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ADMINISTRATOR JACKSON

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Web Posted: 07/23/2009 12:00 CDT

USDA: Farmers to profit from climate bill (*Associated Press*)

Story also appeared: *San Antonio Express, Lubbock Online,*

By Dina Cappiello - Associated Press

WASHINGTON — Farmers stand to make more money than they will lose if Congress enacts legislation to limit the gases blamed for global warming, according to an analysis released Wednesday by the Agriculture Department.

The study, the first to look specifically at the bill's toll on the agricultural sector, shows that higher energy prices will cut into farmers' bottom lines in both the short and long term. But the projected 1 to 7.2 percent loss in income is far outweighed by the tens of billions of dollars farmers are expected to rake in for projects to reduce greenhouse gases.

"Our analysis demonstrates that the economic opportunities for farmers and ranchers can outpace — and perhaps significantly outpace — the costs from climate legislation," Agriculture Secretary Tom Vilsack told the Senate agriculture panel Wednesday.

Vilsack stressed that the analysis was conservative and perhaps overestimated the costs, saying it was possible farmers could do better.

The Agriculture Department's study estimates that farmers capturing methane gas from manure ponds, planting trees or practicing no-till agriculture — which keeps heat-trapping gases in the soil — could earn $75 to $100 million a year starting in 2012, and as much as $15-20 billion come 2040.

That's because farmers could sell the reductions they make in greenhouse gases to energy and manufacturing companies forced to reduce emissions under the legislation.

The study confirms what Vilsack and other administration officials have long said, which is that legislation passed by the House in June to reduce heat-trapping gases will be a boon to farmers instead of a bust.

Environmental Protection Agency Administrator Lisa Jackson also told the panel Wednesday that if Congress fails to act to curtail global warming, farmers from the Great Plains to the Southeast would face longer droughts, insect infestations and declines in livestock production due to heat stress.

"Rural America is very much on the president's mind as he urges Congress to send him a bill that ... reduces the pollution that contributes to harmful climate change," Jackson said.

Concern over the cost to agriculture by lawmakers from agricultural states forced drafters of the bill in the House to make last-minute concessions to alleviate the toll on farmers.

More deals are expected to be made as the legislation works its way through the Senate, which is expected to vote on the bill this fall.

Farm groups pushed the Senate panel Wednesday to do more to ensure that farms that have already taken steps to reduce greenhouse gases get compensated for their efforts. There is also concern that some farmers won't be able to take advantage of projects to reduce climate-altering gases.

Sen. Tom Harkin, D-Iowa, said the study ran counter to claims that farmers would suffer from much higher costs. It "is a little bit different from what we have been hearing out there," Harkin said.

Despite the study's conclusions, not all lawmakers Wednesday were convinced farmers would benefit. Sen. Saxby Chambliss of Georgia, the panel's top Republican, has also asked Texas A&M University to conduct an economic analysis of the bill.

"No farm will escape the effect of this bill," he said.

Sen. Mike Johanns, R-Neb., called the study flawed and said the benefits it predicts are questionable. "This is the Obama wing and a prayer, hope and a promise plan for agriculture," Johanns said. "We have no idea that anything that they are saying will happen."

July 23, 2009

Climate bill will be good for farmers, Vilsack says (*DesMoines Register*)

By PHILIP BRASHER
pbrasher@dmreg.com
Washington, D.C. - The Obama administration is struggling to convince farm-state senators that controls on greenhouse gases would be a good deal for farmers and ranchers.

The administration estimated Wednesday that farmers would profit overall from controls on greenhouse gases despite paying higher prices for fuel and fertilizer.

But administration officials admitted to a Senate committee that they don't know a key detail: how much land would be taken out of production and converted to forests under a program to reduce emissions. Diverting farmland to trees would keep some carbon

out of the atmosphere but it also would raise commodity prices and boost the cost of feed for livestock producers, potentially raising food prices.

The Agriculture Department estimated that net farm income nationally would fall by less than 1 percent over the next decade and about 3.5 percent by around 2030 under a climate bill passed by the House last month.

Economists at the U.S. Department of Agriculture say that much of the higher costs would be offset by income that farmers and landowners would earn by selling carbon credits for practices that reduce greenhouse gas emissions, such as planting trees or reducing tillage.

"It's my view that all things being considered from what we know today, agriculture and rural communities will benefit in the long term from this approach," Secretary of Agriculture Tom Vilsack told the Senate agriculture committee.

However, the USDA economists did not estimate how much land use would be changed by the legislation, nor did they forecast the impact on fruit and vegetable growers.

Livestock producers fear that the program will encourage landowners to convert crop acreage and pastures to trees to earn carbon credits, driving up prices for corn and other feed crops. The American Farm Bureau Federation estimates as much as 40 million acres could be taken out of production.

Lisa Jackson, administrator of the Environmental Protection Agency, said the administration doesn't know how much land would be converted to trees, an admission that drew a sharp rebuke from Sen. Mike Johanns, a Nebraska Republican who served as agriculture secretary in the Bush administration.

"Unless you can quantify this, you can't sell this plan because it becomes the hope-and-prayer plan for agriculture," Johanns said. "Because you can't tell farmers and ranchers what they're going to be exposed to in terms of their input costs."

Johanns told Jackson, who was sitting next to Vilsack, that "poor old Tom Vilsack has to go out there and try to convince farmers on a hope and a prayer that somehow this is going to work out."

Several Democrats also expressed concerns about the bill.

"My mail is running about 99 to one against" the legislation, Sen. Ben Nelson, D-Neb., told Vilsack, Jackson and a third administration official, John Holdren, a White House science adviser.

Nelson pushed the idea, backed by MidAmerican Energy, of capping emissions but not creating a system of trading emission allowances. Holdren said that would hurt the economy more than the cap-and-trade system the House bill would create.

The chairman of the committee, Iowa Democrat Tom Harkin, said any climate legislation should include an "off ramp" if other countries refuse to impose caps on their emissions.

"We're going to be very aggressive. We're going to push as hard as we can," but if other countries don't reciprocate, "we're off the highway," Harkin said.

Harkin said he wanted a provision written into the bill that would roll back U.S. emission reductions if there isn't a global commitment within three to five years to reduce global warming.

Harkin's comments reflect the unease in the Senate about imposing caps on greenhouse gases. The House legislation would require a 17 percent reduction in U.S. emissions by 2020 and more than 80 percent by 2050.

Republicans have argued that it's pointless for the United States to cap greenhouse gas emissions unless China and India agree to reductions. So far, both countries have refused to go along.

Top climate, Hill, PR advisers get promotions (*Greenwire*)

(07/22/2009)
Darren Samuelsohn, E&E senior reporter
U.S. EPA Administrator Lisa Jackson has promoted three advisers for top policy, legislative and public-relations positions.
Lisa Heinzerling, a global warming legal expert and former Georgetown University Law School professor, now serves as associate administrator for EPA's lead policy arm, also known as the Office of Policy, Economics and Innovation.

Jackson also has moved David McIntosh into a new slot as the agency's lead liaison to Capitol Hill as associate administrator for the Office of Congressional and Intergovernmental Relations.

And Jackson hired Seth Oster to run EPA's Office of Public Affairs. Oster previously worked in top communication posts at the Motion Picture Association of America and the Screen Actors Guild and for Sen. Dianne Feinstein (D-Calif.).

Heinzerling worked on President Obama's EPA transition team and later joined the agency as Jackson's top aide for climate policy.

At Georgetown, Heinzerling was lead author on the legal briefs to the Supreme Court challenging the Bush administration's decision not to consider studies linking automobile emissions to global warming threats, such as rising sea levels and a higher incidence of disease outbreaks.

Her work led to the March 2007 decision in *Massachusetts v. EPA* that ordered the agency to take a much more thorough look at the science behind climate change before determining whether it should issue rules to limit emissions. Obama's EPA in April released a draft endangerment finding that proposes curbs on greenhouse gases, but the document has yet to go final.

McIntosh also signed onto Obama's EPA earlier this year to serve as the agency's point person on the Hill for the sweeping climate measure. His new duties are much broader.

From 2006 until last August, McIntosh worked as Connecticut independent Sen. Joe Lieberman's top staffer on global warming legislation, helping write the cap-and-trade bill that reached the Senate floor last summer. He also has worked for the Maryland attorney general and the Natural Resources Defense Council.

EPA Calling for More Diversity in Environmentalism (*PlanetSave*)

San Francisco,CA
Written by Zachary Shahan
Published on July 22nd, 2009
In another effort to bridge the sustainability gaps in our society today, EPA Administrator Lisa Jackson called for more diversity in environmentalism yesterday. Speaking to the National Environmental Justice Advisory Council, she stated clearly that low-income and minority groups are often hit the hardest by environmental problems. “The place where I grew up is like other places in this country. Places where the burden of pollution and environmental degradation falls disproportionately on low-income and minority communities – and most often, on the children in those communities.”

Echoing Obama’s consistent call for more involvement from the citizenry, Jackson said, “As EPA Administrator, it’s an essential part of my mission to show all Americans that this agency works for them. But we can’t do that without your help.” This may seem like a way of avoiding responsibility at the higher level, but I think it is a true sign of leadership to say that they cannot lead unless there are people behind them who they are leading. A key role of a leader is to get the rest of the supporters to be involved.

Jackson also stated that this issue of Environmental Justice was a key one of hers from day one. “I made a point in my first day memo to all EPA employees that our efforts should focus on helping people in underserved and highly vulnerable populations.” She went on to discuss initiatives and activities her and the EPA are engaged in to make Environmental Justice a bigger priority.

Jackson not only said that Environmental Justice needed to be a bigger priority, though, she continued to say that there needed to be more involvement from minority groups and all members of society. In a noble effort to reach out and expand environmentalism, Jackson said, **“environmentalism does not come in any one shape, size, or look….**

we need help from more than just the people who label themselves as 'environmentalists.'"

A few days before this, we saw the NAACP responding to this call ahead of time and making the link the other way. At its 100th annual meeting, the NAACP passed a resolution to support climate and energy legislation.

The new EPA administrator did more than link environmentalism and equity issues. She also linked environmentalism to economic issues. "We have in President Obama a leader who rejects the false choice between a green environment and a green economy…. As we see this new economy growing – green jobs, green collar, green energy – some communities who may feel separate from environmental issues suddenly have a real stake in the debate because they have a chance to get those jobs."

This speech and the issues she is working on are exactly what is at the root of sustainability theory. It is honorable again to be an American!

Today's Top Ag News -- Another Chance for Admin. Climate Change Analysis (*AgWeb*)

7/22/2009
Roger Bernard
Big day on climate change. It's yet another opportunity for Obama administration officials to release any analysis they have on climate change relative to the impacts they expect to be borne by U.S. agriculture. Industry representatives testify this morning before the Senate Ag Committee, with USDA Sec. Vilsack and EPA Administrator Jackson to testify this afternoon. The American Farmland Trust says the expect "USDA's economic analysis will confirm the modest production cost increases." See Jim Wiesemeyer's Inside Washington Today column on the Pro Farmer page for more. It's still available free for a limited time.

Cold Storage report today. The average pre-report trade guess puts pork belly stocks at 74.8 million lbs. at the end of June. Total pork stocks are guessed at 546.3 million pounds. The report will be released at 2 pm CT.

Aussie El Nino update. Australia's Bureau of Meteorology says signs still point to 2009 being labeled an El Nino year as ocean conditions suggest that El Nino is developing. They note, however, some indicators are running contrary to an El Nino, including that the Southern Oscillation Index is "strongly positive" -- negative SOI values are typically associated with an El Nino.

