post that experts say Judge Sotomayor often pushes right up to the edge of propriety in exhaustively second-guessing the fact-finding of lower court judges. However, from our own analysis, when her decisions are particularly controversial and unpopular, she tends to hide behind short, perfunctory orders that avoid serious discussion of the constitutional issues involved.

From numerous speeches, public appearances and writings, all read in context, we know that Judge Sotomayor believes that:

c Objectivity, impartiality and neutrality are virtually impossible.

c It is a "public myth" that law should be consistent and predictable.

c Judges are justified if they "choose to see" only certain facts and not others.

c A judge's ethnic and gender identity can determine which facts are chosen.

c Appeals courts (not just legislatures or governors/presidents) are where "policy is made," and judges are justified on their own in "push[ing] the law in a new direction."

c American judges should take foreign law and opinions into account in their legal analysis so as to "cobble together a culture of justice-seeking" and not "lose influence in the world."

c Most infamously, "inherent physiological and cultural differences" help ensure that a "wise Latina ... would more often than not reach a better conclusion than a white male."

From top to bottom, this record is extremely troubling. In an interview with The Washington Times on Friday, Sen. Jeff Sessions, Alabama Republican, put it all into perspective:

"The thing that overrides all of this is the president's stated view that a judge should show empathy in deciding cases. That's not a legal standard. It's more politics than law, and [Judge Sotomayor's] speeches seem to go in that direction, perhaps even further so than the president. At the core of what we'll be talking about is whether or not this judge will be committed to objectivity and impartiality in the conduct of the office. I think it's a

modern legal heresy that personal background and experiences can legitimately impact a decision of a court."

Mr. Sessions is as correct as correct can be. That's ample reason to defeat the nomination of this impressive woman, who is a demonstrably bad judge.

Article published on July 13, 2009

Broken promises (*Concord Monitor*)

Ann Copson, Epsom
July 13, 2009
In February President Obama promised that the $787 billion stimulus bill would keep unemployment below 8 percent. Officially there are 9.5 percent unemployed; adding the long-term unemployed makes it 16.5 percent.
What has Obama done to help the unemployed find jobs? Not much! The president said the stimulus bill had to be passed immediately, to fill "shovel-ready" jobs. So, why has only 10 percent of the stimulus money been spent?
Despite the pain of unemployed Americans, most stimulus spending will be next year. Why? So Obama can increase employment just before the election?

Typically small businesses lead us out of recessions by taking risks and hiring people. Yet Obama promised to increase business risks and lower rewards. He is working to raise energy costs, increase regulations, make EPA standards more onerous, increase personnel and benefits costs, increase union power, and increase taxes. Obama could abandon or postpone these job-killing policies, but he has not.

Obama's priorities are wealth redistribution, increasing dependence on government and increasing government control over lives. His chief of staff, Rahm Emanuel, said, "A crisis is a terrible thing to waste." By threatening business and delaying stimulus spending, Obama is aggravating the crisis.

President Obama is using the crisis to pursue his all-important priorities. Despite his words of hope and promise, he is not working to ensure that every American has a job.
ANN COPSON
Epsom

AIR

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July 13, 2009

Emissions testing a year away (*The Coloradoan)*

BY TREVOR HUGHES
TrevorHughes @coloradoan.com

A year from now, virtually all drivers in Fort Collins, Loveland and Greeley will have to prove their vehicles have passed emissions tests to get re-registered.

The emissions tests are due to start no later than July 1, 2010, said Christopher Dann, a spokesman for the air pollution control division of the Colorado Department of Public Health and Environment.

"That means, for example, if your plates expire in July of 2010 or after that, you're going to need an emissions certificate. If your plates expire in June or before, you won't," Dann said.

Regulators last week asked for bidders to perform the emissions tests, which will check largely for ozone-causing compounds generated by burning gasoline and diesel or from the unburned fuels leaking into the air from faulty gas caps.

The federal government in 2007 ruled that the Denver-metro area and northern Front Range were violating national ozone standards, triggering a slew of tougher air-quality regulations. Oil and gas company officials say they already have spent hundreds of millions of dollars installing new pollution-control equipment.

Studies indicate ozone is a health hazard, with high levels triggering lung problems and breathing difficulties, state health experts said.

Those state health officials said they are pursing a spectrum of solutions to reduce the chemicals that cause ozone, of which vehicle testing is one part, under order from Gov. Bill Ritter and the EPA.

The testing program being reintroduced in eastern Larimer County and the Greeley area is more comprehensive than the old system discontinued in 2007 and is identical to the one used in Boulder, Denver and other metro-area counties.

State estimates put the number of vehicles to be tested at 337,000 every two years. The four newest model years are exempt from the testing requirements, and vehicles of model year 1981 and older must be inspected annually under the program.

Under the program, vehicles of model years 1982 or newer must be tested every two years for $25. Older vehicles must be tested every year, costing $15.

"It is happening, and there will be a lot of outreach that will be done between now and then," Dann said. "We're certainly going to do our best well in advance."

Additional Facts

Ozone alerts

The Colorado Department of Public Health and Environment began issuing seasonal ozone action alerts, which notify Front Range residents when local ozone levels are expected to be elevated.

Alerts will be issued through the peak summer ozone season, which lasts until Aug. 31. The cities of Fort Collins, Loveland and Greeley are included in the alert area.

Ozone action alerts are issued when ozone levels are predicted to be elevated at ground-level, where people live and breathe. Ozone is a form of air pollution that affects Front Range communities, especially during the warmest part of the year.

Elevated levels can cause symptoms including stinging eyes and throat, chest pains, coughing and respiratory distress.

Those at highest risk of complications because of elevated ozone levels include the elderly; young, active children; and anyone with a pre-existing respiratory condition such as emphysema or asthma.

Posted on Mon, Jul. 13, 2009

Steel mill's air impact questioned (*Belleville News Democrat*)

Shutdown could give best glimpse at how plant affects air quality
BY ELIZABETH DONALD
News-Democrat
As workers return to Granite City's steel mill, controversy continues about the mill's environmental impact and many look to upcoming research that may shed further light on Madison County's air quality.

U.S. Steel has declined comment, and county officials have protested the results of a study released a few weeks ago by the U.S. Environmental Protection Agency. The study looks at toxic air pollutants that put residents at a higher risk of contracting cancer.

The study ranked Madison County second only to Los Angeles for poor air quality. The metro-east is one of two "non-attainment" areas in the state for air pollution.

U.S. EPA spokeswoman Kathy Milbourn said the average total risk is 36 per million, meaning the average person has a 36 in 1-million chance of contracting cancer based on the air quality. Madison County's air quality is high in only six of 40 tracts.

But those tracts are high enough to put up an environmental red flag. Granite City registered at 84 in 1 million, Madison at 114 in 1 million. One tract measured 1,140 in 1 million. Milbourn said that tract covered the coke oven adjacent to U.S. Steel Corp.-Granite City Works.

"Air quality can not only change from city to city, but neighborhood to neighborhood," she said. "The further you get away from the coke oven, the risk drops."

But County Board Chairman Alan Dunstan took issue with the findings, pointing out that they were based on 2002 readings predating the purchase of the former Granite City Steel by U.S. Steel.

"It was very frustrating for us," Dunstan said. "It's a very small part, only a few census tracks right around the coke plant."

Dunstan pointed out that U.S. Steel is building a new coke plant, which he said will have state-of-the-art air emissions controls.

"U.S. Steel has spent hundreds of millions of dollars to bring those facilities completely in line with EPA standards in the six years of its ownership," Dunstan said. "While there may have been some emissions problems at the coke plant in 2002, any problems that may have existed were corrected by the current ownership."

U.S. Steel spokeswoman Erin DiPietro declined to comment on the study or on any discussions with the EPA and plant improvements. The plant recently recalled more than 800 workers, six months after its 2,200 employees were furloughed.

Jay Turner, a chemical engineering professor with Washington University, recently analyzed emissions from the Granite City plant for the Missouri Department of Natural Resources and reported on them to the East-West Gateway Council. His data compared particle emissions from 2001-2004 and 2004-2007, which is not quite the same as the cancerous emissions tracked by the EPA study but includes numbers before and after improvements at the plant.

Turner said he has not seen a dramatic change in the plant's numbers. "I would think you'd be seeing immediate (improvement) if you're putting in better controls," he said. "And I don't see a dramatic change in the local emissions of fine particles."

By contrast, Turner said, he has tracked the emissions of a similar steel plant in Dearborn, Mich., and there was an immediate reduction in particles after improvements were made.

According to the minutes of the Air Quality Assessment Commission, the Illinois Environmental Protection Agency has met with U.S. Steel twice in the last six months to discuss making improvements to the steelworks while it is idling. The federal EPA's online records show the Granite City plant has been in noncompliance for 12 of the last 12 quarters.

Jim Ross, IEPA air pollution control division manager, said it is not uncommon for industrial sites to have some violations. "They can be as small as missing a filing date all the way up to an air pollution device failing," he said. "Just because it says there's a violation doesn't tell me a lot."

Ross said he could not address what specific violations U.S. Steel had incurred, but said there is an "ongoing enforcement action" that is being settled between U.S. Steel and the Illinois Attorney General's office.

As to the 2002 study, Ross said they "have some questions as to what is the most accurate data." He agreed that the data is outdated, and said the 2005 study should be released in August.

"My understanding is that emissions have decreased," he said.

Meanwhile, Ross said the plant is making some improvements to the basic-oxygen-furnished shop -- the highest source of emissions after the coke plant -- and upgrades to control equipment. The old coke oven may not even reopen, he said, because there is a large quantity stockpiled and the new coke ovens will be online this fall.

Dunstan said the steel plant is of high priority to the county. "We just had 2,000 people laid off; we want to get that plant reopened," he said. "We want to do everything we can to help them, and I know they want to be good neighbors."

But others believe the 2002 data should be a warning.

"Instead of putting our heads in the sand and pretending the air is clean, we should be trying to find ways to assure that U.S. Steel puts on the controls that are needed to bring our area into attainment with federal air quality standards," said Kathy Andria of the American Bottom Conservancy. "We need to bring air quality into attainment for health reasons, for the people who live here. ... It's the responsible thing to do."

The American Lung Association gave Madison County a grade of F in its most recent air quality report, due to 55 orange-alert days and four red days in 2008. The association lists Madison County with 5,666 children and nearly 17,000 adults with asthma, 7,000 with chronic bronchitis and 3,500 with emphysema.