Japan halts U.S. beef from Kansas plant. Japanese officials have halted imports of U.S. beef from the Creekstone Premium Beef in Kansas after spinal columns were

found in two boxes in a shipment of beef. *Kyodo* news reported that the two boxes did not have safety certificates accompanying them.

Posted on Thu, Jul. 23, 2009

U.S. EPA weighs adding more lead-emission monitors (Chicago Tribune)

Story also appeared: *Miami Herald*

By MICHAEL HAWTHORNE
Chicago Tribune
The Obama administration moved Wednesday to expand a national network of monitors to track lead emissions, a troublesome source of industrial air pollution that continues to plague urban areas.

Rules proposed by the U.S. Environmental Protection Agency would re-evaluate whether more monitors are needed in large cities and close to factories that emit the toxic metal. The policy shift is a response to rules imposed last year by the Bush administration that exempted scores of polluters from scrutiny, including at least a dozen in Illinois.

The monitors will help determine whether factories are complying with tougher limits on airborne lead pollution. Faced with a court order, the EPA last fall lowered the limit to 0.15 micrograms of lead per cubic meter of air, 10 times more stringent than the old standard.

"We're putting in place rigorous standards to prevent contamination," EPA Administrator Lisa Jackson said in a statement. "To make them fully effective, we need close interaction and monitoring in the communities where harmful levels of airborne lead are most likely to be found."

The Chicago Tribune reported in November the EPA had planned to require monitors next to any factory emitting at least a half-ton of lead a year. After the Bush White House intervened, the agency raised the threshold to a ton of lead or more, a move that slashed the number of factories monitored by 60 percent.

Low levels of the toxic metal in young children have been linked to learning disabilities, aggression and criminal behavior later in life. Many scientists think there is no safe level of exposure.

National lead emissions dropped 97 percent under the old standard, set in 1978, largely because the metal was removed from gasoline. But cement plants, smelters, steel mills

and other factories still emit about 1,300 tons of lead into the air each year, according to the EPA.

NFU President to Testify on Climate Change (*Prairie Farmer*)

Story also appeared: *American Agriculturist, California farmer, Nebraska Farmer,*

Johnson plans to go over same points with Senate as he did with House.
By: Jason Vance
Published: Jul 22, 2009
Several agricultural leaders will join Secretary of Agriculture Tom Vilsack and the Administrator of the Environmental Protection Agency Lisa Jackson as panelists before a Senate Ag Committee hearing Wednesday in Washington. NFU President Roger Johnson will present the organization's climate change priorities and concerns including the following provisions as a starting point for consideration:

• The U.S. Department of Agriculture is granted control and administration of the agricultural and forestry offset program;
• Early actors are fully recognized;
• No artificial cap is placed on domestic offsets;
• Offset credits for carbon sequestration rates are based upon science;
• Producers are permitted to stack environmental benefit credits;
• Establishment of a static baseline; and
• Limiting leakage analysis to the confines of the United States.

Before testifying Johnson spoke with Farm Progress's Jason Vance. Click the audio player above to hear that exclusive conversation.

Climate bill a farm income boost, USDA estimates (*Reuters*)

Wed Jul 22, 2009 8:55pm EDT

By Charles Abbott

WASHINGTON (Reuters) - U.S. farmers and foresters could earn more money from carbon contracts than they pay in higher costs from legislation to control greenhouse gases, the Agriculture Department estimated on Wednesday.

In the near term, most of the money would go to people who plant trees to lock carbon in the soil or enroll woodlands as carbon sinks. Relatively small amounts would be generated by changes in tillage or crops.

USDA's "preliminary analysis" was one of the first attempts at a broad-spectrum examination of the House-passed climate bill. Most of its 13 pages were devoted to grains, cotton and soybeans. Limited space went to livestock and none to fruits and vegetables.

Skeptics like the American Farm Bureau Federation say climate legislation will drive up sharply the cost of farm fuel, fertilizer and pesticides. A carbon offset market will not benefit all farmers or all parts of the country, it says.

Agriculture Secretary Tom Vilsack said the House climate bill would increase farm expenses by $700 million, or 0.3 percent, from 2012-18. That would be offset by revenue from a carbon offset market, estimated by USDA at $1 billion a year in the near term and $15 billion in 2040. EPA administrator Lisa Jackson said offsets would be worth nearly $3 billion a year in 2020 for farms, ranches and forests.

"In the short term, the economic benefits to agriculture from cap and trade legislation will likely outweigh the costs," said Vilsack. "In the long term, the economic benefits from offsets markets easily trump increased input costs from cap and trade legislation."

Beyond that, said Vilsack, is income from biofuels, worth a net return of at least $600 million a year.

Two senators from the arid Great Plains, Republicans Mike Johanns of Nebraska and Pat Roberts of Kansas, asked Vilsack and Jackson, without success, how much pasture and crop land would shift into trees if a carbon offset market is created. Roberts suggested 40 million acres might be converted.

"There is possibly the idea many farmers will choose to do that (plant trees)," said Jackson. "We don't have a number." Vilsack said the tree-planting may be focused on land already idled in the Conservation Reserve or on poor-yielding land and that U.S. crop output would not suffer.

"Unless you can quantify this, you can't sell the plan," said Johanns. Most of the carbon-control income would go to forestry, he said, while row-crop farmers will face higher energy costs with little income to offset it.

USDA's report said there could be a small decline in cropland as forestland expands, which would result in higher livestock feed costs, but provided no details.

Democrat Ben Nelson, of Nebraska, and Johanns described hostile reaction among voters to the House-passed climate bill. At a community parade, said Nelson, people shouted "No to cap and trade."

Agriculture Committee chairman Tom Harkin said the Senate climate bill should include an "off ramp" to relax U.S. controls on greenhouse gases if other nations fail to act against climate change. He said he would give other nations three to five years to get on board.

"We can't do it all by ourselves," said Harkin.

Climate change poses the threat of more frequent droughts in the U.S. Midwest and Plains and lower livestock production in the U.S. Southeast due to heat stress, said EPA's Jackson.

The EPA estimates U.S. cropland accounts for 6 percent of greenhouse gas emissions but growing vegetation removes 1 billion tons of carbon dioxide from the atmosphere.

(Editing by Christian Wiessner)

EDITORIALS / OP-ED / COMMENTARY / LETTERS
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- JULY 22, 2009, 11:25 P.M. ET

Obama Needs a Move to the Middle (*Wall Street Journal*)

By Michael J. Boskin

While strong recoveries sometimes follow deep recessions, historically recoveries following financial crises have been slow and painful. The specter of massive future tax hikes and inflation is worsening the outlook. We need a better, more coherent policy path back to a strong market economy—not to a European style social-welfare state, permanent government lifelines and stagflation.

The last time we had a comparable economic crisis—the double-digit inflation, 20% interest rates, near 11% unemployment, and even larger inflation-adjusted stock market decline of the late 1970s and early ’80s—a new policy path was charted consisting of low tax rates, sound money, slower spending growth, free trade and less intrusive regulation. Those policies pulled us out of stagflation and led to a quarter-century of growth. Moving so far in the exact opposite direction invites eventual disaster for American workers and firms.

Half a year and two million lost jobs since the stimulus bill was passed, less than 10% of the funds have been disbursed and what has been been saved, not spent, by consumers. Out of the $320 billion increase in personal disposable income, some from

the increased transfer payments in the stimulus bill, personal consumption outlays have risen only $1 billion. That's far short of President Barack Obama's promised "immediate" help. Nor has there been the promised "multiplier" on every stimulus dollar spent. Infrastructure spending in the pipeline will likely deliver more than this, but a lot less than advertised. Score the stimulus a very expensive, tragically wasted opportunity.

Pressure is building from the left for a second stimulus program. That would make the $787 billion stimulus bill one of the most expensive mulligans in history. We should be wary of expensive additional fiscal stimulus. Unless it consists of the permanent tax rate cuts that history teaches are most effective and is accompanied by real future spending cuts, such a stimulus is unlikely to decrease unemployment much.

The administration and Congress are exploiting a crisis atmosphere to promote a breathtakingly expensive big-government spending agenda mostly to be paid for later. The trillions of dollars of deficits will eventually force much higher income or payroll taxes, or a national value-added tax similar to those in Europe, or severe inflation. Balancing the CBO-projected out-year budget would require a 44% increase in everyone's income taxes. The anticipation of, and uncertainty over, those future taxes and debt are factors constraining consumption and investment. That is delaying recovery now.

Most families respond not just to current taxes, but also to expectations of higher future taxes, by saving. Likewise, business-investment decisions respond to expectations of taxes affecting the cost of capital. For example, long-term interest rates have risen considerably since year-end, despite massive Fed purchases of long-term Treasurys and other assets, as bondholders from Boston to Beijing contemplate $10 trillion of added federal debt crowding out other borrowers and risking inflation.

In my home state of California, the tax hikes currently being proposed by Mr. Obama and House Democrats would drive marginal tax rates on earnings to among the world's highest at 57% (60% or more if Mr. Obama follows through on his campaign proposal to partially uncap Social Security taxes). That's a debilitating destruction of incentives for our most productive small businesses and citizens. Democrats also plan to hugely increase the tax rate on dividends and capital gains. And that's before Rep. Charlie Rangel's (D., N.Y.) proposed health-care payroll taxes on anyone making more than $280,000 a year. And before dealing with the long-run entitlement costs crisis, i.e., Medicare, Medicaid and Social Security.

Given these sobering facts, what should Mr. Obama do? On the budget and spending, he should try pilot programs to test his ideas. If they work at sensible cost, he will get broad support to expand them. The health-care bill should be refocused on leveling the tax-subsidy playing field so individuals can purchase low-cost, high-deductible, catastrophic insurance. The costly climate change bill (which Mr. Obama's own EPA administrator admitted would have virtually no impact on the climate) should be scrapped in favor of a broad-based, transparent carbon tax, energy-efficiency initiatives, and the much needed expansion of our domestic oil and gas production.

The Obama administration's financial-reform policies contain laudable features, unanswered questions, and lurking dangers. Laudable: a derivatives-netting clearinghouse, more trading on exchanges, closing loopholes. Unanswered: an end game for Fannie Mae and Freddie Mac as well as a clear policy for institutions deemed "too big to fail" (such a policy should be centered on capital ratios rising with size, debt conversion to equity, and a higher government bailout bar, all to decrease the need for future bailouts). Lurking: the Fed as systemic risk regulator and Treasury Secretary Timothy Geithner's toxic asset bet.

Independent monetary policy is essential to control inflation, and it would be compromised by the threat of congressional retaliation if the Fed shut down Fannie and Freddie after Congress refused to do so; or if the Fed too aggressively demanded that the president and Congress stop their spending, tax and debt policies when they become, as now, the largest systemic risk to the economy. In the 1970s, Fed Chairman Arthur Burns exhorted Congress to control the deficit while pumping up the money supply and igniting inflation.

Treasury is risking a Japanese-style lost decade with its bet that time and profitability will suffice to enable financial firms to work down their toxic assets, as in the 1980s Latin American debt crisis. But if the losses are so large that subsidized zombie institutions will severely damage unsubsidized, healthy, competing ones, more rapid closures and mergers will be required. That was our rationale in the early '90s for quickly closing 1,000 S&Ls with the Resolution Trust Corporation.

The Fed's unprecedented expansion of its balance sheet with numerous programs to repair credit did help put a floor under the crisis. The Fed now needs to clarify the intended future use of its lender-of-last-resort responsibilities. It should exit its long-term Treasury purchases to signal it has no intention of monetizing government debt. It must forestall future inflation by reversing its immense liquidity injections and ending its selective credit allocation as soon and predictably as feasible after the downturn is mitigated. While this is Fed Chairman Ben Bernanke's intention, it is a tricky maneuver that has beguiled the Fed in the past. The failure to raise interest rates soon and rapidly enough earlier in the decade contributed to this mess.

These suggested monetary, fiscal and regulatory policy adjustments would immediately improve short-run and long-run economic prospects. Households would realize that they don't have to save to pay massive future tax hikes and businesses would have more predictable, less costly access to private capital.

Mr. Obama should ignore the pressure from the left of his party and the economically illiterate Beltway pundits scoring short-term political wins and losses. He should recall that the Clinton presidency was saved from itself by the defeat of HillaryCare and its big spending agenda. It would be wildly popular as well as prudent for Mr. Obama to pivot to a more centrist policy program to prevent permanent, irreversible economic damage.

Mr. Boskin, professor of economics at Stanford University and senior fellow at the Hoover Institution, was chairman of the Council of Economic Advisers under President George H. W. Bush.

Bottled water, meet EPA (*Atlanta Journal Constitution*)

Re "Stricter labeling urged for bottled water" (ajc.com, July 9): I applaud Congress for demanding that bottled water be held to the same standards as tap. If the reliable water that flows from our municipal systems has consistently met **EPA** quality guidelines, bottled water corporations should be federally obligated to follow suit. I am concerned as an Atlanta citizen about bottled water corporations' lack of transparency, because Coke is headquartered here. If corporations like Coke refuse to correct their course, public backlash will most certainly do that for them.

Elza Reock, Atlanta

July 23, 2009
Commentary:

Nuclear power not as green, safe or cheap as supporters say (*Appleton Post Crescent*)

Concern about climate change has sparked a campaign by the nuclear power industry to try to sell itself as a "clean" energy solution, with Wisconsin a key target. http://www.postcrescent.com/ic/textalerts.shtml" target="new">Click here to sign up for news, weather and sports text alerts.

A recent guest column in this newspaper by the head of the Wisconsin Technology Council is part of the campaign to persuade the Legislature and governor to open the door to more reactors in Wisconsin.

The industry claims it emits no greenhouse gases. But there are significant carbon emissions at every step of the nuclear fuel cycle. Uranium mining, milling, enrichment, fuel fabrication, transportation, power plant construction, decommissioning and nuclear waste storage — all involve the burning of fossil fuels.

Safety, waste disposal and cost are even better reasons that nuclear energy should not be part of the equation in combating global warming.

Safety is an ever-present issue for nuclear reactors. Wisconsin has not suffered a major accident. But only five "red findings" — the highest safety failure warnings in the

industry — have ever been issued by the federal Nuclear Regulatory Commission. Three of the five went to the Point Beach plant, near Two Rivers.

Disposal of deadly radioactive waste produced by those reactors is a major safety concern. That's why Wisconsin wisely passed a law in 1984 that forbids any new plants to be built until: (1) There is a federally licensed facility to dispose of high-level radioactive waste and (2) The Public Service Commission makes a finding that nuclear power makes economic sense.

The industry still can't meet those two tests, so now it wants to changes the standards, rather than solve the problems.

After more than 50 years of producing highly radioactive waste, there is still no safe way to permanently dispose of it. Some of the by-products of generating nuclear power are so dangerous to human health and the environment that the Environmental Protection Agency issued rules last September requiring a disposal site be able to protect the public from radiation released by the waste for up to one million years.

A million years. To put that into some perspective, 15,000 years ago, Wisconsin was covered by glaciers.

Three commercial reactors in Wisconsin generate more nuclear waste every day. It has been accumulating for three decades in temporary storage facilities next to the reactors at Point Beach and Kewaunee, near Lake Michigan.

To build more reactors to produce more dangerous waste while we have no safe means of disposal is beyond irresponsible. It's unconscionable.

Then there's the cost — as much $10 billion per plant, with 10 years to build one. It doesn't make economic sense, which is why the nuclear industry is asking Congress for $50 billion in subsidies in the form of loan guarantees.

Wisconsin is about to experience a full-scale debate on the subject. The Governor's Task Force on Global Warming has issued recommendations that include easing the restrictions on nuclear power, as part of a package of other changes sought by environmentalists and the utilities. A major, well-funded sales campaign is being prepared, and the nuclear industry already has registered four paid lobbyists in Madison.

Nuclear power makes no more sense today than it did when the law was passed in 1984. Wisconsin must address the climate crisis, but renewable energy and energy efficiency technologies are faster, cheaper, safer and cleaner strategies for reducing greenhouse emissions than nuclear power.

The choice between coal and nuclear power is a false one. Wisconsin can be both carbon-free and nuclear-free. That should be our goal.

Protecting the Colorado River (*Las Vegas Sun*)

Moratorium on new uranium mining claims near Grand Canyon makes sense
Thursday, July 23, 2009 | 2:06 a.m.
One negative image that the mining industry has failed to shed is that of poor environmental stewardship. Many parts of the U.S. where precious metals have been extracted have suffered from contamination of streams and other water resources from toxic runoff from mines.

Some mining outfits are good about cleaning their excavation sites, but other companies continue to disregard nearby water supplies, threatening the environment.

That is why environmental groups have had good cause to challenge future uranium mining in the vicinity of Grand Canyon National Park. The canyon is along the path of the Colorado River, which supplies drinking water to residents of Southern Nevada, Arizona and Southern California.

The Obama administration's Interior Department made a prudent decision Monday to place a two-year moratorium on the issuance of new uranium mining permits on nearly 1 million acres near the canyon. The moratorium, which doesn't affect existing mining claims, will give the department time to study whether the temporary ban should be extended to protect the canyon's environment.

The possibility of uranium exposure cannot be taken lightly. As a radioactive metallic element, it can be highly toxic to humans and wildlife if ingested in large enough quantities. Chemicals used to extract uranium are also toxic.

Congress is even considering a bill by Rep. Raul Grijalva, D-Ariz., to permanently ban new mining claims along both sides of the canyon. The Associated Press reported that UNLV hydrology professor David Kreamer and Kay Brothers, deputy general manager of the Southern Nevada Water Authority, both expressed concerns about potential Colorado River contamination in testimony Tuesday before a House Natural Resources subcommittee.

Kreamer said he has found uranium levels from past mining activity to be three times that allowed by the Environmental Protection Agency for a canyon creek.

We hope to learn more about the potential for contamination of the river and would urge Congress to do what's best to protect the environment.

AIR

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EPA wants better monitoring of airborne lead (*Associated Press*)

Story also appeared: *Washington Post*

The Associated Press
Wednesday, July 22, 2009 3:06 PM

WASHINGTON -- The Environmental Protection Agency wants better information on how much lead is in the air of large cities and industrial areas.

The EPA proposed Wednesday an expansion of its monitoring for airborne lead levels in communities where harmful amounts of lead are most likely to be found in the air.

The agency said it has no plans to change the lead air quality standard, which was tightened last year. But EPA Administrator Lisa Jackson said more monitoring may be needed to make certain that the tougher requirements are being followed. Exposure to even very low levels of lead in early life has been linked to damage to a child's IQ, learning disabilities and memory loss.

The EPA expects to issue the new requirements early next year.

Fifth alert raised on Colorado air quality (*Denver Post*)

By Bruce Finley
The Denver Post
Posted: 07/23/2009 01:00:00 AM MDT
Updated: 07/23/2009 01:43:40 AM MDT
State officials issued a public health advisory Wednesday forecasting that ozone air pollution in Denver and along the Front Range may exceed federal limits.
The advisory, effective through 4 p.m. today, is the fifth since June 1 stating that sensitive people, such as those with asthma, should consider limiting prolonged outdoor activities. It covers the area from Colorado Springs north to Fort Collins and Greeley.

A violation of federal standards would be the second this summer in a state already deemed out of compliance.

State officials must submit a pollution-control plan to the U.S. Environmental Protection Agency conveying how the state will deal with ozone pollution, which causes respiratory diseases and heart trouble.

Obama administration officials are expected to tighten the current standard of 75 parts per billion over eight hours.

"There are no easy solutions to these problems. It's going to be a significant challenge just to get to the existing standard," said James Martin, executive director of the Colorado Department of Public Health and Environment.

Martin has helped initiate a conversation among interested groups at a revamped Regional Air Quality Council.

State air-quality modelers indicate that reducing ozone pollution at industrial sites could help meet standards, Martin said. "If we don't get all the way, we're going to have to look at the transportation sector," including people driving to work, he said.

Ozone is formed when sunlight mixes with volatile organic chemicals, such as car exhaust, and nitrogen oxides from sources such as smokestacks. Failure to meet standards may lead to fines and penalties and a forced federal pollution-reduction plan.

Rain could help avert another violation, said Chris Dann, air pollution control spokesman. "It rounds off our ozone levels. That's a big reason why we've not had a lot of alerts, and only one exceedance, so far this summer. It's been wet."

Posted on Thu, Jul. 23, 2009

Low temperatures help Columbus' air quality (*Columbus Ledger-Enquirer*)

By Ben Wright
Low temperatures in Columbus this summer have offered some relief to a city that's on a watch list for dirty air quality.
"We are in a good range now," Rick Jones, director of Columbus' Planning Department, said Wednesday.
With the city of Columbus recommended for nonattainment status for its air quality, the Georgia Environmental Protection Division will closely monitor ground level ozone, which is a component of smog. Last year, the city slightly exceeded tougher air quality standards of 0.75 parts per million set by the Environmental Protection Agency.

So far this month, an average high temperature of 89.6 degrees and low of 69.6 degrees have contributed to "good" to "moderate" air quality levels in Columbus. The average temperature is 79.6 degrees, 2.3 degrees below normal.

"Definitely when you do the average, over two degrees is a noticeable difference," said Matt Sena, a forecaster with the National Weather Service in Peachtree City, Ga. "Computer models are indicating for the next seven days, the trend will continue."

Since January, Columbus has not issued a smog alert for unhealthy air. Jones said he is hoping the high temperatures will remain low this summer. Consistent temperatures in the high 90s would cause problems for ground level ozone.

Breathing polluted air can irritate eyes and throat and trigger respiratory problems, especially among people with asthma.

According to the Georgia Environmental Protection Division's Web site, air quality has been observed for 184 days this year in Columbus. Air quality was characterized as "good" for 124 days and "moderate" for 60 days.

Although the numbers may be encouraging, Jones said he is still worried about levels in August and September, the last months of the smog season.

"We are trying to see, hope and pray if we can stay in the good to moderate level," Jones said. "If we get higher temperatures, there is potential for more ground pollution."

When the smog season ends, Jones said data from 2007, 2008 and 2009 will be combined to determine if the city should officially be placed in nonattainment status. Nonattainment status is assigned to areas where air pollution levels consistently exceed the national standards, according to the EPA's Web site.

"This is a make-or-break summer," Jones said.

By the end of this month, Jones said the city is expected to receive $200,000 grant from the President Barack Obama's economic stimulus plan. The money will help fund the Air Quality Alliance of the Chattahoochee Valley, a group that works with businesses, schools and other organizations to educate residents about improving air quality. The alliance rewards motorists for walking, bicycling, riding Metra Transit and carpooling to work.

"It's a problem that is not going to go away," Jones said.