Spokesman Robert Moffitt called those numbers "significant."

"There's no doubt that in recent years, in many places, air pollution has gotten better, and that's great," Moffitt said. "But it's reports like this that lead to more actions, and I think we need to do more. ... Everyone deserves the right to breathe healthy air. This is completely nonpartisan and nonpolitical -- we all need to breathe. It is basic to everyone's health."

But do toxins in the air actually lead to higher cancer rates?

The Illinois Department of Public Health tracked 2006's five-year cancer mortality rates at 68.4 per 100,000 residents for Madison County and 60.1 per 100,000 for St. Clair County, which is significantly higher than the state rate of 51.9 per 100,000. Premature cancer deaths -- those before age 65 -- rank at 22.9 per 100,000 for Madison County and 25.5 per 100,000 for St. Clair County, compared to 17.2 percent for the state average.

Cancer has been listed in the last two five-year health plans the Madison County Health Department has prepared for its reaccreditation, specifically citing a higher lung cancer rate than the state average.

Turner said the forced six-month shutdown of the plant will actually help measure Granite City Steel's impact on air in the metro-east. The monitors have continued sampling during the shutdown, and the numbers will be available in a couple of months.

"It will be a fascinating experiment," he said.
Contact reporter Elizabeth Donald at edonald@bnd.com.

July 13, 2009

EPA right to OK Calif. Standards (*Cherry Hill Courier Post*)

Cherry Hill,NJ
Washington has moved closer to adopting tougher national auto emissions standards. Late last month, the federal Environmental Protection Agency finally signed off on California's longstanding waiver request to implement tougher emissions restrictions on new cars that will be sold in the state. New Jersey was among more than a dozen states that joined California in seeking to do more to curb air pollution and go beyond the minimal standards set by the Bush administration.

This decision by the EPA is no surprise -- President Barack Obama last month essentially said he wanted a single, national standard for greenhouse gas emissions and fuel efficiency and that he favored California's proposed standards that would require automakers to more steeply reduce emissions and increase fuel efficiency over the next decade than the federal standards former President George W. Bush backed. By 2016, the national fuel economy standard for all new cars sold in the United States would be about 35.5 miles per gallon.

We're glad that California and other states, including New Jersey, engaged in this fight and ultimately won, with help from voters who elected Obama.

The technology has long been there to reduce the toxins in car emissions and to produce engines that perform just as well and go farther on each gallon of gas. But automakers, particularly Detroit's Big Three, didn't embrace these advances and incorporate them into their vehicles as widely as some foreign automakers did. Those foreign automakers did so because in Europe and elsewhere, the government standards for emissions and fuel efficiency were already much higher than in the United States.

The Bush administration, with support from U.S. automakers and the oil industry, had set a low bar for improvement in these areas in the face of overwhelming evidence of

the harm caused by carbon emissions and in the midst of steep oil price increases that made fuel efficient cars a hot commodity.

The fact of the matter is it is in our national interest, particularly our economic interest, to spend less on oil as its price rises. At the very least it keeps our economy from becoming the victim of China's rapid growth and ever-expanding appetite for oil, which drives up prices globally. Making cars more fuel efficient will allow us to buy less oil.

Likewise, it is important that we do all that technology allows (within financial reason) to reduce air pollution. Mandating cleaner emissions won't cause cars to double or triple in price. They may go up, for a time, but consumer demands for affordable vehicles and advances in the technology will quickly bring prices in line with what consumers are willing to spend. It's no different than when the federal government decades ago began mandating that all new cars be sold with seat belts.

This latest EPA ruling is a small step in the right direction toward cleaner air and a reduced need for foreign oil.

Port of Los Angeles gets USD 2 million to reduce emissions (*Steel Guru*)

Monday, 13 Jul 2009
US Environmental Protection Agency said that the Port of Los Angeles has been selected for USD 2 million in funding to replace, re power and or retrofit a total of 27 pieces of equipment including harbor craft currently in operation there.

According to the EPA, emissions reductions achieved from this project will improve air quality and health in the surrounding areas.

The USD 2 million has been awarded under American Reinvestment & Recovery Act of 2009, National Clean Diesel Funding Assistance Program competition, where EPA Region 9 alone received over 100 grant applications requesting USD 500 million to help fund clean diesel emissions projects. The awards announced this week were chosen to maximize both economic impact and emissions reductions.

The EPA believes that these projects will significantly reduce particulate matter, nitrogen oxides, and carbon monoxide emissions as well as greenhouse gases.

The EPA added that in addition to helping create and retain jobs, the clean diesel projects would help to reduce premature deaths, asthma attacks and other respiratory ailments, lost work days, and many other health impacts every year.

(Sourced from www.portworld.com)

BUDGET / STIMULUS

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First U.S. nuclear meltdown is recalled 50 years later (*Los Angeles Times*)

July 13, 2009 Monday
Home Edition

MAIN NEWS; Metro Desk; Part A; Pg. 3: California;
First U.S. nuclear meltdown is recalled 50 years later;
In 1959, a Chatsworth reactor began spewing radioactive gas. Some locals blame the site for health problems.
By Louis Sahagun
On the morning of July 14, 1959, Sodium Reactor Experiment trainee John Pace received the bad news from a group of supervisors who had, he recalled, "terribly worried expressions on their faces."

A reactor at the Atomics International field laboratory in the Santa Susana Mountains had experienced a power surge the night before and spewed radioactive gases into the atmosphere.

"They were terrified that some of the gas had blown over their own San Fernando Valley homes," recalled Pace, who was 20 at the time. "My job was to keep radiation out of the control room."

Pace set to work sealing doors and windows with clear packing tape and scrubbing the walls with sanitary napkins soaked with special chemicals because, he said, "soap and water wouldn't do the trick."

Today, on the 50th anniversary of America's first nuclear meltdown accident, Pace will join federal regulators and former lab workers in a commemorative gathering at the Aerospace Cancer Museum of Education in Chatsworth.

The group will provide an update of recent developments, including the **Environmental Protection Agency's** plans to spend $40 million in stimulus funds on a comprehensive radioactive survey of the nuclear site.

"It's about time," said Holly Huff, who was 8 years old when the meltdown occurred a mile from her home.

Standing on a bluff overlooking the 2,850-acre facility, which is now owned by Boeing Co. and NASA, Huff said, "They say it will be cleaned up by 2017 -- I doubt it. We'll

wait and see."

In December, Huff was diagnosed with leukemia and thyroid problems, ailments she believes are connected to having been exposed to radioactive gases as a child.

"I find it fascinating," she said, shaking her head, "that a lot of people still don't know what happened here."

In August 1959, about five weeks after the accident, the Atomic Energy Commission published a press release indicating that "a parted fuel element had been observed," a reference to damage. But it added that there was no evidence of radioactive releases or unsafe operating conditions.

"They wanted to keep it secret," Pace said.

Lab officials kept switching the reactor off and on until July 26, when it was shut down and dismantled. There was evidence of melting in a third of the reactor's fuel elements.

For about two weeks, the facility, which employed several thousand people, had been venting colorless and odorless radioactive gas into the environment.

"Radioactivity levels during the accident went off-scale," said Dan Hirsch, a spokesman for the antinuclear group Committee to Bridge the Gap. "We thus do not know to this day how much radioactivity was released."

Details of the incident were not disclosed until 1979, when a group of UCLA students discovered documents and photographs that referred to a problem at the site involving a "melted blob."

Ever since, residents have worried about downstream health risks associated with soil contaminated by years of rocket and nuclear testing.

Radioactive emissions from the accident could have resulted in 260 to 1,800 cases of cancer within 62 miles of the site over a "period of many decades," according to a study released in 2006.

Boeing officials disputed the findings, saying the study was based on miscalculations and faulty information. They cited a Boeing-commissioned study released in 2005 that found overall cancer deaths among employees at the field lab and at Canoga Park facilities between 1949 and 1999 were lower than in the general population.

A Boeing official said the company was committed to a timely and thorough cleanup of the site in a way that protects public health.

Half a century after the accident, nuclear cleanup operations and chemical decontamination remain incomplete.

The lab was opened on a craggy plateau in easternmost Ventura County in 1948 as the nearby San Fernando and Simi valleys were on the cusp of a postwar population boom.

Scientists at the site, originally operated by North American Rockwell, conducted nuclear research for the federal government for more than four decades before ceasing those operations in the late 1980s.

Home to 10 nuclear reactors and plutonium- and uranium carbide-fabrication plants, it has also been the site of more than 30,000 rocket engine tests, the thunderous explosions serving as a Cold War-era hallmark for nearby residents.

Old-timers still talk about being alarmed by experiments that lighted up the night sky, shook the ground and cracked windows.

Under a court order, the Department of Energy is preparing an environmental impact statement on a proposed cleanup operation.

Senate Bill 990, which took effect last year, requires Boeing, the U.S. Department of Energy and NASA to clean the property to levels suitable for residential and agricultural use.

"I have wasted three decades of my life trying to get them to clean up the mess they made," Hirsch said, "and we are still at least a decade away."

"That tells us," he added, "that a nuclear reactor can become a radioactive mess in minutes and can take decades to clean up.

"We should approach this technology with substantial trepidation."

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UGA shares $1.7 million clean diesel stimulus grant (*Red and Black*)

Posted: 7/13/09
Environmental Protection Agency officials announced Athens-Clarke County, University of Georgia, and Washington County were awarded $1.7 million to install pollution control devices on diesel transit buses and municipal vehicles.

The grant will fund pollution control retrofits for ACC's transit and fire and emergency vehicles, UGA's transit buses, and a variety of municipal diesel vehicles in Washington County.

The project is expected to result in the reduction of .50 tons of particulate matter per year, as well as 13 tons of hydrocarbons and 91 tons of carbon monoxide.

The funds are provided under the American Reinvestment and Recovery Act of 2009 National Clean Diesel Funding Assistance Program.

Diesel soot contains particulate matter, black carbon, sulfur dioxide, nitrogen oxides and more than 40 hazardous air pollutants - all of which are dangerous to human health, especially to the developing bodies of children. The fine particles in diesel soot are so small that they penetrate deep into the lungs and get into the blood stream.

Breathing diesel exhaust can contribute to both chronic and acute human health problems such as asthma attacks, reduced lung function, lung disease, cancer and even premature death. EPA's recent analysis of 181 toxic air pollutants concluded that diesel exhaust poses one of the greatest cancer risks of any form of air toxics.

Utah to get $1.9 million for underground tanks (*Associated Press*)

Story also appeared: *LocalNews8*

Associated Press - July 13, 2009 7:05 AM ET
SALT LAKE CITY (AP) - Utah will get $1.9 million in federal stimulus funds to help clean up leaks from underground storage tanks.
The U.S. Environmental Protection Agency says the money is part of $7.9 million distributed to Utah, Colorado, Montana, South Dakota and Wyoming.
EPA officials say the money will be used to oversee the assessment and cleanup of leaks from underground tanks, which often store petroleum or other hazardous substances.
The biggest concern, EPA officials say, is that petroleum could seep into the soil and contaminate groundwater.
On the Net:
http://www.epa.gov/recovery/ .

CLIMATE CHANGE / GLOBAL WARMING

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US to press China on global warming (*Boston Globe*)

July 13, 2009 Monday

NEWS; HealthScience; Pg. 2
WASHINGTON - US Energy Secretary Steven Chu and Commerce Secretary Gary Locke visit China this week to press the nation to join with the United States in stepped-up efforts to fight global warming.

The two Cabinet officials arrive in Beijing tomorrow for talks with senior leaders and to highlight how working together to cut greenhouse gas emissions would benefit both countries as well as the planet.

The trip helps set the stage for a visit by President Obama later this year that many environmental specialists hope will focus on the need for joint US-China action on the climate front.

They believe cooperation, perhaps even a bilateral deal, between the world's largest developed country and the world's largest developing country is vital if efforts to forge a new climate treaty are to succeed.

``The potential [for the United States and China to work together on climate issues] is very large and the need is very serious,'' said Kenneth Lieberthal, a visiting fellow at the Brookings Institute, a US think tank.

``It's not one of those things where one side benefits and the other side pays.''

In recent years, China has surpassed the United States to become the world's biggest emitter of carbon dioxide and other heat-trapping gases blamed for **global warming.**

Chu, a Nobel-winning prize physicist who has devoted years to **climate change** issues, is expected to make the case for US and Chinese action to rein in rising global temperatures in a speech on Wednesday at Tsinghua University in Beijing.

``We face an unprecedented threat to our very way of life from **climate change,''** Chu told US senators last week, warning the world could experience a climatic shift as profound as the last ice age but in the opposite direction.

Locke, a former governor from the export-oriented state of Washington, is eager to showcase opportunities for China to reduce carbon dioxide emissions using solar, wind, water, and other renewable technology.

ENERGY

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Proponents seek federal money for renewable energy project. (*Atlanta Journal-Constitution*)

July 13, 2009 Monday
Main Edition
METRO NEWS; Pg. 1B
DeKalb earns cash from landfill trash;
Methane is harvested from rotting garbage.;
Proponents seek federal money for renewable energy project.

BY: Ty Tagami; Staff
Money may not grow on trees, but it does waft from a trash heap in DeKalb County.

This month, DeKalb is expecting a third monthly check for around $12,000 from a venture that uses new filtration technology to harvest methane from rotting garbage at the defunct Live Oak Landfill.

The partnership with the landfill owner and a developer has produced the largest "high BTU" methane-extraction plant in Georgia. The plant refines the gas to a potent commercial grade that can be piped directly to consumers.

Cash from trash. It's an idea that would seem to fit nicely into America's energy independence strategy, but it is not without controversy. Proponents, including the developer of this project, are pushing for federal subsidies that would treat trash gas like other "renewable" energy sources, but some environmentalists say public money should only be spent on energy sources such as solar, wind and geothermal power.

The bottom line for DeKalb is green regardless of that debate: The county negotiated a deal that will draw dollars from Live Oak for years to come. Billy Malone, an assistant director in the sanitation department who helped negotiate the deal for the county, said DeKalb stands to earn as much as $575,000 a year if the sagging price for natural gas recovers.

Methane is a by-product of rotting trash. It bubbles up, like fizz from a soda, until the landfill goes flat some two or three decades after it closes.

The plant at Live Oak, which closed in 2004, uses new technology to strip away most of the carbon dioxide and other contaminants, so the methane can be injected into Atlanta Gas Light lines 1,200 feet away.

Atlantic Station developer Jim Jacoby was drawn to the project because it would convert trash from Atlanta into enough gas to heat 25,000 homes, said John Borden, a lawyer who helped engineer the deal for Jacoby Energy Development. Jacoby invested $25 million in it, Borden said.

"There's no reason not to do it," he said. "Natural gas is one of the cleanest-burning

fuels."

Yet projects like this are rare. There are 495 methane harvesting plants at the 2,300 landfills monitored by the U.S. **Environmental Protection Agency,** said Rachel Goldstein, team leader for the agency's landfill gas program. Of those facilities, she said, 20 employ the kind of expensive filtration technology at Live Oak and at Georgia's first such plant, the Oak Grove Landfill, which opened this year in Winder. The rest are using older technology to burn the gas in a dirtier state and heat boilers or fuel electrical generators. Both those older methods require proximity to factories or power lines.

The **EPA** promotes all methods of methane recovery as an alternative to consuming finite fuels such as coal and oil, and it counts 23 other landfills in Georgia that could prove a viable source of the gas.

There are no subsidies for the filtering done at Live Oak, so Borden has been lobbying Congress. Three lawmakers from Georgia have co-sponsored bills that would offer federal incentives for such harvesting.

"If we as a nation believe we must reduce our dependence on foreign oil, then we have to invest in new ideas and alternative methods of creating energy," U.S. Rep. John Lewis, who co-sponsored the Biogas Production Incentive Act with fellow Atlanta Democrat David Scott, said in an e-mailed response to questions. Republican Johnny Isakson co-sponsored a companion bill in the Senate. Both bills are in committee and face uncertain futures.

The notion of subsidizing the waste industry has inspired disagreement among advocates for renewable energy.

The Sierra Club opposes new landfill gas facilities and subsidies for them. Mark Woodall, chairman of the Georgia chapter, said a subsidy would improve the financial prospects for landfills and undermine the business model for recycling. Also, most of the "green" electricity that Georgia Power buys at above-market rates through its alternative energy program comes from electrical generators at landfills rather than from solar or wind power facilities, he said, so landfill gas is already "elbowing aside the things we really consider to be renewable energy."

But the Southern Alliance for Clean Energy supports landfill gas subsidies. The group advocates for solar and wind energy but says there is room in the nation's energy portfolio for trash gas that would otherwise be wasted. Landfills that don't harvest their emissions generally must burn them in giant flares to destroy the methane because it is a greenhouse gas.

"We see recovering methane that would otherwise just be flared as an important way of reducing **global warming** pollution and of reducing our need for coal or nuclear fuel," said Mary Carr, the group's renewable energy coordinator in Atlanta. "Using a local,

homegrown energy resource that's renewable is more sustainable than shipping in coal or oil or uranium from other states or other countries."

FUEL

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Refining the renewable fuel standard (*Politico*)

By: Sen. Jeff Bingaman
July 13, 2009 04:32 AM EST
When the Senate Energy and Natural Committee started working on the expanded Renewable Fuel Standard program two years ago, many were surprised that two senators from New Mexico — I served as chairman of the committee, with my former colleague Sen. Pete Domenici as the ranking member — were so interested in growing a U.S. biofuels industry. Most folks know that there isn't much corn in our part of the country.

But we envisioned a biofuels industry that would move beyond corn ethanol. Scientists, the environmental community and some cutting-edge entrepreneurs were confident that biofuels could come from a wide array of feedstocks and use an almost unlimited number of pathways to make gasoline, diesel and even jet fuel that could help turn our goal of energy independence into reality.

With Environmental Protection Agency's publication this spring of the Notice of Proposed Rule-Making to implement the expanded RFS, we are getting a better sense of how that legislation might shape the biofuels industry going forward. Even as policymakers, analysts and energy industry participants are focusing on game-changing developments like President Barack Obama's fuel efficiency initiative, and major energy bills are moving through each House of Congress, there is still much interest in the details of how the EPA plans to implement this long-awaited rule-making.

I believe that EPA is doing an admirable job of sorting through a complicated piece of legislation, and it is making every effort to both follow the law as enacted and to design a program that will actually work. Having said that, the proposed rule does suggest some areas where there is room for improvement — either on the legislative side or in the interpretation of the legislation.

There are three areas of the RFS that I think are candidates for further fine-tuning. The first is the definition of renewable biomass. The second is the inclusion of international land use change in the calculation of life-cycle greenhouse gas emissions. Finally, I

think we need to re-evaluate the technology- and feedstock-specific mandates within the RFS.

First, the definition of “renewable biomass” in the RFS is both too narrow and too broad as applied to harvesting trees and other forest biomass for renewable fuel production. It is clear from both the bill that recently passed the House of Representatives and the many discussions in the Senate that there is bipartisan support for improving the definition in the RFS.

Crafting an appropriate definition is complex, because forests provide a wide range of critical values and services that must be maintained, including clean water and air, fish and wildlife habitat, wood products, and carbon sequestration. There appears to be broad support for using forest biomass to produce renewable fuel if the biomass is harvested sustainably and in a manner that protects or restores our natural forests and the multiple values and services they provide. I think we can do better than the existing RFS definition to achieve that, and the definition in the Renewable Electricity Standard recently adopted by the Senate Energy and Natural Resources Committee is a good start.

The second issue that should be addressed is the requirement to calculate the indirect effects of biofuels production. These calculations penalize U.S. biofuels for greenhouse gas emissions that result as a secondary effect of the increased demand for arable land for crops — demand for either the land for the bioenergy crops themselves or the land for other crops that have been crowded out by increased acreage of bioenergy crops. Many scientists have argued that there is insufficient modeling capability to accurately assign a numeric value to international indirect land-use change at this time. With the science still evolving, it seems that the legislative requirement to assess indirect effects might have gotten ahead of our ability to understand those indirect effects.

The House has proposed giving scientists more time to ensure that our calculations are based on sound science. While I do not expect the Senate to take up the House language verbatim, I think something like the approach that has been taken in the House makes good sense.

Finally, I believe that the RFS needs to be more technology- and feedstock-neutral. I have argued against the mandates-within-the-mandate in the RFS since 2007. I believe that Congress generally creates problems for the industry it aims to support — not to mention for itself — when it picks winners.