EPA orders St. Cloud company to follow regs (*Capitol Report*)

St. Paul,MN,
By Capitol Report Staff
July 23, 2009
The U.S. Environmental Protection Agency's (EPA) Region 5 has issued an administrative consent order to a St. Cloud scrap-metal recycling facility to comply with EPA regulations designed to protect the stratospheric ozone layer.
The EPA says Midway Iron and Metals Inc. accepted small appliances and motor vehicle air conditioning units and crushed them without properly verifying that ozone-

depleting chlorofluorocarbon (CFC) refrigerants were removed before they were crushed and sent for recycling.
Within 30 days of receipt of the EPA order, the company has agreed to begin recovering any remaining refrigerant from each appliance and motor vehicle air conditioning unit or verify that the refrigerant has been removed.
CFC refrigerants deplete the “good” ozone layer, allowing dangerous amounts of cancer-causing ultraviolet rays from the sun to strike the earth. Some CFCs are also potent greenhouse gases that contribute to climate change. Production of some of those chemicals was halted in 1995, and federal law strictly controls their use and handling.

Critics Of EPA's Pending E15 Decision Hint At Possible Legal Challenge (*Inside EPA*)

A broad coalition of groups opposed to a biofuels industry petition to allow up to 15 percent ethanol (E15) in gasoline, an increase from the current E10 cap, is charging that the industry has failed to demonstrate the higher blend will not damage emissions control devices -- an argument that could preview a possible legal argument should EPA approve the request.

While the biofuels group acknowledges the likelihood of litigation in the event EPA grants their petition, the issue may not get to court as Congress could take the issue out of EPA's hands. Senate Agriculture Committee Chairman Tom Harkin (D-IA) told reporters last week that he wants to add language to pending climate legislation requiring EPA to raise the cap to E15 to overcome “strong bias” against ethanol among EPA staff.

“I know we have enough data where going to 15 percent blend has absolutely no effect on the present state of internal combustion engines,” Harkin told reporters July 16. “In fact, there’s data that shows you could go as high as 20 or 23 percent. But if we at least go as high as 15 percent, that would give us half again as much of ethanol use in this country. That’s good for the environment. It’s good for cutting down on imported oil.”

At issue is a high-profile request by Growth Energy for EPA to waive the Clean Air Act's current E10 cap on conventional gasoline to allow blends of up to E15 in order to overcome a so-called ethanol blend wall. The industry is seeking the change in part to drive increased demand for the fuel, which is facing glut due to oversupply. Allowing mid-level ethanol into the marketplace is also seen by proponents as a bridge to move from current reliance on corn ethanol to cellulosic and other advanced biofuels, as well as a boost for “green” jobs.

But a host of groups is concerned about increasing the cap. Engine and vehicle manufacturers, for example, fear the fuel will damage engines, leaving them vulnerable to third-party tort suits, while environmentalists fear increased ethanol use will increase ozone emissions levels.

EPA received thousands of comments on the waiver request by the July 20 deadline and by law must make a decision before the end of the year.

Opponents, including health, environmental and consumer groups, engine and auto makers, the oil industry, petroleum marketers, convenience store owners and many non-corn state lawmakers, all say the testing submitted by Growth Energy to support the waiver request does not meet the Clean Air Act mandate that petitioners demonstrate that higher blends will not damage emissions control devices.

“We argue that Growth Energy failed to show that E15 could be used without increased air pollution or possible damage to emission control systems,” the health, environmental and consumer group coalition, led by the American Lung Association, wrote in July 20 comments. “Growth Energy has provided no data of testing specifically designed to demonstrate engine performance and emission control system over its useful life comparable to that required for vehicle certification.”

However, Growth Energy and other proponents say the testing shows no damage to emissions controls up to E15. “The waiver application included numerous independent and peer-reviewed studies that demonstrate that ethanol blends up to 15 percent do not cause or contribute to the failure of emission control devices to meet Clean Air Act standards. In fact, the studies demonstrate that fuels containing up to 15 percent ethanol are indistinguishable in use and emissions from ethanol-gasoline blends containing 10 percent ethanol, blends that have been safely and successfully used for over 30 years in the United states in millions of vehicles,” the group's July 20 comments say.

Under the air act fuels waiver process, EPA is only allowed to consider a new fuel's effect on emissions control devices and cannot hinge its decision on a host of other factors raised by many groups, including safety, infrastructure availability, pump certification, potential to damage engines, warranty concerns, misfueling issues and liability.

Specifically, section 211(f)(4) of the air law requires waiver applicants to establish that new fuel blends will not cause or contribute to a failure to achieve emission standards of any emission control device or system over the useful life of engines that will use the new fuel.

New York in earlier comments opposing the waiver said higher ethanol blends are shown to cause the failure of onboard diagnostic systems, which EPA mandates in passenger vehicles to monitor emissions controls.

EPA is reportedly considering granting a partial approval that would limit blends higher than E10 only to vehicles that meet the agency's Tier II emissions standards in model year vehicles 2004 and newer.

But groups are also opposing that possible approach. The health and environmental groups comments say a partial waiver could lead to “real consumer problems -- including putting the wrong type of gasoline in the wrong car.” The Engine Manufacturers Association adds that EPA “has no legal authority to grant such a 'partial waiver' under the section 211(f)(4) waiver process.”

July 20 comments by the Alliance for a Safe Alternative Fuels Environment (ALLSAFE), which includes auto, truck, motorcycle and small engine makers, add, “If EPA wants to pursue such a 'bifurcated fuels' program with different ethanol blends for different products, then EPA should initiate a separate major rulemaking process under section 211(c), rather than bootstrapping these broad issues into the narrow section 211(f)(4) waiver-review process.”

Additionally, the National Association of Convenience Stores, which has expressed concern over pump certification and liability -- issues EPA cannot legally factor into its waiver decision -- writes in July 20 comments, “Unfortunately, fuels with greater than 10 percent ethanol content -- without fundamental statutory or regulatory changes in the law -- simply cannot take place.”

Many other groups focus on a lack of testing. For instance, the American Petroleum Institute in July 20 comments says, “While the studies included in the petition generally do not show significant adverse effects of E15, we do not believe that they provide sufficient credible scientific and technical support for the granting of the waiver in whole or in part. It is our judgment that EPA should reject the current Growth Energy E15 waiver application because the technical justification is inadequate.”

The California Air Resources Board (CARB) echoes that position. “Growth Energy has not provided sufficient evidence to support a demonstration that E15 will not cause or contribute to engines, vehicles or equipment failing to meet their emissions standards over their useful life,” CARB says in July 16 comments.

Also opposing the waiver are a number of cattle and poultry groups that worry E15 will spike corn prices, and the Department of Homeland Security, which is concerned about potential for the new fuel to cause fires in marine engines.

A broad coalition is also urging EPA to approve the Growth Energy waiver, including former House Speaker Newt Gingrich (R), a coalition of House members led by Rep. Stephanie Heseth-Sandlin (D-SD), Sen. Byron Dorgan (D-ND), the Midwestern Governors Association, the Renewable Fuels Association (RFA), the American Coalition for Ethanol and the environmental group New Fuels Alliance (NFA).

Also the North American Equipment Dealers Association has split with other industry groups to support Growth Energy, writing in June 16 comments, “We strongly disagree with opponents of the waiver and their contentions that science-based information to support higher ethanol blends is lacking or that higher blends will contribute to the

failure of motor vehicle engines, pollution-control equipment or similar gasoline-powered equipment."

The Midwestern Governors and NFA also focus on the economic aspects of approving the waiver, including providing a transition to advanced biofuels. NFA writes, "While NFA understands that EPA's assessment of the waiver request will be based largely on environmental and performance metrics, it is important to note that a waiver approval would have significant impacts on economic development, energy security and other critical national priorities. We hope that EPA will consider the vast array of ancillary benefits to increasing the blending capacity of renewable fuels produced in the United States."

Additionally, RFA in its July 20 comments says EPA should approve E12 if it determines E15 is not viable. The air act "authorizes use of E12 regardless of EPA's determination on E15, and EPA should affirm in any final action that such blends are authorized," RFA writes.

Growth Energy held a July 15 conference call with reporters where CEO Tom Buis stressed President Obama's support for biofuels, though he also noted that even if EPA approves the waiver, the transition would not happen instantly. "If it goes in our favor, chances are there would be a lawsuit," he said.

Growth Energy declined to comment on whether it would sue over an EPA denial. -- *Dawn Reeves*

July 22, 2009

Lungs getting a breather from ozone (*News Journal*)

Cool weather, drop in pollution combine to reduce smog levels
By JEFF MONTGOMERY
The News Journal
Something's been missing this year from Dwight Siers' long bicycle treks across Delaware and neighboring states.
It's that feeling that comes from straining to breathe caused by ozone and smog pollution.
"It's definitely noticeable," said Siers, a recreational ride captain for the Newark-based, multistate White Clay Bicycle Club. "Ordinarily, by this time of year, I'd have the air conditioner on at home, and I'd be dying on the bike with the heat and sun and humidity."

Delaware has cleared midsummer without recording a single violation of the Environmental Protection Agency's original national standard for ozone levels in any one- or eight-hour period. It's the best performance since at least 1982.

Even using the agency's newer and far tougher limit, only one day -- June 26 -- exceeded current federal health targets. Those scant violations topped the new 75 parts-per-billion standard by 2 to 4 parts per billion at two of the state's nine monitoring stations: Bellefonte and Lums Pond State Park.

Southeastern Pennsylvania has notched just two slightly-over-the-line days, in the Bristol area north of Philadelphia

Some of the improvement in ozone pollution is a fluke, the result of cooler-than-normal weather and a weakened economy. But there is also ample evidence that efforts to reduce ozone pollution are paying off.

"You need high temperatures, calm days along with sunlight to generate ozone. We've had cooler weather and clouds," said Ali Mirzakhalili, air quality administrator for Delaware's Department of Natural Resources and Environmental Control.

"Also, with the economic downturn, the [pollution] emissions are probably lower and what is being transported from the Midwest is probably lower," he said.

Not that everything depends on cooperative weather patterns, which still have plenty of time to turn hot and sticky, and more likely to produce ozone pollution.

Sean Greene, a senior transportation planner for the Delaware Valley Regional Planning Commission, said the improvement also is due to the fact that the region is generating less pollution.

"We're really beginning to see some gains," he said.

While Green said this summer's record "definitely relates" to cooler conditions, he said the clear days also reflect major, multi-state actions to control pollution in 2002 and afterward, affecting states all across the eastern part of the country.

Ozone, a type of oxygen molecule, is a principal ingredient in smog, and cooks up in the air when auto exhaust, smokestack emissions, ship pollution and other substances mingle in hot, stagnant, sunny air. It can irritate or even burn sensitive lung tissues and can damage plants and crops. The gas poses a special threat to the very young, elderly people and those with respiratory problems.

Through some years in the 1980s and 1990s, monitors across the state recorded dozens of days when ozone levels were a concern even for healthy residents.

If cool conditions continue this year, Delaware and the entire Philadelphia-Wilmington-Trenton region could avoid a threatened reclassification next year as a region with a "serious" ozone-control problem.

Delaware officials are urging the EPA to go even further if this year's pattern continues, ruling the area in full compliance with the EPA's original standard for chronic, or eight-hour average, ozone pollution based on the 2009 record and updated emissions forecasts.

"There's been a sort of semi-permanent area of low pressure over the Great Lakes for most of the summer season, and as the wind spins around that low, we've just been getting cloudier and cooler weather than normal," said Phil Ryan, a meteorology professor at Pennsylvania State University and consultant to the EPA.

"The other thing that's going on is, our ozone concentrations have fallen over the past five or six years. What we call the regional background ozone that comes into our big cities from the west with the prevailing winds has been significantly reduced."