Some exciting new technologies and feedstocks that could ultimately be better solutions for land use, climate change and our transportation sector are not included in any of the carve-out mandates. Algae-based fuels are the most obvious example, which, despite having characteristics superior to any renewable fuels in commercial production today, have no home in the RFS. We also have to wonder what other feedstocks and fuels we have de facto selected against, simply because we don’t know about them yet.

A growing number of my colleagues, I believe, are beginning to agree with this point of view. It is my hope that these issues with the RFS can be addressed as the Senate further develops its energy bill.

Sen. Jeff Bingaman (D-N.M.) is chairman of the Senate Energy and Natural Resources Committee.

PESTICIDES

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EPA Continues to Evaluate Flea, Tick Products (*CatChannel.com*)

Irvine,Ca
Also, ASPCA report says cats more susceptible to illness, death as a result of misuse of spot-on treatments.
By Marissa Heflin
Posted: July 13, 2009, 3 a.m. EDT
The U.S. Environmental Protection Agency recently asked the manufacturers of spot-on flea and tick products for pets to provide additional detailed data on reported incidents, including breed, weight, age and sex of pet; whether the pet was treated by a veterinarian; whether the product was applied according to the label; whether this was the first time the pet owner used the product; and whether the pet was being treated with other medications or pesticides; among others.

Adverse reactions reported in relation to the spot-on products range from skin irritation to seizures and in some cases death, according to the EPA.
The EPA, which implemented a July deadline for the data, also requested information on market share and numbers of incidents per doses or packages sold.
The request is part of the agency's "increased scrutiny" of spot-on flea and tick control products in both the over-the-counter and veterinary channel to determine if further restrictions on such products are needed.
The EPA had announced in April that it was intensifying its evaluation due to recent increases in the number of reported incidents. About 44,000 potential incidents associated with registered spot-on products were reported to the agency in 2008.
Federal law requires EPA registrants to submit reports of possible adverse reactions that may be related to the use of their products, whether or not the products were used properly and according to label instructions. A report does not necessarily lmean the product caused the symptoms.

Although flea and tick product incidents can involve the use of spot-ons, sprays, collars

and shampoos, the majority of incidents reported to the EPA are related to EPA-registered spot-on products.
Spot-ons are generally sold in tubes or vials and are applied to one or more localized areas on the pet, such as between the shoulders or in a stripe along the back. The active ingredients in these products are amitraz, cyphenothrin, dinotefuron, etofenprox, fipronil, imidicloprid, metaflumizone, permethrin, pyriproxyfen and S-methoprene.

The EPA, which has posted a list of spot-on products, reiterated that it is not recalling products nor is it suggesting that these products not be used.

The EPA urged pet owners to carefully follow label directions and to monitor their pets for adverse reactions after application, particularly when using a product for the first time. The EPA also recommended that pet owners consult a veterinarian about “the responsible and effective use of flea and tick products.”

In related news, the American Society for the Prevention of Cruelty to Animals recently released data demonstrating that cats are more susceptible to illness and death as a result of the misuse of spot-on flea and tick control products.
The data, collected by the ASPCA Animal Poison Control Center, revealed that when cats were not treated per label directions, they are significantly more likely to experience severe reactions: no illness despite a call to the ASPCA (18 percent), mild illness (17 percent), moderate illness (45 percent), major illness (19 percent) and death (2 percent).
“Products labeled for dogs must never be used on cats — doing so can result in serious illness and even death,” said Louise Murray, DVM, medical director of the ASPCA’s Bergh Memorial Animal Hospital. “A veterinarian must always be consulted before using spot-on flea and tick treatments on very young, old, sick or pregnant pets.”

RECYCLING

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Garfield County to end tech-garbage worries (*Aspen Times*)

‘E-cycling' program accepts computers, televisions, more
John Colson
Glenwood Springs correspondent
Aspen, CO Colorado,
GLENWOOD SPRINGS — Got some outmoded computer components, an old television set or other electronic gear you don't want hanging around your storage space any more?

Then Janey Dyke of Garfield County has a deal for you, and you can rest assured that the stuff won't end up poisoning the population of some remote third-world country.

Dyke, a 10-year county employee raised in Glenwood Springs, is in charge of the county's four-year-old electronics recycling program, which she refers to as “e-cycling” or “e-waste.”

Once a month, at sites near Rifle and Glenwood Springs, her department accepts “basically any type of complex circuitry item from your living room or office,” she explained in a written statement on the program.

But, she continued, “we do not accept appliances (microwaves, smoke alarms, curling irons, etc.).”

It's free to drop off as many as six items, and costs $10 for each additional item in a given load, Dyke said.

According to Dyke's department, computer monitors and older television picture tubes contain an average of four to seven pounds of lead, which is a known carcinogen, and are believed to make up as much as 40 percent of the lead found in U.S. landfills.

Other substances, some of them highly toxic, include chromium, cadmium, mercury, beryllium, nickel, zinc and “bromiated flame retardants.”

Citing statistics from the U.S. Environmental Protection Agency, Dyke said that in 2007 discarded televisions, computers and related gear amounted to some 2.5 million tons of trash.

“Recycling electronics conserves our natural resources and avoids air and water pollution,” Dyke explained, “as well as greenhouse gas emissions that are caused by manufacturing new products.”

She maintains that recycling one monitor and computer translates to the equivalent of not burning 28 gallons of gasoline, and that it is estimated that 680 million computers will become obsolete in the next five years.

Aside from the environmental benefits of her program, Dyke said she enjoys meeting and chatting with the people who drop items off.

“It's like they're watching their kids leave home,” she said of some patrons who get emotional when leaving old equipment behind.

Dyke's solution?

“I hug 'em!” she said. She also has been known to personally pick up items from the home of a senior citizen or someone else who can't easily make the trip to the drop-off

centers, or in other ways offer to accommodate a county resident in some sort of difficulty.

And she regaled a reporter with tales of community do-gooders who regularly deliver loads of recycled stuff, such as a pastor who collects the stuff from his flock and drives it to the recycle center himself.

“It's great to have that kind of support,” she said, adding that the county commissioners have been particularly supportive.

The program is mainly funded by revenues to the landfill from what are called “white goods” — appliances, barbecues, lawnmowers and other goods that are sold as scrap metal — as well as grants, such as $25,000 from Gov. Bill Ritter's office.

Dyke offered assurances that the recycling broker that hauls the stuff away, LifeSpan Technology Recycling, does not dump its accumulated tonnage of electronic garbage in some remote province of China or another country desperate for cash, such as was featured on a “60 Minutes” episode several years ago.

“I did my homework,” Dyke declared, and LifeSpan's president, Dag Adamson, said his company goes to great lengths in the “demanufacturing” process.

He said his company has been certified by the International Association for Electronics Recyclers (now the Institute for Scrap Recycling Industry), for sending components to firms with environmental credibility; and the National Association of Information Destruction, for LifeSpan's efforts to protect the data contained in the computers they recycle.

Although Dyke is in charge of the county's program, she said she gets plenty of help from the county's Road & Bridge Department, remarking that Road & Bridge director Marvin Stephens is “a big supporter.” She also noted that inmates from the Garfield County Community Corrections program pitch in at least once a month to load all the recycled gear onto pallets for shipment, and praised the county commissioners for their belief in the program.

“If we didn't have their support, this couldn't happen,” she commented. “I think that's important, that our commissioners have a green outlook.”

Between 22 and 44 pallets (most of the pallets themselves are donated by the Solvay Chemicals Co. in Parachute) are picked up every three months or so in a big semi-truck and hauled to the Front Range, then sold to brokers who find an ultimate disposal site.

The Garfield County e-waste program is the biggest of its kind on the Western Slope, Dyke said, although she added that Mesa County has recently started up a program that may change things.

Items can be dropped off on the second Thursday of every month — it takes her small crew of volunteers a couple of weeks to process and pack all the items — from 1-3 p.m. at either of two locations.

Dyke is usually at the county road and bridge administration building on Hunter Mesa, across the road from the Garfield County Airport. The other location is the road and bridge Cattle Creek Facility, on the Highway 82 frontage road south of Glenwood Springs, just upvalley (south) from the CMC turnoff.

For more information, call 1-970-625-8071.

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SUPERFUND

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July 13, 2009

Smelter Hill: Superfund or state cleanup? (*Great Falls Tribune*)

By KARL PUCKETT
Tribune Staff Writer
Gov. Brian Schweitzer will decide next month whether to ask for a federal Superfund cleanup of heavy metals contamination at the former Great Falls Refinery on Smelter Hill, a designation opposed by site owner Atlantic Richfield Co.

Black Eagle residents will get a chance to weigh in at an Environmental Protection Agency-sponsored public meeting Tuesday, well before the decision is made. State environmental regulators also will be at the meeting.

"We'll both be listening to what the community has to say about that," said Denise Martin, site response section supervisor of the state Department of Environmental Quality's Remediation Division.

Sarah Peck, secretary of the Black Eagle Water and Sewer District, said feelings are mixed about a Superfund cleanup.

"We just need to find more information about it," she said.

EPA testing in 2007 and 2008 turned up lead and arsenic contamination in soils across a 78-acre area occupied by 375 homes in Black Eagle, the EPA said.

The former refinery complex's 502-foot-tall smokestack might have dispersed the contaminants into town, according to the EPA.

Dave Montgomery, former president of the Black Eagle Civic Club, said that the majority of properties in the community don't have pollution, and environmental regulators have said no immediate health risk is posed by the contamination that is there.

However, a comprehensive investigation is in order because of the risk of long-term exposure, said Gwen Christiansen, EPA Region 8's site-assessment manager for Montana.

The question now is whether the state or the EPA should conduct a broader investigation.

"Our concerns are the residential soils, the (refinery) property itself and the Missouri River," Christiansen said.

In August, Schweitzer will make a decision whether to request that the EPA add the site to the National Priorities List, better known as Superfund, after receiving input from the DEQ, Martin said.

If the former refinery site is added to the list, additional resources would be available and EPA would have oversight authority, Christiansen said.

Fifteen sites in Montana already are on the National Priorities List.

Lead and arsenic are the biggest concerns in Black Eagle because exposure to those contaminants can carry the most serious health effects, according to the EPA.

The 250-acre metals smelter and refinery complex operated on the north bank of the Missouri River across from Great Falls between 1893 and 1980, producing copper, zinc, cadmium and indium metal.