Attainment of the old federal target would save Delaware and its neighbors huge amounts of paperwork and hundreds of thousands of dollars in administrative costs, freeing resources for work on new soot control standards and even tighter ozone control targets.

Delaware, southeastern Pennsylvania, South Jersey and a corner of northeastern Maryland were bound together for ozone control purposes after Congress amended the Clean Air Act in 1990.

The amendments led to deadlines for controlling pollution and threatened cuts in federal road and transit subsidies for areas that failed to meet them. Whole bureaucracies rose up around the regulations, with organizations like the Wilmington Area Planning Council and Dover-Kent Metropolitan Planning Organization gaining new clout and responsibility in tracking air quality progress and making transportation plans conform to federal goals.

The original standard, a maximum of 125 parts per billion in any one hour, gave way to an 85-parts-per-billion average over any eight-hour interval, reflecting concern about longer or "chronic" exposure to ozone.

More recently, the EPA adopted a 75-parts-per-billion standard some criticize as too weak.

Christopher Cripps, an environmental engineer with the EPA's regional office in Philadelphia, warned that it's too early to throw a party.

"I think we can't pass judgment on the summer yet," Cripps said. "It only takes four extremely hot days in a row to get some pretty high ozone values. If you have two episodes like that, that would change the analysis entirely."

Penn State's Ryan, however, said that current long-range outlooks call for continued cooler conditions.

Mirzakhalili said that Delaware's air quality problems are changing, rather than disappearing, and said the battle for reductions in out-of-state pollution sources has grown in importance.

"The air is cleaner, but I think the challenges are different," Mirzakhalili said, noting the recent publication of reports linking child intelligence scores to prenatal exposure to smog.

"We need to look at those connections, and ask what else we need to do. And it's not just ozone we have to worry about. As the climate gets warmer, our ozone challenge can increase. There's an ozone penalty for each degree the temperature goes up."

July 22, 2009
DELAWARE:

Lungs get a breather from ozone (*Delmarva Daily Times*)

Something's been missing this year from Dwight Siers' long bicycle treks across Delaware and neighboring states. It's that feeling that comes from straining to breathe caused by ozone and smog pollution
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freeing resources for work on new soot control standards and even tighter ozone control targets.

07.22.2009 6:28 pm

EPA to reconsider monitoring requirements for airborne lead (*St. Louis Post-Dispatch*)

St. Louis,MO
By: Kim McGuire
St. Louis Post-Dispatch
EPA officials announced Wednesday they were rethinking part of an earlier rule aimed at reducing airborne lead.
Specifically, the agency is reconsidering whether to include additional monitoring requirements near industrial sources of lead that emit less than one ton per year.
It's a move being widely cheered by environmentalists and public health advocates who accused the Bush Administration of weakening the monitoring requirements just before the new standard was issued.
EPA officials said the review of monitoring requirements will not delay implementation of the new lead standard, which was spurred by a successful lawsuit filed by Missouri Coalition for the Environment.

Jefferson County, home of the Doe Run Company's smelter, is one of two counties in the nation that couldn't meet the old air standard for lead.

The new standard is about ten times more stringent than the old one.

EcoSpeak would love to know if some our tech savvy readers know what kind of technology exists that might help reduce lead emissions from large industrial sources. It's for a possible story. Thanks in advance.

STANLEY:

Duke president points out positives of cap-and-trade (*News and Tribune*)

BY JIM STANLEY
newsroom@newsandtribune.com
July 22, 2009 10:27 am
The U.S. House of Representatives recently passed a bill that takes us one step closer to a new energy policy for our nation. The landmark proposal has engendered strong opinions. Some say the legislation does not go far enough, arguing for stricter carbon dioxide emission targets and a faster timetable. Others say climate change is not real

and assert that the bill will wreck our economy.
Duke Energy's position is a pragmatic one. We believe the research of the world's leading climate scientists is credible. Congress and the Obama administration are committed to passing a bill. The U.S. Supreme Court has given the Environmental Protection Agency the authority to control carbon dioxide if Congress fails to act. Our job is to make sure a carbon emissions reduction program works for Indiana.
Indiana is especially vulnerable because 94 percent of our electricity is generated by coal — the largest source of carbon dioxide emissions. We need targets, timetables and a mechanism that provide a smooth glide path to compliance — not a sudden, jarring lurch that could have devastating impacts on our customers.
Early proposals would have had a punishing impact, especially on Indiana. At one point, legislation was even envisioned as a revenue raiser for the federal coffers. Pollution "allowances," or permits to emit carbon dioxide, were going to be auctioned off, and the costs passed on to utility customers.
By engaging in the debate, we have been able to gain political support for a system of allocating allowances that will reduce the costs of this legislation on customers.
The House bill is not perfect, but it contains an important mechanism that will help Indiana and coal-dependent states. Cap-and-trade has been derided by some as a carbon tax, but it's not.
For the last 20 years, cap-and-trade with the allocation of allowances has been used to reduce acid rain-causing sulfur dioxide, resulting in compliance costs dramatically lower than anticipated. Controlling carbon emissions in the same way would produce a similar result, reducing costs five to 10 times compared to a traditional approach. This is a proven, efficient approach that allows companies to reduce their emissions with the least amount of impact on customer bills.
The EPA is already preparing to act if Congress doesn't. Duke Energy believes our customers' interests are best protected under a law passed by Congress rather than regulation by unelected bureaucrats who may be less compelled to take Indiana's concerns into account.
— Jim Stanley is present of Duke Energy Indiana.

AWARDS / GRANTS

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Alaska Bird Observatory gets education grant (*Fairbanks Daily News-Miner*)

By Tim Mowry
Published Thursday, July 23, 2009
The Alaska Bird Observatory and Friends of Creamer's Field have received a $31,000 grant from the U.S. Environmental Protection Agency to expand existing educational programs at Creamer's Field Migratory Waterfowl Refuge.

Tricia Blake, education coordinator at the ABO, said the money will be used to add afternoon programs to the spring and fall class schedule so that classes visiting the refuge can spend the whole day at the refuge rather than just two or three hours. The refuge hosts about 80 classes each year — 50 in the fall and 30 in the spring — that reach about 2,000 students, teachers and parents.

Students learn about the history of the refuge, study bird migration, learn how different animals on the refuge prepare for and survive the winter and visit the ABO's bird banding station.

The grant also will be used to provide two three-day professional development workshops for K-12 teachers interested in designing a program for their classes revolving around the history of Creamer's Field, before and after it became a refuge..

Another aspect of the grant is an internship program for UAF students hoping to become teachers. Interns would teach programs at Creamer's Field to earn credit and provide them with teaching experience.

The first professional development class is scheduled for Aug. 28-29. Any teachers that would like to participate can give Blake a call at 459-7159 or e-mail her at tblake@alaskabird.org. The class is free and teachers get one credit and curriculum materials related to teaching on the refuge.

July 23, 2009

Grant will buy greener school buses (*Tallahassee Com*)

Leon County school district receives $347,000 from EPA
By TaMaryn Waters
DEMOCRAT STAFF WRITER
Thanks to a hefty federal grant, Leon County Schools can buy eight "environmentally friendly" school buses that will be fueled by compressed natural gas instead of diesel.

The $347,000 grant allows the district to get a little closer to the long-term goal of having 80 natural-gas school busses and a fueling station featuring compressed natural gas that will be shared with the community.

Manny Joanos, the district's energy manager, said Leon was originally turned down for the competitive grant, provided through the Environmental Protection Agency, in April 2008.

However, in February, Joanos said he was notified money might be available due to federal stimulus dollars. So the district was encouraged to try again.

A diesel school bus costs about $110,000. Natural-gas buses cost about $140,000.

Joanos said the federal grant will pay $40,000 for each bus. The district will pay $100,000, which he said would have been spent on new school buses even if the district didn't receive the grant.

The grant will also go toward replacing six older school buses with newer diesel buses, which are more fuel efficient.

"The (natural-gas) buses will be much more healthier for those who ride on the bus and those who ride behind (them)," said Joanos, who added that the buses should arrive in March or April.

Another advantage, he said, is that the district will save about 50 percent in fuel costs.

"Our schools have been focused on researching new technology and finding best practices that help alleviate energy costs and provide service learning opportunities to all of our students," Leon County Schools Superintendent Jackie Pons said. "I am excited to receive this grant that reinforces our focus."

School officials are also hoping to land another federal grant for $5.1 million from the U.S. Department of Energy.

If the district gets it, plans to build a fueling station for compressed natural gas may be solidified. That station would be used for the district's needs, along with community's access to "cleaner burning fuel."

If not, the district will build a scaled-down version of the fueling station geared toward the district's green school buses.

EPA awards grants to Illinois conservation programs (*Examiner*)

July 22, 11:41 PM · Fatima Mansour - Chicago K-12 Education Examiner
According to a news release issued today, the United States Environmental Protection Agency several states in the Midwest region with over $188,000 in grants for projects “to enhance K-12 environmental awareness.” These grants will be given annually to organizations, agencies and schools in Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin.

The EPA states that the purpose for such grants is to "improve environmental literacy through programs that engage communities in hands-on learning and promote awareness for conservation of the natural world."

Functionally, the grants will go to provide such hands-on activities to under-funded or under-served areas. In Illinois, Friends of Fox River and Angelic Organics Learning Center, Inc., have been awarded funds to continue in their efforts to educate students about conservationism.

Friends of Fox River, Crystal Lake, was awarded $39,010 to develop and maintain projects that monitory the Fox River water quality.

Angelic Organics Learning Center, Inc, in Caledonia, was awarded $18,439 to "create a healthy foods system and teach farm-based environmental education to peer-educations (6th-12th grade) and teachers".

For more information regarding the grants see:

http://yosemite.epa.gov/opa/admpress.nsf/0/599d74449602759485 2575fa005eb8d7?Open Document

For information about the foundations, see:

http://www.friendsofthefoxriver.org/
http://www.angelicorganics.com/indexold.html

Durbin Announces Nearly $7 Million in Recovery Act Funding for Illinois Environmental Programs (*eNews Park Forest*)

Park Forest,I
Wednesday, 22 July 2009 18:53 Science and Environmental
9032
WASHINGTON, D.C.--(ENEWSPF)--July 21, 2009. Assistant Senate Majority Leader Dick Durbin (D-IL) today announced that the Environmental Protection Agency (EPA) and EPA Region 5 have awarded $6,962,635 in funding through the American Recovery and Reinvestment Act to three environmental programs in Illinois.

"Today's funding will improve the quality of the air we breathe and the water we drink while creating jobs across Illinois," said Durbin. "It is not only good for our bodily health, but also the health of our state's economy."

The following Illinois communities and agencies will receive funding:

- **City of Chicago**: $1,000,000 in funding for projects to cut emissions and fuel usage from the city's diesel fleet. These clean diesel projects will create or retain roughly 23 jobs while protecting Chicago's air quality by reducing harmful diesel emissions by 313 tons per year.
- **Illinois Environmental Protection Agency**: $4,172,335 in funding to clean up diesel vehicles and equipment in the state. These clean diesel projects will create 123 jobs while protecting Illinois' air quality by involving 675 eligible diesel vehicles or engines.
- **Illinois Environmental Protection Agency**: $1,790,300 in funding for water quality management planning to determine the nature, extent, and causes of water pollution problems, and to develop plans to solve those problems.

BROWNFIELDS
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EPA tests may revive lifeless area (*News & Observer*)

Raleigh, NC
Developers hesitant to build on potentially contaminated sites in Durham
BY JULIAN MARCH, STAFF WRITER
DURHAM - When L'Tanya Gilchrist-McCrea was a girl, she walked to the grocery store and talked with her neighbors along the way.