Waste was stored on site, with hundreds of thousands of tons of it disposed of in the Missouri River, Christiansen said.

It is possible contaminated sediments remain in the river, she added.

"We're concerned about food-chain type effects that may occur," Christiansen said, noting the endangered pallid sturgeon inhabits waters downstream.

The former refinery site already is on a state Superfund list of 209 polluted sites in Montana ranked by maximum, high, medium and lower priority, but no work has occurred under that program. The refinery is ranked high priority.

Martin said the state must rely on responsible parties to pay for the bulk of cleanup work at those sites and wouldn't be able to begin an investigation of the refinery immediately — unless resources were taken from other projects.

If the refinery is added to the federal Superfund list, the soonest EPA could begin work would be next year, Christiansen said. The EPA first would investigate the parties responsible for the pollution, with those companies bearing the costs of the cleanup, Christiansen said.

If the companies refused to pay, the EPA still could proceed, and seek reimbursement later.

The first task would be conducting a risk assessment, which drives what gets cleaned up, Christiansen said.

"We continue to believe Superfund listing is not the right thing for any community," said Robin Bullock, a spokeswoman for Atlantic Richfield Co., which purchased the site in 1977.

A Superfund designation would drag out the work, she said, adding ARCO is willing to work with regulators and the community.

She noted that the company, which she said isn't the only one to operate such a business in the area over the years, is planning to do its own soil testing in Black Eagle.

Cleanup work has occurred at the site, but not under the supervision of environmental regulators. ARCO began closing the complex in 1981, completing the process in 1999.

As part of the closure, flue dust, slag and material containing asbestos were buried on-site, according to the EPA. A 2003 inspection found elevated levels of arsenic, cadmium, chromium, lead, mercury and zinc on and off the site.

"We don't know the full extent of the contamination," Martin said.

Additional Facts

EPA public hearing

The federal Environmental Protection Agency will conduct a public meeting on the Great Falls Refinery site at the Black Eagle Community Center from 7 to 8:30 p.m. Tuesday.

TOXICS

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JULY 13, 2009, 6:03 A.M. ET

Chinese Drywall: Pinpointing the Problems (*Wall Street Journal*)

By JAMES R. HAGERTY AND M.P. MCQUEEN
The odors, respiratory complaints and corrosion blamed on drywall from China used in American homes may have been caused by the failure to remove sulfur and other contaminants from synthetic gypsum, some Chinese experts in building materials say. The U.S. Consumer Product Safety Commission in recent months has received more than 550 reports from people in 19 states and the District of Columbia involving odors, health symptoms and corrosion problems they blame on imported Chinese drywall. The complaints involve “rotten egg” smells and corrosion of wiring and other metals in the homes. U.S. officials are still trying to assess the possible health and safety risks.

Drywall, also known as wallboard, is a layer of gypsum pressed between two sheets of paper and is used to construct walls and ceilings in houses. Most drywall used by American home builders is U.S.-made, but shortages at the peak of the housing boom in recent years spurred imports from China.

Problems have been reported in the Southeast, California, Arizona, Washington State, Wyoming and New York. One result has been a rash of lawsuits against home builders and producers and importers of drywall.

U.S. Rep. Mario Diaz-Balart, a Florida Republican, estimated in an interview that 100,000 American homes may have problems with Chinese drywall. Some builders in Florida, he said, are having to gut recently built homes and replace it.

The gypsum in drywall typically comes from mines. In recent years, though, an increasing amount of drywall has been made of gypsum created from a chemical process using lime or limestone and gas from coal-fired power plants. This process involves the removal of sulfur and other contaminants found in power-plant smokestacks.

It remains unclear exactly what may have gone wrong with the drywall, and there may be no single cause. One manufacturer in China points to mined gypsum as the likely culprit. But Yue Wenhai, vice president of the committee of gypsum and gypsum products at the Chinese Ceramic Society, a nonprofit group, says flawed “desulfurization” methods can leave impurities in synthetic gypsum.

Duan Pengxuan, an engineer at the Beijing Building Materials Academy of Sciences Research, says he believes that the reported problems arose from inferior batches of gypsum, and that the problems aren’t widespread in Chinese drywall. Mr. Duan’s office has drafted proposed standards for Chinese production of gypsum from power-plant gases.

U.S. and Chinese officials are cooperating in efforts to sample drywall and indoor air quality in affected homes to determine what may have gone wrong. The U.S. Environmental Protection Agency in May reported that preliminary sampling turned up sulfur in some Chinese drywall. The EPA tests also found strontium, a metal, at higher concentrations than in U.S.-made drywall. The Consumer Product Safety Commission, a federal agency that regulates many household products, has opened an investigation into the safety of imported drywall and posted information on its Web site.

Homeowners who believe they have Chinese-made drywall have complained of itchy eyes and skin, runny noses, nosebleeds, headaches and asthma attacks, among other things. Patricia Williams, a toxicologist at the University of New Orleans hired by lawyers for some of the homeowners, says tests indicate they are being exposed to a variety of chemicals, including carbon disulfide, sulfur dioxide and hydrogen sulfide.

Morton Lippmann, a professor of environmental medicine at New York University, and Nachman Brautbar, a toxicologist and clinical professor emeritus at the University of Southern California School of Medicine, aren't involved in the litigation but reviewed a recent report prepared by Ms. Williams. Both agree that the chemical emissions reported could cause health problems, but say that depends on the intensity and duration of exposure.

—Ellen Zhu contributed to this article.

Seafood dos and don'ts (*Press of Atlantic City*)

Posted: Monday, July 13, 2009
Rich in high-quality protein and omega-3 fatty acids and low in saturated fat, fish is an important addition to any diet because it promotes a healthy heart and proper development in growing children. But mercury contamination in fish poses a very real health risk to some people - particularly kids and women who are pregnant or might become pregnant.
How do you know when fish is safe? Here are guidelines from the Environmental Protection Agency:
•Avoid shark, swordfish, king mackerel and tilefish, which tend to contain high levels of mercury.
•Up to 12 ounces per week of a variety of fish is good for you. Shrimp, canned light tuna, salmon, pollock and catfish have the lowest mercury levels.
•Check the safety of fish caught in your local lakes, rivers and coastal areas by consulting fish advisories at EPA's Web site:
www.epa.gov/waterscience/
fish/states.htm

WATER

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Regan Murray: Advancing Crucial Clean Water Standards (*Washington Post*)

From the Partnership for Public Service
Monday, July 13, 2009 6:31 AM
After the September 11, 2001 terrorist attacks, concern grew among government officials and utilities that the nation's drinking water systems could be vulnerable to toxins. Regan Murray, a statistician at the Environmental Protection Agency (EPA), began working with a team of government scientists to develop a software suite that provides warning signals to rapidly and reliably detect contamination.
"Regan was the mastermind behind this project. She was a real leader who was willing to think outside the box," Jonathan Herrmann of the EPA's National Homeland Security Research Center said.

One of the breakthrough software programs known as CANARY provides a real-time, automated analysis tool that monitors sensor data, recognizes common patterns and identifies abnormalities that may indicate the presence of contaminants. The software has helped to reduce the number of false positive alarms fielded by water utilities and allowed the government to interpret water quality data with great speed.

Another software program known as TEVA-SPOT enables water utilities to identify the best locations in distribution systems to install sensors for speedy detection of contamination.

"Without this software, there is no tool on the market for alerting water utilities of attacks in real time," William Hart of the Sandia National Laboratories said. "There would be no mechanism to measure these attacks."

"This program is incredible in that this software can be used by any water facility, despite the vast differences between them," added Kim Fox of the EPA's Water Infrastructure Protection Division.

The innovative software was used to designed sensor networks for nine large water utilities, and workers at approximately 75 water utilities have been trained to use the technology.

Murray said the effort by her team is part of a broader homeland security approach to protect water supplies, one that includes the utilization of online sensors and computer data collection, public health surveillance programs, cameras and other monitors, and customer complaint surveillance.

The 37-year-old statistician said she has always had a "passion to work on problems." "I wanted to do more meaningful work that directly impacted people's lives," Murray said.

Developing the software and promoting it involved applying scientific, mathematical and people-management skills. To get the job done, Murray coordinated activities among a diverse group of government scientists and academics and developed partnerships with water utility companies.

Murray said the sensor technology represents "a new, more advanced and updated approach for water utilities." Many utility companies were set in their old ways and pushing innovation required establishing credibility to convince people of the need for change.

Of Murray's efforts, security program manager for the American Water Works Association Kevin Morley said, "She worked hard to build and maintain relationships with water utilities to ensure that her software would be a real-world application."

Bringing utility companies on board required being open to suggestsions tied to program implementation. "She was open to feedback from utilities to produce a product that they needed, rather than just a mathematical model," Morley said.

This article was jointly prepared by the Partnership for Public Service, a group seeking to enhance the performance of the federal government, and washingtonpost.com. Visit www.ourpublicservice.org for more about the organization's work.

Central New York farmers can adjust cows' feed to keep our drinking water cleaner (*The Post-Standard – Syracuse*)

Posted by jthompso July 13, 2009 06:29AM
When Syracuse residents turn on their water faucets, they most likely don't think about cows in Homer. But they should.

Thanks to research by Cornell University personnel and studies done at a Homer farm, Syracuse's water source -- Skaneateles Lake -- has maintained its clean and healthy quality for the past decade.

That is due in large part to the feed eaten by dairy cattle and the amount of manure spread on the land for crops. The work done through the Skaneateles Lake Watershed Agricultural Program involves more than 50 farmers voluntarily helping to keep the lake water quality high.

Top link

See the CNY Farms blog for more news about area farms

Other Central New York counties are following similar practices to keep their water pure.

"All the data we have suggests that this is a very successful program," said Russ Briggs, a forest soils professor at the State University College of Environmental Science and Forestry in Syracuse, who has studied streams entering Skaneateles Lake for four years.

"The Skaneateles Lake Watershed Agricultural Program is a model. It is outstanding," he said.

What goes on?

Homer farmer Mike McMahon has about 675 cows on 1,900 acres just outside the village of Homer. He and his father before him have farmed this land for more than 50 years.

McMahon said about 74 percent of his property sits on the aquifer that feeds the Homer municipal water system. Many of these acres also are near a state Department of Environmental Conservation protected stream -- Factory Brook, which is a headwater of the Chesapeake Bay.

The rest of his land is in the Skaneateles Lake watershed.