Gilchrist-McCrea, now 46, has spent most of her life in Northeast Central Durham. The Winn-Dixie closed more than 20 years ago. The neighborhood has changed as businesses have shut down and residents have moved to the suburbs.

"It started looking like a ghost town," she said.

For years, old chemical plants, scrap yards, gas stations and railroad properties have sat empty, petroleum and other potential hazards being ignored.

In May, the Environmental Protection Agency announced Durham had received a $400,000 "brownfields" grant to test areas where environmental contaminants may be stalling redevelopment.

Greensboro, Concord, Greenville and New Bern also got brownfields grants.

Durham's grant, which came from American Recovery and Reinvestment Act money, will help train 60 residents for environmental jobs and update and publicize the city's brownfields inventory, in addition to testing contaminated properties.

Living below poverty line

The testing will focus on former gas stations and mechanics' shops that may contain petroleum products, said Nicole Comick-Bates, the EPA liaison for the Durham grant. Developers are hesitant to build on properties that may be contaminated, and empty lots mean less opportunity for people to find work where they live.

As of 2008, about one in three families in Northeast Central Durham lived below the poverty level, according to the EPA, which made its choices partly on community need.

Last month, officials met with residents and asked them to draw pictures of a revitalized neighborhood. They drew sidewalks, streetlamps and shops, which could come if testing leads to cleanup and development.

The grant-sponsored inspections can save a developer $5,000 to $50,000 in private testing costs, said David Sykes, a city contractor with Concurrent Technologies Corp.

Hopes for a grocer

One site, 812 Liberty St., is being tested under a 2006 brownfields grant. More than 20 years ago, it was the Winn-Dixie where Gilchrist-McCrea shopped. About 12 years ago, Ecclesia House of Prayer bought the gutted building for a possible new church, said Gilchrist-McCrea, whose father was then the pastor.

"We knew some years back that it was going to possibly need testing," she said. So when she heard about the EPA testing in a neighborhood meeting, she thought of the empty building her church owned. The property is now undergoing soil testing after earlier tests discovered lead paint.

Even when testing finds no contamination, the EPA still considers it a success because it puts the city one step closer to redeveloping the property, said Nicole Comick-Bates.

For example, the 2006 grant also paid for testing of a lot with petroleum storage tanks that The Forest Foundation was renting, said Marc Dreyfors, the group's president. After no serious problems were found, the lot's owners were able to sell the property, and the foundation moved down the block.

Gilchrist-McCrae hopes testing the old Winn-Dixie will lead to someone's moving back in.

"I would really like to see a grocery store there," she said. She has contacted chains, asking them to bring their business to the neighborhood. "Everybody doesn't have to move to the outskirts of Durham," she said.

jmarch@newsobserver.com or 919-932-2010

GENERAL
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Manure means money to handlers gathered in Iowa (*Associated Press*)

Story also appeared: *Washington Post, KCAU-TV, Bradenton Herald, WHO-TV, KIVI-TV,KPVI-TV, News Tribune, Los Angeles Times*

By MICHAEL J. CRUMB
The Associated Press
Thursday, July 23, 2009 5:05 AM
BOONE, Iowa -- For the folks who make a living spreading manure on farm fields, the business end of hogs, cows and chickens can be a gold mine.

More than 1.3 million tons of manure is applied as fertilizer each year to about 15.8 million acres of farmland in the U.S., according to the U.S. Department of Agriculture. Much of it is handled by custom manure applicators who gathered Wednesday in central Iowa to learn the latest techniques for handling the waste.

About 1,500 people, including custom manure applicators, farmers and others, attended the Upper Midwest Manure Handling Expo, an annual event held in Iowa for the first time.

They checked out spreaders, hoses and tanks parked in corn and soybean fields just east of Boone, watched demonstrations on handling solid and liquid manure, and attended classes held under white tents.

"We're in such an environmentally sensitive industry, it just keeps everybody up with the new technologies and handling manure in a safe and efficient manner," said Kevin Westaby, president of the Iowa Commercial Nutrient Applicators Association, which co-sponsored the event with Iowa State University.

It's also a chance for the industry to show the public how it has improved its technology and techniques to prevent runoff and other problems, Westaby said.

"We're not trying to pollute," he said, "and we're showing that it can be applied based on crop needs and in a safe manner to protect the waters of the state."

Large farms hire custom manure applicators to spread the waste on their land. Dean Wurzer, a custom applicator from near Hawkeye in northeast Iowa, said customer expectations have increased in recent years with tougher government oversight.

"The customers now expect a better job of manure hauling and you gotta keep up with the latest ways to do that," he said. "With tighter regulations and lower application rates, it's becoming much harder."

Manure is used as fertilizer on about 5 percent of U.S. cropland. Much of the rest is treated with chemical fertilizers. Corn, which is planted on about one-quarter of all U.S. farmland, covers more than half of the acres treated with manure.

AGCO, a farm equipment company from Minnesota, brought a prototype of a tractor and spreader that company officials said could cost up to $700,000, although a price hasn't been set.

The machine, called the TerraGator, gives the user better control over how much manure is released and where it goes, helping to reduce runoff into streams and lakes, said Arnie Sinclair, an official from the AGCO office in Waconia, Minn.

It's a big challenge to produce equipment that meets ever-stricter government regulations, Sinclair said.

"At the end of the day, we want to make sure everything is applied accurately," he said, adding, "It's hard to say manure is a science, but the reality is the handling of manure is a science."

Gary Wilton, a custom manure applicator from Medora, Ill., who does business in Illinois, Missouri, Texas, Oklahoma and The Netherlands said he talks to the Environmental Protection Agency or other regulators nearly every day to keep up to speed on the rules.

But he can get some guff from folks who don't understand how complicated his business is.

"It's hard for me to tell people what I'm doing," Wilton said. "You tell them I'm going to go look at a $600,000 machine, and they're like 'Just to spread hog manure?'"

HAZARDOUS WASTE

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EPA vows to examine impact of hazardous waste on poor communities (*Los Angeles Times*)

5:58 PM, July 22, 2009
The federal Environmental Protection Agency vowed Tuesday to home in on the impact of hazardous waste recycling plants on minorities and low-income communities.
The move hearkens back to a Clinton-era executive order that required federal agencies to consider the impact of their policies on disadvantaged communities. Although the Bush administration largely ignored the mandate, Obama-appointed EPA administrator Lisa P. Jackson has promised to analyze those impacts.
Under the Bush administration, hazardous waste recycling plants had a free pass to process more than 1 million pounds of toxic material without federal oversight. In Los Angeles and other areas, such plants are disproportionately located in low-income communities and communities largely populated by non-whites, maps created by Earthjustice show.

Hundreds of hazardous waste recycling facilities in the United States, including 29 in California, have been classified as "damage cases" based on factors such as soil and water contamination that cause lasting health and environmental impacts on the areas that surround them.

Earthjustice said the federal agency's decision to consider race and class in relation to hazardous waste plant locations marks a "sea change" for EPA. But some environmental justice advocates point out that the inequality continues.

For example, coal ash from a spill in east Tennessee last December has been relocated to areas largely populated by black people in Alabama and Georgia, noted Robert Bullard of the Environmental Justice Resource Center at Clark Atlanta University.

"Shipping toxic waste to communities of color is not green," said Bullard. "It's mean and it's unjust and some of us think it should be illegal."

-- Amy Littlefield

PESTICIDES
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Posted on Wed, Jul. 22, 2009

The complexities of greening your lawn (*Philadelphia Inquirer*)

By Virginia A. Smith
Inquirer Staff Writer

Growing up in Lakewood, N.J., Tim Stewart watched his dad nuke the lawn several times a year with synthetic fertilizers, weed-killers, and insecticides.
But as an adult, Stewart began to think of his own lawn as a drug addict in need of detox. He worried about his kids rolling around in it and about doing harm to the soil, air, and underground water. He even stressed over the potential danger to the family pets, Pluto the dog and Furball the hamster.

Stewart had stumbled upon the Great Lawn Dilemma, which poses a deceptively simple question: What's a safe and effective way to achieve a green lawn?

The answer sounds like former President Bill Clinton's ruminations on "what the meaning of the word *is* is": Depends on what you mean by *safe and effective*. Depends on what you consider *green*.

Even depends on your definition of *lawn*.

"It's a rat's nest," said Nancy Bosold, a lawn expert with the Pennsylvania State University's Cooperative Extension.

Make no mistake: Lawn and garden products are marketed as thoroughly tested, registered with the Environmental Protection Agency, and safe to use - with an important caveat:

If used properly.

"Most of us in the industry . . . work very hard and diligently trying to put together a product that's efficacious, easy to use, and has a minimal risk when used appropriately," said Bruce J. Augustin, chief agronomist for Scotts Miracle-Gro Co. in Marysville, Ohio, the nation's largest purveyor of lawn and garden products. Sales of its Scotts, Miracle-Gro, Ortho, and Roundup products approach $3 billion annually.

Sounds like a no-brainer, but even industry studies find most consumers don't follow directions.

"The general public doesn't even read the label," said Jane A. Hoppin, an environmental epidemiologist with the National Institute of Environmental Health Sciences.

According to the EPA, Americans use about 90 million pounds of pesticides a year on lawns and gardens, including weed-killing herbicides, insecticides for bugs, and fungicides for mold and mildew.

Studies link some of them to increased cancer risk, nervous-system injury, and possible damage to the lungs and reproductive, endocrine, and immune systems. Children and pets are especially vulnerable.

Thus, Hoppin's rule of thumb: "Anything that's toxic at some level you want to minimize your exposure to, because we don't know all the answers."

That's where Stewart found himself. As a cleanup contractor for toxic-waste sites, he'd seen "neon puddles and purple dirt." He wanted to minimize even minimal risk for his family.

So for the last five years, Stewart; his wife, Leslie; daughter Kylene, 7; son Jack, 23 months; and their pets have enjoyed a thick, green, all-organic lawn at their home in Lanoka Harbor at the Jersey Shore.

Many organic lawn products are on the market, including Scotts' Organic Choice line, but Stewart has his own recipe.

Twice a year, he applies corn gluten meal, a nontoxic by-product of corn syrup that contains about 10 percent nitrogen. It kills weeds before they sprout and fertilizes the lawn, making it a natural "weed and feed" product. He adds homemade compost, mows the lawn three inches high to prevent weeds from getting sun, and doesn't mind white clover, which naturally adds nitrogen to the soil.

But products labeled "organic" or "natural" aren't always risk-free, according to Jeff Gillman, author of *The Truth About Organic Gardening: Benefits, Drawbacks, and the Bottom Line.* For example, rotenone, an organic insecticide derived from tropical plants, and pyrethrum, which comes from chrysanthemums, can harm wildlife and people. Cocoa-bean hulls and bone and blood meal, all used as organic fertilizers, also have issues.

Gillman, a horticulturist and entomologist who grew up in Pughtown, teaches pesticide use and nursery management at the University of Minnesota. He leans toward organics but is comfortable using conventional products - the minimum amount, applied as directed, once every year or two, rather than four or five times a year, as lawn-care companies recommend.

"I think the problem is that we all love this perfect green lawn with no weeds," Gillman said, but such perfection requires frequent watering and a lot of fertilizers and pesticides.

Considering there are about 80 million lawns in the United States, that's a lot of stuff on the lawn. But as the experts like to say, "Dose makes the poison."

"All of these compounds have toxic properties if the exposure is sufficiently large," said Ted Schettler of Ann Arbor, Mich., science director of the nonprofit Science and Environmental Health Network. He cites "windows of vulnerability for child development, where even lower levels of exposure that have no impact for adults can have impacts on kids."

But lower doses add up. In 2006, a Harvard School of Public Health study concluded that chronic, low-dose exposure to pesticides resulted in a 70 percent higher incidence of Parkinson's disease. For study subjects who weren't farmers or ranchers, researchers said, this was likely due to pesticides used inside or outside the home.

Among herbicides, 2,4-D is the most widely used in the world, number three in the United States, where it's usually combined with fertilizer in "weed and feed" products. One of two active ingredients in Agent Orange, the Vietnam War-era defoliant, 2,4-D zaps a lawn's broadleaf weeds, such as dandelions and thistle.

According to the EPA, exposure to high concentrations can affect the central nervous system; other studies suggest a possible cancer link in humans and a heightened risk of malignant lymphoma in dogs.

But not everyone agrees, and 2,4-D remains highly controversial.

Scotts' Augustin, a turfgrass physiologist, calls 2,4-D "possibly the most extensively researched of all pesticides." When used correctly for approved uses, he said, 2,4-D is "low in toxicity to humans and animals."

Lisa A. Murphy, assistant professor of toxicology at the University of Pennsylvania School of Veterinary Medicine, believes, with those same caveats, "weed and feeds" will not harm pets. "When people have problems with pets and lawn chemicals, it's usually because the products haven't been used correctly," she said.

Pets who eat or roll in just-treated grass, then lick their paws or groom themselves, can develop short-term problems like drooling, vomiting, and diarrhea. "But the risk of significant problems is extremely low," said Murphy, who uses conventional lawn products herself.

Paul Tukey of New Gloucester, Maine, used to apply those products in his lawn-care service, but gave it up after a diagnosis of acute pesticide poisoning in 1993. The founder of SafeLawns.org and author of *The Organic Lawn Care Manual*, he has visited 41 states in a crusade to "get American lawns off drugs."

In this, he said, Canada is leading the way. In 2001, its Supreme Court ruled that municipalities can restrict cosmetic pesticide use on public and private property. Since then, more than 120 have done so.

But, Tukey said, the Great Lawn Debate "is still very much a debate. People are still saying, 'How dare they take away my ability to get rid of dandelions?' "

Several U.S. communities limit pesticide use around schools and day-care centers and on public property. About 30 New Jersey towns, including Voorhees and Cherry Hill, have designated their parks "pesticide-free zones."

Those outside the zones still have a choice.

"Weigh the benefits and risks," advised Sharon Gwaltney-Brant, medical director of the ASPCA's Animal Poison Control Center in Urbana, Ill., "but bottom line: No one's putting a gun to your head insisting you use chemicals on your lawn."

Contact staff writer Virginia A. Smith at 215-854-5720 or vsmith@phillynews.com.

SUPERFUND
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EPA seeks community input (*Midland Daily News*)

Midland,MI
By Tony Lascari
of the Daily News
tlascari@mdn.net
Published: Wednesday, July 22, 2009 12:08 PM EDT

People interested in pollution in local waterways can learn more about joining an advisory group at an Aug, 15 workshop hosted by the U.S. Environmental Protection Agency.

The EPA wants to form a community advisory group for the Superfund cleanup of the Tittabawassee and Saginaw rivers and Saginaw Bay. The watershed was polluted with dioxins, furans and other contaminants from The Dow Chemical Co.'s Michigan Operations site in Midland.

The advisory group offers a chance for community preferences to be included in the site cleanup. The workshop will take place from 9 a.m. to noon at Saginaw Valley State University's Regional Education Center Room ES 202.

"A Superfund community advisory group or CAG is a way for people in the community to participate in providing coordinated, local input to the decision-making process at Superfund sites," the EPA's website states. "It is a forum for community members to present and discuss their needs and concerns related to Superfund cleanup projects."

Similar groups have advised the EPA on the cleanup of the Velsicol Chemical site on the Pine River in St. Louis and the Allied Paper site on Portage Creek and the Kalamazoo River.

The EPA's mandated cleanup at Saginaw Township's West Michigan Park was

completed in recent weeks. The cleanup included the removal of more than 17,000 tons of dioxin-contaminated soil, according to the EPA.

Contractors, paid for by Dow, completed paving the parking lot and planting 5,000 native plants along the shoreline. The park will be reopened after the new grass and plants have had time to get reestablished, likely by mid-August, according to the EPA.

For more information on the EPA's work, visit www.epa.gov/region5/sites/dowchemical or contact the local EPA information office at (989) 790-5215. The office, at the Saginaw County Courthouse, is usually open from 8 a.m. to 5 p.m. Tuesday through Thursday.

TOXICS

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Paving an Environmentally Friendly Path (*Washington Post*)

Pr. George's Town Sees Facelift, Economic Boost in Road Project

By Lisa Rein
Washington Post Staff Writer
Thursday, July 23, 2009

For decades, the town of Edmonston in Prince George's County has been an industrial back lot for a toxic and stinking waterway. In the suburb split in half by the Anacostia River, freight trains rumble along Route 1, factories churn out auto parts and Greyhound repairs its buses. Stormwater rolls down warehouse roofs and swells the river, flooding already threadbare homes.

Now the hamlet of 1,500 near the District line, with numerous foreclosures and many residents out of work, is trying to remake itself by joining an environmental movement more often embraced by wealthier communities.

In a few weeks, workers will start ripping up Edmonston's main road and replacing it with an environmentally friendly street of rain gardens, porous brick and a drought-resistant tree canopy designed to shade the concrete, filter rainwater before it flows into the river and put people to work.

When the work is done, Decatur Street will naturally treat more than 90 percent of the pollution from the 40 inches of rainwater that sweeps into the Anacostia each year. "We're a town that's been beaten up by floods," said Adam C. Ortiz, Edmonston's mayor

and the firepower behind the project. "We have to make things happen for us instead of making things happen to us."

Ortiz, 35, who speaks Spanish with many of his constituents, has a framed poster in his Town Hall office from Lyndon Johnson's 1964 presidential campaign: "Let's keep building the Great Society."

Edmonston's "green" street will be its biggest public works project, employing about 40 workers from the town and neighboring communities. The project qualified for $1.3 million in federal stimulus money. Sen. Benjamin L. Cardin (D-Md.) got Ortiz an audience with Vice President Biden at an Earth Day event in April, and Ortiz said that Biden told him that he would try to attend the groundbreaking next month.

"A little town like this?" mused Robert Kerns, a Town Council member who works as a ground supervisor for FedEx. "In a million years, I would never have thought it would happen."

Green streets have been built in Seattle and Portland, Ore., but they're novel in small towns such as Edmonston, which has no system to filter stormwater. Planners are just beginning to use roads to reduce the community's carbon footprint. There are apparently no similar projects underway in the Washington area.

"As we start rebuilding infrastructure, this is a great way to do it," said Neil Weinstein, executive director of the Low Impact Development Center in Beltsville, who is working with Edmonston with help from planners at the Environmental Protection Agency. "The thing here? Edmonston's got diddly."

The town, between Hyattsville and Bladensburg, is one of the Washington area's lowest-lying communities. It probably got its name from James Edmonston, a captain from Bladensburg who paid five shillings in 1742 for land that eventually was developed into dairy farms.

It has always been a working person's community: Just 8 percent of the adults went to college, the mayor said. It's a diverse place where newcomers, many of them construction workers, hail from 19 countries, a fact celebrated in a mural that artists are painting on the retaining walls of the bridge over the river. It reads: "Diversity Without Division Creates Harmony."

Flooding has always been Edmonston's Achilles' heel. A new pumping station was built at the river's edge in 2007, and it has helped keep the town dry.

Decatur Street runs three-fourths of a mile, and it's a throughway for trucks whizzing between factories on Kenilworth Avenue and Route 1. It is lined with Sears model homes, old Victorians and Edmonston's only restaurant, La Fondita. Grass peeks through the cracked sidewalks. There's no bike path. Main streets in wealthier towns

often have a strip of grass between sidewalks and roads, but the area along Decatur Street is just a foot wide, browned by the sun.

The project, to be completed in six months if construction goes as planned, will usher in dramatic changes. Thirty maple, elm, sycamore and oak trees will line the street, and energy-efficient streetlights will be powered by wind. The street will be eight feet narrower to reduce paved surfaces, with landscaped "bump-outs" filled with moisture-loving plants to absorb and filter stormwater. The sidewalks will be laid with permeable concrete blocks to absorb the residue of daily life. And a bike path will encourage people to get out of their cars.

"The biggest thing to me is, it will help us find shade," said Jose Hernandez, 17, who moved to Edmonston from El Salvador in 2005. And there are a lot of people who don't have jobs, said his brother, Luiz, 16, as they helped artists from the Port Towns Youth Mural Project paint the bridge one morning last week. Their father, a construction worker, has steady work, they said.

Most of the design and engineering work was done for free because the town couldn't afford to pay.

Maggie Pooley got involved right away. She has raised her four children in a Sears house on Decatur Street. Although she said she is disheartened about the foreclosed Victorian two doors down that's for sale for $145,000, she is proud that the town is trying to revive its fortunes.

"This will put us on the radar screen," Pooley said of the new street. "Even a working-class community can glom on to being a little bit aware of the environment."

EPA returns to Hegeler for testing (*Danville Commercial News*)

BY MIKE HELENTHAL
TILTON July 22, 2009 09:37 pm
— U.S. Environmental Protection Agency investigators were back in Hegeler this week to finish up a final round of lead and arsenic testing around the former Hegeler Zinc property.
EPA Project Director Colleen Moynihan said so far more than 50 properties neighboring the site had been tested, with the final 20 expected to be finished by Friday.
“EPA continues to collect access agreements throughout the week,” she said. “Residential sampling results are expected to be confirmed later on this year and the public will be updated.”
A new round of testing outside of neighbors’ yards will begin Monday after an agreement was reached with KIK Custom Products earlier this month to help determine

how far the Hegeler site's chemicals have leached away from the site and into the general environment.
KIK has agreed as part of the remediation process to run a checklist of water-quality tests on nearby Grape Creek, which runs adjacent to the properties and eventually to the Vermilion River. KIK's facility was originally a part of the Hegeler site.
"KIK will sample the surface water and sediment of Grape Creek and other waterways outside the EPA constructed fence for pesticides and metals," Moynihan said.
Kerry Morgan, a spokeswoman at KIK's corporate headquarters in Concord, Ontario, Canada, said the corporation has worked with the EPA since the Hegeler site was designated a Superfund cleanup site in 2005.
"I can confirm that we have agreed to complete some sampling in the streams running past our property and to evaluate what the results of that sampling mean," she said in a written statement following an inquiry from the Commercial-News. "KIK was asked by the EPA to help with evaluation of conditions in an identified length of Grape Creek and one of its tributaries. That's the extent of our involvement."
Moynihan said a company may be named a "principal responsible party," which KIK has, simply by being a part of the land history of a suspected site. She confirmed EPA has not made accusations against KIK for contaminating the site and that the company has been cooperative in trying to help clean it up.
"You don't necessarily have to be the one who contaminated it (to be a principal responsible party)," she said.
According to Morgan: "Management has no reason to believe that KIK's manufacturing properties are of concern and we will continue to work with the EPA as needed and monitor through our comprehensive environmental and safety programs."
Moynihan said the search for responsible parties continues based on the history of the property, though one identified party recently claimed bankruptcy and was removed from the list. She said the Hegeler Foundation will likely not be found a principal responsible party because of rules protecting individuals from the actions of their company. Also joining the Hegeler site investigation is the Illinois Department of Natural Resources, which has initiated contact with EPA officials and started monitoring the testing processes being followed.
Jessica Forrest, a biologist with IDNR, said her agency's interest is beyond testing of the Hegeler site and would include the condition of nearby flora and fauna.
"So far they've done a very in-depth investigation," she said. "We're just now starting to look at this site to see if there are other injuries. Our work, if there is any, would be in addition to the (EPA) remediation."
Jinny Narsette, an U.S. EPA Region 5 spokeswoman, said cleanup of the site is likely years away, but once finished the land could become developable again.
"Part of the process towards the end will be to ask, 'How do we reverse this land and make it developable again?'" she said.
But it could be up to four years before the testing process is even completed, and several more before a plan on how to clean it up and the money to pay for it is secured. EPA officials are still working with property owners to determine who is liable for the contamination and how much money it will take to clean it up.
"Right now our main concern is making sure kids are staying out of there," she said, adding the EPA had recently ordered to the landowner to better secure the area after