In the early 1990s, a group of agricultural nutritionists and crop and soil scientists from Cornell began researching ways to reduce phosphorus going into surface water.

Mark Burger, interim executive director of the Onondaga County Soil and Water Conservation Service, said reducing phosphorus is important to water health.

"The manure will leach through the soil and come into the water, creating algae," Burger said. "If you have excess nutrients in the water, you have excess vegetation in the water, which then decomposes. This changes the taste and changes the whole chemistry to the water."

He said the excess algae also cuts the oxygen in the water, which kills fish and other aquatic life. He couldn't say if the excess algae would make the water harmful to drink, but "anything could be possible if pushed to an extreme."

McMahon said decades ago, the practice in dairy farming was to spread all the manure on fields every year. But the Cornell researchers thought it would be wise to find out exactly how much manure is needed.

"So we started soil sampling on every bit of land here," McMahon said. "We wanted to find out what's in our soil from spreading manure all these years."

What McMahon found was only 25 percent of his 400 low-lying acres "needed a shot of nitrogen," he said. The rest had all the nutrients needed for crops.

So he was able to reduce the amount of manure put on the land, thus cutting the amount of phosphorus and nitrogen that would run off from his land into the nearby watershed.

The researchers also thought the manure should be tested to see how much phosphorus and nitrogen is in it. They changed the feed for McMahon's cows to reed canarygrass, which reduced the amount of phosphorus and nitrogen in the manure.

"Two-thirds to three-quarters of the nitrogen and phosphorus that comes into a dairy farm in the Northeast comes in from purchased food," said agricultural nutritionist Thomas Tylutki, one of the Cornell researchers who now has his own company.

"Historically, farmers would use a little forage to keep cows healthy and buy everything else," McMahon said. "We would have 40 percent homegrown feed and 60 percent purchased. Now we've just about flipped that. We have about 70 percent homegrown feed."

So when this manure was spread on fields later on, it had enough nutrients to nourish the soil for crops, but a reduced amount of nutrients to harm the water when it leached to area tributaries and creeks.

McMahon said the grass also "made our erosion problem disappear." This also helped keep nutrients such as phosphorus and nitrogen from eroding and ending up in water supplies.

A third aspect to the program is the construction of a manure storage tank on the farm. McMahon said he used to spread manure throughout the winter just to get rid of it and the phosphorus and nitrogen in this manure would seep into the groundwater.

Now, with the storage tank, the manure is stored and spread only when it is needed, thus cutting down on seepage into the water.

Elsewhere in CNY

The Skaneateles Lake Watershed Agricultural Program was a pilot for the state's Agricultural Environmental Management program, a voluntary program that helps farmers make farm decisions that save them money and conserve the state's natural resources.

These management practices are used throughout Central New York.

In Cayuga County, phosphorus is a problem in both Owasco and Cayuga lakes. In Oswego County, Lake Neahtawanta is suffering from years of phosphorus runoff.

In Madison County, two lakes -- DeRuyter Lake and Oneida Lake -- have been taken off the federal Environmental Protection Agency list of polluted waterways thanks in part to these environmental management practices by county farmers.

"We work extensively with the AEM program and have helped write Comprehensive Nutrient Management Plans for more than 100 dairy farms in Madison County," said Steve Lorraine, director of Madison County Soil and Water Conservation Service.

"We test the soils every three years and check the fertilizer and the manure," Lorraine said. "What we do is modeled after the Skaneateles Lake Watershed Agricultural Program."

Ron Podolek, executive director of Cayuga County Soil and Water Conservation Service, said Owasco Lake is showing improvement from efforts such as Agricultural Environmental Management by county farmers.

"The No. 1 award in New York state given through AEM was won last year by Fessenden Farms in Cayuga County," Podolek said. "Overall, farmers want to do a good job. AEM is a very beneficial program."

Oswego County doesn't get any of its drinking water from area lakes, said John DeHollander, director of Oswego County Soil and Water Conservation Service.

But there still is concern for Lake Neatahwanta, which has severe algae and vegetation problems because of phosphorus coming from many different sources.

Even Lake Ontario had phosphorus problems. "Years ago it was phosphorus-laden, but we've curbed a lot of the phosphorus going into Lake Ontario," DeHollander said.

He said Oswego County also uses Agricultural Environmental Management practices at area farms.

Monday, July 13, 2009

EPA blamed for Bay bacteria (*Associated Press*)

Story also appeared: *Washington Times*

Ben Nuckols ASSOCIATED PRESS

BALTIMORE | The polluted waters of the Chesapeake Bay are harboring bacteria that pose an increasing health risk to humans, a Bay watchdog group warned last week in a report that criticizes federal environmental regulators.

The Chesapeake Bay Foundation noted increases in Virginia and Maryland of the number of infections from the saltwater bacteria known as vibrio, some varieties of which can cause life-threatening skin and blood infections and intestinal illnesses.

The report faulted the Environmental Protection Agency for failing to clean up the Bay as required under the federal Clean Water Act.

"The thought that you can't swim in the Chesapeake Bay because you may contract a disease or a bacterial infection, that's outrageous, especially if the laws aren't being enforced," foundation president William C. Baker said.

President Obama called the Chesapeake "a national treasure" in a May executive order that put the federal government in charge of cleanup efforts that previously were led by states.

Jeffrey Lape, director of the EPA's Chesapeake Bay Program, did not dispute that the agency has fallen short of its cleanup goals.

"We're on clear record of acknowledging that much more needs to be done to restore the Bay," Mr. Lape said. "I think we're trending in the right direction. We just still have some challenges to address."

The Chesapeake Bay Foundation report also noted that Pennsylvania, Maryland and Virginia issued 76 no-swimming advisories and beach closures last year because of unhealthy bacteria levels, typically after significant rainfall.

Health officials in Virginia reported 30 infections from vibrio bacteria last year, up from 12 in 1999, the report said. Reported cases also rose in Maryland, but a change in reporting requirements may have contributed to the increase.

Rising water temperatures and nutrient pollution are fueling algae blooms that allow bacteria to thrive in the Bay, according to scientists quoted in the report.

Watermen have long been aware of the dangers posed by bacteria, but in recent years, swimmers and casual boaters have also suffered serious infections, the report found.

The Chesapeake Bay Foundation interviewed a boater from Newport News, Va., who was hospitalized last year after contracting a vibrio infection from a small cut on his thumb. In addition, a retired printer was hospitalized in 2005 and was "on the verge of death" when a cut on his leg became infected after swimming in Maryland's Severn River with his grandson, according to the report.

"The thought that it could happen to a grandfather or someone coming into casual contact, playing with their kids, was surprising to us," Mr. Baker said. "I think it's going to be surprising to a lot of people."

Mr. Lape said the Bay is no less safe to humans now than it was a decade or two ago, although he acknowledged that the EPA and other agencies have made little progress on reducing pollution from stormwater. The Chesapeake Bay Foundation should be applauded for bringing concerns about water quality to the public's attention, he said.

"This report provides very good anecdotal examples of the serious concerns that can be caused by water quality," Mr. Lape said.

In One Day, Saddening Reminders of a River's Murky History: (*New York Times*)

July 13, 2009 Monday
Late Edition - Final

Section A; Column 0; Metropolitan Desk; OUR TOWNS; Pg. 14
By PETER APPLEBOME.
E-mail: peappl@nytimes.com
DATELINE: CLIFTON, N.J.
If you were trying to guess at random the local waterway where two bodies turned up in one day a week ago, the Passaic River would not be a bad bet.

A toxic cocktail of dioxin, sewage, heavy metals and industrial chemicals left behind by the factories, tanneries, smelters and refineries that are now mostly hulking brick ruins, the Passaic is a pretty decisive argument against human perfectibility.

The Passaic begins in the clear trout streams of rural Morris County, provides drinking water to 3.5 million New Jersey residents, reaches a peak at the Great Falls of Paterson and then devolves at the end of 80 increasingly foul and dispiriting miles into a dark, malodorous industrial sink.

Its pop culture moment was "The Sopranos": It's part of the opening credits and the scene of many episodes of baleful mayhem, like Christopher being beaten and Dick Barone's son having his knees broken, both scenes at the same dock in Kearny.

Its environmental moment, it seems, is not a moment, but an eternity in which plans for a major cleanup percolate and fester and stall, like wheels spinning in that chocolate-colored industrial goo beneath the river's surface. "I call it the Denial River," said Jeff Tittel, director of the Sierra Club's New Jersey chapter. "They talk about cleaning it up, but they're in denial when it comes to making the tough choices about what it would take to get it done."

And over the years, with depressing frequency, bodies have been dumped and tossed into the river or suicides have chosen it as their dreary last stop. Twice in the last 10 years, in June 2000 and in April 2009, adults drowned children in the river.

Its history includes malice and mystery and just bad luck -- the 27-year-old man from Stanhope who drowned in 2006 after his canoe overturned; the 26-year-old man from Paterson who in July 2007 jumped into the river to retrieve an errant soccer ball and never came back.

Most recently, there was Friday's banner headline in The Clifton Journal -- "How Did Body End Up in River?" -- about a 2-year-old child, Imani Joyner, whose body was removed from a cemetery in Connecticut and found in a sealed plastic bag on July 5 by two fishermen near an underpass where the homeless sleep on battered mattresses. One theory was that it was part of a ritualistic ceremony, like those performed by followers of Santeria, but officials are not sure. After all, there are too many chicken bones and goat's heads along the river to know if they played a role in this event.

The same day, two boaters found the body of Beverly T. Spano, a public relations executive and mother of three from Waldwick. Her body was discovered three days after a relative found her gold Ford Windstar minivan parked at the Elmwood Park marina.

The police believe her death was a suicide.

Of course, bodies turn up in rivers elsewhere. And, however dank the water, life goes on around and even on it.

There are riverside parks and war memorials under enveloping oaks. On Friday, three Russian immigrants from Brooklyn were fishing for carp and catfish, using Dunkin' Donuts bagels for bait. One of them, Michael Ivanov, said he wouldn't eat what he caught. Another, Michael Levitskiy, said he would. "How do you know the water anywhere is clean?" he said.

Recreation along the river has increased, particularly the sculls of high school rowing teams and local clubs. On Friday, you could find Sue Sadik, a k a the "Sopranos" expert Soprano Sue, sitting at the very table at the Stewart's Root Beer stand in Kearny where, transformed into Napoleon's Diner, Tony ate with Jack Massarone, whose cap was bugged by the F.B.I.

Mr. Tittel said that thanks to the federal **Clean Water Act,** the river, however foul, is cleaner than it was when, like the Cayuga in Cleveland, it could catch fire. And advocates like the Passaic River Coalition are still fighting to redeem a river they describe as "beset with every conceivable environmental problem."

What frustrates and angers Ella Filippone, the coalition's executive director, is how

insanely slow and bureaucratic the cleanup process remains, with studies on top of studies to prove what everyone knows: The river is a toxic disgrace that needs to be cleaned up. "It's government at its worst," she said.

So purging the Passaic of its sins, establishing a peaceable kingdom where no more lost souls end up in its chocolate bisque, may be too much to ask. But making it a river reborn with a future as well as a past is not. Just don't hold your breath waiting for it to happen.

Testing of well water depends on location (*USA TODAY*)

July 13, 2009 Monday
CHASE EDITION
NEWS; Pg. 3A
Testing of well water depends on location;
Regulations vary by state
By Steve Orr and Matthew Daneman
Douglas Wagner bought a home in the Rochester, N.Y., suburb of Webster last year, contingent on the well water being judged safe.

Standard testing showed the water was fine and the Wagner family moved in. Then, he learned that nearby wells had **arsenic** problems.

Wagner's well hadn't been checked for the toxic metal because state and local regulations do not dictate how private wells should be tested. After testing for and finding levels of **arsenic** above the 10-parts-per-billion federal and state regulation, Wagner faces the expense of hooking up to the public water supply at a cost of more than $1,800, said Edward Marianetti, executive director of the Monroe County (N.Y.) Water Authority.

"Everybody should be assured that if a well is tested before the sale of a home, it's fully tested," Wagner said.

Only three states -- New Jersey, Oregon and Rhode Island -- require well-water quality testing when a property is sold, according to the National Ground Water Association. Eighteen states require water be tested when a new well is built.

"If one uses a private well ... they are taking some responsibility themselves for the possibility there may be some problems in the water," said Andrew Doniger, Monroe County health director.

Having a uniform requirement for states would make little sense as water contamination issues in one part of the country, such as **arsenic** in the Northeast, often are rare in the

rest of the nation, says Cliff Treyens of the National Ground Water Association.

More than 51,000 private wells in New Jersey have been tested since its first-in-the-nation law went into effect in 2002, and 12% of them were found to be contaminated with at least one pollutant, according to the state Department of Environmental Protection website.

At least three counties in New York's Hudson Valley have laws requiring extensive testing of well water when property is sold. In Rockland County, roughly two thirds of the samples fail, said Thomas Micelli, county environmental health director.

Doniger said the levels of **arsenic** found in the Webster wells, which have been as high as 40 parts per billion, do not present an immediate health threat.

The subject of increased regulation of private wells has come up at meetings of New York health officials, said Doniger, but nothing has been done statewide. "There is no consensus that the benefits outweigh the costs."

Orr and Daneman report for the Rochester (N.Y.) Democrat and Chronicle

Hawaii Harbors Ordered to Obey Federal Stormwater Regulations (*Environment News Service*)

HONOLULU, Hawaii, July 12, 2009 (ENS) – The U.S. Environmental Protection Agency has ordered the Hawaii Department of Transportation's Harbors Division to comply with federal Clean Water Act stormwater regulations at the Honolulu and Kalaeloa Barbers Point Harbors on the island of Oahu.

Fuel, oil and debris carried by stormwater from the Harbor Division and tenant facilities, discharge directly into harbor waters and through municipal storm drains running to harbor waters.

"We've identified many stormwater permit violations and compliance issues to be resolved to protect Oahu's coastal waters," said Alexis Strauss, Water Division director in the EPA's Pacific Southwest region."

"We'll oversee HDOT as they take these actions under this order and ensure we have stronger public health and environmental protections in place," she said.

Honolulu Harbor, located on Mamala Bay, is Hawaii's major port facility, handling over 11 million tons of cargo annually. The harbor serves as Hawaii's primary distribution center to Oahu and the rest of the state.

Kalaeloa Barbers Point Harbor, located on the southwest corner of Oahu, is a commercial harbor providing port facilities for deep-draft vessels.

The violations carry a maximum $37,500 a day fine but the state is moving to comply with the order and officials say they should be able to meet deadlines set by the EPA and avoid fines.

The EPA stormwater compliance initiative program for ports began in 2003 and this is the first time Hawaii ports have been inspected, Michael Formby, deputy director of the DOT Harbors Division, told the "Honolulu Advertiser" newspaper.

In December, the U.S. EPA and state Department of Health inspectors conducted audits at Honolulu and Kalaeloa-Barbers Point harbors.

Inspectors determined that the state Harbors Division has failed to develop, implement and enforce an effective program to detect and eliminate illicit discharges and illegal connections, including failure to compile a list of non-stormwater discharges, failure to detect and identify dry weather flows, and failure to ensure tenants implement controls.

An adequate program to reduce pollutants from construction sites was not in place, inspectors found. They documented failure to implement appropriate erosion and sediment control best management practices, failure to establish rules, ordinances and other regulatory mechanisms that require erosion and sediment controls at construction sites, failure to ensure that construction site operators control waste; and failure to implement an inspection and enforcement program for control measures at construction sites.

There was no adequate program for post-construction runoff from new development and redevelopment projects, the inspectors discovered.

They found that the harbors failed to implement structural and non-structural controls to minimize water quality impacts and maintain pre-development runoff conditions, and failure to create enforcement procedures for the long-term operation and maintenance of measures to reduce pollutants.

The order requires the HDOT Harbors Division to revise its stormwater management plans for both harbors by December 31, 2009 and submit the revised plans by the end of January 2010.

The order also requires HDOT Harbors Division to:

- develop and implement a tenant inspection and enforcement program, and conduct inspections annually at all commercial/industrial tenant facilities beginning January 2010
- use the tenant inspection and enforcement program to detect and eliminate illicit discharges into the harbor stormwater systems

- develop and implement a program to control construction site runoff, including inspections of third-party constructions projects at the harbors
- develop and implement a Post-Construction Storm Water Management Program for areas of new development and significant redevelopment
- revise the pollution prevention/good housekeeping program to include a program of scheduled inspections and preventive debris removal from its stormwater system
- develop and implement an erosion and sediment control plan to manage the existing dredged materials at Kalaeloa Barbers Point Harbor, as well as for future dredge spoil stockpiles, if any, to prevent both wind-and water-caused erosion of the stockpiled materials

July 13, 2009 in City

EPA questions Snake cooling plan (*Associated Press*)

Story also appeared: *Spokesman Review*

BOISE – The Environmental Protection Agency is questioning the effectiveness of a plan that aims to cool Snake River waters to improve habitat for fish.
The EPA says Idaho Power Co. needs to find a way to reduce temperatures below Hells Canyon before it can get a new 30-year license to run power plants, because the Snake River can be too warm in fall for chinook salmon and steelhead spawning.

The utility proposes that it spend $3 million a year to restore trees to shade the Snake's upstream tributaries, and to raise flows along with some other measures.

But EPA administrators doubt the plan will be enough to keep the water cool throughout the 100-mile journey through the Snake and its reservoirs. The agency is eyeing an alternate plan that could cost the utility up to $250 million.

"Right now it's very unclear what these projects are going to be and that they would represent any temperature benefits downstream," said John Palmer, an EPA senior policy adviser. "We think to get the level of temperature reduction it would require a significant amount of restoration."

Idaho Power argues that it exceeds federal standards only two weeks in October. The company opposes spending so much for a temperature control structure needed for such a short time.

Towns Mull Sewer Rate Hikes (Wheeling Intelligencer)

By ART LIMANN And SHELLEY HANSON
POSTED: July 13, 2009
PUBLIC HEARING PLANNED
Triadelphia Town Council is slated to hold a public hearing about hiking residents' sewage rates by 30 percent at 8 p.m. Wednesday at Town Hall, 207 National Road.

Two local municipalities - Moundsville and Triadelphia - are proposing to hike their residents' sewage rates, though for different reasons.

Moundsville residents' sewage rates may be hiked by $4 more per month if Moundsville City Council decides to approve a related ordinance. Council heard the first reading of the rate ordinance last week. The second and final reading is slated for Council's Aug. 3 meeting.

Moundsville City Manager Allen Hendershot said based on 4,500 gallons of usage, residents currently pay $15.97 per month. Under the proposed 25-percent hike, the rate would be $19.97 per month for 4,500 gallons.

"Our rates will still be $6 to $7 below what the state requires before they would help (with grants)," he said.

Meanwhile, Triadelphia Town Council also is proposing to hike its residents' sewage rates by 30 percent. According to a news release, Town Council heard the first reading of an ordinance July 1 to increase the average monthly rate by $6.79 for residents and by $11.67 for businesses. The rate hikes could be more or less, depending on water usage. For example, using up to 3,000 gallons of water would cost $4.35 more per month.

A public hearing on Triadelphia's proposed hike is scheduled for 8 p.m. Wednesday at Town Hall, 207 National Road, Triadelphia. After the hearing, Town Council will then consider adoption of the rate ordinance.

Town Council, according to a news release, has found it necessary to increase its rate because the city of Wheeling has increased its cost of doing business with Triadelphia by 35 percent.

Triadelphia's sewage is treated by the city of Wheeling.

In the city of Moundsville, Hendershot noted Commercial and Industrial rates would remain close to the same. Security deposits of $50 for domestic customers will also be added.

Moundsville's proposed hike is to help offset costs associated with the city's projects to separate storm and sanitary sewer lines.

The first phase of proposed work was started four years ago when the city received a $366,000 U.S. Environmental Protection Agency grant to separate lines on Jefferson Avenue to 12th Street. This was a 55/45 match he said.

Since that time other phases including separating lines from the former West Virginia State Penitentiary, lines in the Eighth Street to 12th Street area between Parriott Avenue and McConnell Drive, and repair and upgrading of the city sewage treatment plant have been added to make a combined $3.5 million total project.

"It's a long process," Hendershot said.

He added that taps will be done by the city to ensure the work will be done properly.

"This will simplify the process and could actually save people money," he said.

Hendershot said Glen Dale, which ties its storm and sanitary lines into Moundsville's, will also be seeing a small increase in its rates "until they separate their lines." He said Glen Dale is now charged on a clean water use.

This is going to be changed to a flow meter that will bill on actual gallons going into Moundsville's system.

"Once they separate their lines bills could go down," Hendershot said. "I understand they have already started working on this."

Base water quality comments sought (*Mountain Home News*)

Monday, July 13, 2009

The Idaho Department of Environmental Quality (DEQ) is seeking public comment on its draft water quality certification of a federal permit regulating discharge from Mountain Home Air Force Base's wastewater treatment facility.

State certification is required under Section 401 of the federal Clean Water Act for National Pollutant Discharge Elimination System (NPDES) permits issued by the U.S. Environmental Protection Agency (EPA). The draft NPDES permit authorizes Mountain Home Air Force Base to discharge treated wastewater into Canyon Creek.

Provided the certification conditions are met and all permit provisions are complied with, DEQ proposes to certify that the NPDES permit offers reasonable assurances that the authorized activity will comply with state water quality standards and other appropriate requirements of state water quality law.

The draft certification document is available for review at DEQ's Boise Regional Office and in PDF format on DEQ's Web site at www.deq.idaho.gov/public/comment.cfm.

Written comment on the draft certification will be accepted through 5 p.m. Wednesday, July 29.

Submit comment electronically on DEQ's Web site or by mail or email to:

Craig Shepard
DEQ Boise Regional Office
1445 N. Orchard
Boise, ID 83706

How safe is bottled water? (*Examiner*)

July 12, 10:55 PM · Christiana Roach - Chicago Health Care Examiner
Once upon a time, not so very long ago, when a person wanted a drink of water, they turned on the tap. The thought of shopping for something available for free (more or less) was faintly ridiculous. However, whether through clever marketing, a distrust of what came out of that tap or a combination of the two, the purchasing of bottled water has now become a multi-*billion* dollar investment for Americans.

Unfortunately, bottled water has its drawbacks, most significantly the lack of any meaningful oversight. The government, as yet, has little to no regulatory authority over the bottled water industry and practically no means for enforcing recommendations regarding bottling, processing or labeling.

A four year, independent analysis of the bottled water industry, conducted by the non-profit environmental organization Natural Resources Defense Council (NRDC) found a surprising lack of data on the actual content of bottled water. To get an idea of how pure various products really are, it conducted a "snapshot" quality test of 103 brands. While concluding that most brands do, indeed, market a safe product, the NRDC pointed out that a third of the samples contained contamination in excess of that allowed by state or industry guidelines. Contaminants included bacteria, arsenic, and industrial chemicals such as toluene. (Industrial chemicals were at the heart of the recent Crestwood, well-water scandal.) To see a breakdown of NRDC's bottled water analysis, go to: www.nrdc.org/water/drinking/bw/appa.asp .

In addition to the question of 'what's in the water?', there's the issue of where all those bottles go. Our landfills are overflowing with plastic bottles and, even when conscientiously placed in a recycling bin, chances are many of those bottles will wind up at the dump anyway. Plastic is not biodegradable - it will be around long after you, your children, and your children's children have come and gone.

Finally, the vast majority of bottled water brands lack fluoride supplementation. Though water naturally contains small amounts of fluoride, tap water has long been

supplemented with fluoride to improve dental health, particularly in children. The practice began over 60 years ago and has repeatedly proved itself safe and effective.

Your alternatives:

1. Just drink tap water. If you live in Chicago or a nearby municipality which obtains its water supply from the city, your tap water is deemed safe by the Environmental Protection Agency (EPA). The water is treated off-shore and over 100 miles of tunnels under the city ensure storm overflow water is treated before being released into our drinking supply. (For an interesting overview of Chicago's evolving water-supply methods, check out: www.encyclopedia.chicagohistory.org/pages/300017.html . The picture to the right is of the city's first treatment plant.)
2. Install a filter on your tap or purchase a pitcher with a filter. Even though the EPA may deem a water supply safe, that doesn't mean there's a complete absence of contaminants. For example, trace amounts of medications can be found in Chicago's tap water. There's also the issue of taste. Meanwhile, installing your own water filter can save you money, ensure the water you're drinking is safe, and eliminate pounds of empty bottles from your household recycling bin. For a comparison of various filters, including price, cost, and the toxins filtered, go to: www.waterfiltercomparisons.com/water_filter_comparison.php . The site also projects the amount of money you can save over bottled water.
3. Keep drinking bottled water. Yes, there are drawbacks, but, as mentioned above, most brands are perfectly safe and there do exist recycling plants which actually recycle plastic. ***However***, if you do use bottled water, make sure not to re-use the bottles (chemicals can leach out of the plastic and bacteria will flourish after a time). Also, I really wouldn't recommend limiting your children to the product. The fluoride added to tap water has meant stronger teeth for generations now. If you're concerned about contaminants, use a filter or discuss it with your child's dentist or pediatrician. Your dentist may also be able to suggest bottled water fortified with fluoride.

For more information about bottled water, as well as discussion of the Congressional Hearing into the Bottled Water Industry, go to: www.ewg.org/ .

I value your input, so if you have questions or comments, please feel free to leave them in the 'Comments' section or email them to me at: christianaki1@hotmail.com

A Brief History of Slime (*New York Magazine*)

- By Christopher Bonanos

Published Jul 12, 2009Once known as the ﾐGashouse District,ﾐ the area around the Gowanus Canal is the only underdeveloped section of brownstone Brooklyn, for good reason: The canal is disgusting. The EPA wants to label it a Superfund site and decontaminate it, but Mayor Bloomberg is fighting that stigma, arguing that his alternative cleanup plan will be faster and less bureaucratic. Here, the canal's foul past and potential future.

The Beginning
Built in the mid-nineteenth century where a creek once meandered, the Gowanus Canal served foundries, coal yards, and paint and ink factories. In 1910, a local businessman was already describing the canal's water as ﾐ**almost solid**ﾐ **with sewage**. The next year, a 6,200-foot underground tunnel, fitted with a seven-foot propeller, was opened to flush the canal with fresh seawater. That worked until around 1961, when the pump broke. (Local lore says a city worker dropped a manhole cover on it.) **It wasn't fixed until 1999**, and will be fully overhauled by the DEP in the next two years.

The Bottom
Last dredged in 1975, **up to twenty feet of** sediment has piled up, particularly near the shorelines. The Army Corps of Engineers' Mark Lulka says it is composed of sand, gravel, mud, and a substance he describes as ﾐ**black mayonnaise.**ﾐ

The Smell
The oily odor comes from decades of industrial dumping and runoff, and the rotten-egg scent (much reduced since the flushing tunnel was fixed) comes from sewage. The latter spills **directly into the canal** after storms, when rainwater overwhelms the sewers. When that happens, the water changes from its usual dark gray to greenish because of algae **feeding on the human waste**.

The Shore
Many of the canal's old **wooden bulkheads** are breaking down. Removing and/or rebuilding them will be expensive and complicated, both because they may have **soaked up a lot of toxins** and because they're privately owned.

The Contaminants
The industrial plants that lined the canal handled just about every nasty thing that could end up in the water. Certain **oily pollutants like coal tar** that are customarily measured in parts per million are, in the Gowanus, measured in **parts per hundred**. Heavy metals like mercury and lead are present; so are PCBs and pesticides.

The Microbes
Cholera, typhoid, typhus, **gonorrhea**: They've all been found in the water. A team of biology professors at New York City College of Technology have also studied a **curious white goo** oozing along the bottom, which turned out to be a mix of bacteria, protozoans, and various contaminants. The microbes appear **to have evolved**

resistance to the filth, and the scientists have been trying to figure out whether their disease-fighting mechanisms could be adapted for medical use.

The Wildlife
Since the flushing system was reactivated, the water's surprisingly lively. Oysters, white perch, herring, striped bass, crabs, jellyfish, and **anchovies** can be found. In 1952, a **shark** made its way in. (The cops shot it.) In 2007, a **minke whale** swam into the canal, beached itself, and died.

The Potential Cleanup
Both Bloomberg and the EPA call for most of the **muck to be dredged**. (They differ over who pays for it, and who administers the project.) In some areas, a foot or so of heavy clay might be laid over parts of the canal's bottom, sealing in the bad stuff. (A similar method is used for capping garbage landfills, and **has been known to hold up for several decades.**) Once that's done, there are multiple options for leisure-time access to the waterfront. One beguiling, if blue-sky, idea calls for a grassy area at the water's edge that would **function like a wetland**, absorbing the rainwater that now washes sewage into the canal. It would be called **Gowanus Canal Sponge Park**.

YUCCA MOUNTAIN

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Scientists: Local Bodies Should OK Nuclear Waste Sites (*EP Magazine*)

July 13, 2009
The withdrawal of Nevada's Yucca Mountain as a potential nuclear waste repository has reopened the debate over how and where to dispose of spent nuclear fuel and high-level nuclear waste.

In an article in the July 10 issue of *Science*, University of Michigan geologist Rodney Ewing and Princeton University nuclear physicist Frank von Hippel argue that, although federal agencies should set standards and issue licenses for the approval of nuclear facilities, local communities and states should have the final approval on the siting of these facilities. The authors propose the development of multiple sites that would service the regions where nuclear reactors are located.

"The main goal . . . should be to provide the United States with multiple alternatives and substantial public involvement in an open siting and design process that requires acceptance by host communities and states," the authors write.

Ewing and von Hippel also analyze the reasons why Yucca Mountain, selected by Congress in 1987 as the only site to be investigated for long-term nuclear waste

disposal, finally was shelved after more than three decades of often contentious debate. The reasons include the site's geology, management problems, important changes in the Environmental Protection Agency's standard, unreliable funding, and the failure to involve local communities in the decision-making process.

Going forward, efforts should be directed at locating storage facilities in the nation's northeastern, southeastern, midwestern, and western regions, and states within a given region should be responsible for developing solutions that suit their particular circumstances. Transportation of nuclear waste over long distances, which was a concern with the Yucca Mountain site, would be less of a problem because interim storage or geologic disposal sites could be located closer to reactors.

"This regional approach would be similar to the current approach in Europe, where spent nuclear fuel and high-level nuclear waste from about 150 reactors and reprocessing plants is to be moved to a number of geologic repositories in a variety of rock types," said Ewing, who is the Donald R. Peacor Collegiate Professor in the Department of Geological Sciences, and a professor in the departments of Nuclear Engineering & Radiological Sciences and Materials Science & Engineering.

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