evidence of kids playing there was found.
Vermilion County Health Department Environmental Health Director Kolby Riggle said the number of children being tested for lead spiked just after the EPA's public information meeting in May.
"They did have a number of individuals who brought their children in for lead testing," he said. "Evidently we didn't find anybody above the threshold number and there were no requests for further environmental testing."
Tilton Mayor Dave Phillips said while he has welcomed the information shared by the EPA with the public to this point, he doesn't understand the need for all of the testing. Grape Creek runs through most of Tilton and KIK also is located on the Tilton side.
"Obviously, I hope they get a resolution to it," he said, "but if you're going to have to clean it up anyway, I don't understand all of this testing. It's seems like a lot of time and money. Why don't they just clean it up and get it done?"
Doing so would remove the public health threat immediately, he said, as well as re-open an economically developable part of the area.

Analysis Finds Toxic Substances in Electronic Cigarettes (*New York Times*)

July 23, 2009 Thursday
Late Edition - Final

Section A; Column 0; National Desk; Pg. 22
By KATIE ZEZIMA
Electronic cigarettes contain traces of toxic substances and carcinogens, according to a preliminary analysis of the products by the Food and Drug Administration.

The findings, which were announced on Wednesday, contradict claims by electronic cigarette manufacturers that their products are safe alternatives to tobacco and contain little more than water vapor, nicotine and propylene glycol, which is used to create artificial smoke in theatrical productions. When heated, the liquid produces a vapor that users inhale through the battery-powered device.

"We're concerned about them because of what we know is in them and what we don't know about how they affect the human body," said Joshua Sharfstein, the F.D.A.'s principal commissioner.

The agency analyzed 19 varieties of cartridges, which hold the liquid, and two cigarettes, one manufactured by NJoy and another by Smoking Everywhere.

The analysis found that several of the cartridges contained detectable levels of nitrosamines, tobacco-specific compounds known to cause cancer. One Smoking Everywhere cartridge was found to contain diethlyene glycol, a common ingredient in antifreeze that counterfeiters have substituted for glycerin in toothpaste, killing hundreds

worldwide.

Dr. Sharfstein said the agency was "not sure" what type of effect the diethlyene glycol and other carcinogens have on the human body when inhaled through electronic cigarettes.

The Electronic Cigarette Association, an industry trade group, said in a statement that the F.D.A.'s testing was too "narrow to reach any valid and reliable conclusions" and that its members sell and market their products only to adults.

A statement from the chief executive officer of NJoy, Jack Ledbetter, said a third party had tested its products and found them to be "appropriate alternatives" for cigarettes, but he did not release the findings. The company said its experts would review its tests and the F.D.A.'s.

Electronic cigarettes, which are manufactured in China, are subject to little quality control, Dr. Sharfstein said. The study found the levels of nicotine to vary even in cartridges whose labels claim to have the same amount of nicotine. Some of the cartridges that claimed not to contain nicotine actually did, the analysis found.

The F.D.A. has called electronic cigarettes drug delivery devices and said they should not be allowed in the country. It has turned away about 50 shipments of the devices at the border, but they still continue to be sold in malls nationwide and online. The agency would not comment on whether it planned to ban or seize the devices. In April, Smoking Everywhere sued the F.D.A., claiming that it did not have jurisdiction to bar the electronic devices from entering the United States.

The agency and public health officials are especially worried that electronic cigarettes, which are offered in flavors including cherry and bubblegum, are enticing to children and may be easy for those under 18 to obtain online or in malls.

Jul 22, 2009 7:39 am US/Eastern

EPA Recommends Capping Part Of Metachem Site (*Associated Press*)

Story also appeared: *CBS 3 Philadelphia*

DELAWARE CITY, Del. (AP) — The Environmental Protection Agency is recommending paving over the most contaminated section of the abandoned Metachem Products chemical plant near Delaware City.

Capping the section, the agency's preferred option, would cost $12 million to $19 million. It would permanently cover untreated soils deeply soaked with toxic chemicals.

More comprehensive cleanup schemes under consideration for the 22.8-acre plant area

carried price tags of up to $100 million.

Walls have already been sunk into the ground on three sides of the area in other cleanup and containment projects that cost about $70 million.

The EPA plans to take written public comments through Aug. 14. A public meeting is scheduled for July 28 at the Delaware City Fire Hall.

Information from: The (Wilmington, Del.) News Journal, http://www.delawareonline.com

The Vapors (*Baltimore City Paper*)

Toxic gases seeping from the ground in Westport are news to most people who live there
potentially cancer-causing vapors for years.

Project T.O.O.U.R.'s Linda Towe didn't know about lingering concerns over the CMI site until City Paper told her about them.
By Van Smith | Posted 7/22/2009
Bill Cragg works for a local construction firm. He was born and raised in the same Westport house, 2047 Annapolis Road, where he still lives today. It's the end-of-row unit on the southern end of the block, and it has a porch and a little yard that wraps around, next to the railroad tracks. Behind the homes on Cragg's block are fields of BGE power transmitters, humming in the shimmering heat of summer. On the other side of Annapolis Road is an overgrown empty lot that abuts Gwynns Falls, which flows a short ways downstream, past the BRESCO garbage incinerator, into the shallows of the Patapsco River beneath the I-95 overpass.

Like most of the residential blocks in Westport, Cragg's is nestled in an industrial setting, even if most of the industry packed up and left years ago. There are plenty of vacant, boarded-up homes and only a handful of businesses. There's still a gravel pit, and the trains roll by, and BGE still transmits power, but much of the old prosperity that Westport enjoyed during its heavy-industry heyday dried up and went away over the last two generations.

Now Westport sits, underpopulated and poor, though hopes for the future have recently been kindled by the promise of new jobs and residents attracted to its Middle Branch waterfront, where planned development is expected to bring retail and office jobs along with affordable new housing. Until then, though, Westport remains rough around the edges--including the 2000 block of Annapolis Road, where Cragg's house stands.

On either side of Cragg's block, at 2001 and 2103 Annapolis Road, are the former sites of Chemical Metals Industries (CMI), a precious-metals smelter tied to former Maryland

governor Marvin Mandel. Cragg remembers that, back when CMI was still operating in the 1970s, its chemical fumes and acids were a neighborhood hazard.

"It stank like ammonia, and the acid that would flow off the asphalt there, it burned me one time, burned my dog, burned a friend of mine," says Cragg, who's now 60 years old. "And there was a chemical fire and explosions there, and some kids got burned. We complained about it a lot, but the city didn't do anything."

In 1981, the toxic mess at CMI spurred the first emergency clean-up under the then-new federal Superfund law, which was designed to pay for making dangerous chemical-waste sites safe again. Vats and drums of improperly stored chemicals were emptied and hauled away, and contaminated soil was removed, all in a $360,000 (roughly $849,6000 in 2009 dollars) effort to prevent public harm. But according to recent federal court documents, those long-ago efforts weren't enough, and the CMI site continues to pose a cancer risk to long-term residents of nearby homes subjected to "vapor intrusion" of chemical-laden air rising through the soil from contaminated groundwater below.

The two chemicals carried in the vapors--trichloroethylene (TCE) and perchloroethylene (PCE)--are industrial solvents that, with lengthy, high-level exposure, are believed to increase the risk of cancer. Groundwater sampling at the CMI site in 2005 revealed TCE and PCE at levels as high as 366 and 496 parts per billion, respectively, far above the 5 parts per billion the Environmental Protection Agency (EPA) considers safe. Yet environmental officials stress that actual health effects for those most affected by the vapors are likely minimal.

"There is no risk to others than the immediate residents" of the affected rowhouses, explains Maryland Department of the Environment (MDE) administrator Shari Wilson. There are 21 potentially affected homes, though only a handful of them have actually been tested to find the level of chemical contamination in the indoor air. Despite the obvious vacancies on the block, many of the houses are lived in, though only a few, like Cragg's, are owner occupied.

MDE's coordinator for the CMI site, James Carroll, sums up the remaining problems succinctly. "We know that there is groundwater contamination," he says, "but there are no drinking-water wells in the affected area, and there's a natural clay liner close to the surface that's carrying the groundwater a short distance away into the Gwynns Falls, so the affected area is small and contained. We know vapors in some of the homes present a risk that exceeds our standards, but the health risk is a long-term calculation, and the ambient air outdoors is not a problem at all."

Greg Ham, who oversees the CMI site for EPA, emphasizes that the government's cancer-risk guidelines for TCE and PCE are "based on 30 years of 24-hours-a-day exposure, so they are very conservative estimates."

Despite the remoteness of the risk, the government, having suspected since the 1990s that CMI's remaining pollution was causing vapor intrusion, is taking steps to end it. Those most affected--people living in homes in the 2000 block of Annapolis Road, between CMI's two contaminated parcels--have been alerted about the vapors over the last several years, as environmental officials have conducted tests in and around their homes.

This comes as a surprise to state Sen. George Della (D-46th District), who represents Westport and has a handy memory of his district's history and neighborhoods.

"I was not aware of any of this," Della says. "I only remember [CMI] as the first Superfund site. I've not heard anything about it since--well, for almost 30 years. Never has this come up, that there are lingering issues there."

Of the several Westport leaders interviewed for this article, none knew of CMI's ongoing problems until told of them by *City Paper* earlier this summer. They now say they've been left in the dark about the longstanding chemical threat and the government's strategy to quash it.

Colleen Vanskiver, president of the Westport Business Association and owner of Colleen's Corner Tavern, says she remembers the 1981 clean-up at CMI, but "I haven't heard that there was anything there that was still hazardous." When told about the current activities to clean up the site, and that the affected residents have been made aware of the problem, she says: "I think that's appalling that nobody knew about that for all these years. How can you say that that's only affecting one block of people? That's something that the whole community should be aware of!"

Also hearing of CMI and its troubles for the first time this summer were James Alston and Ruth Sherrill of the Westport Improvement Association and Linda Towe, the executive director of Project T.O.O.U.R., a nonprofit providing social services in Westport.

"It's so close, what's happening [with CMI]," says Alston, an Annapolis Road resident who grew up in Westport and lives there still. "I'm just amazed, and kind of disappointed, that they didn't inform the community overall. We only discovered it through [contact from a reporter], and we're right next door to it. No fliers, no notification--I don't believe there were any public notices in the paper, to my knowledge."

Even Patrick Turner, whose Turner Development Group's well-publicized voluntary environmental clean-up of Westport's nearby waterfront sets the stage for planned retail, office, and residential development there, says he didn't know about CMI. "I knew MDE owned a contaminated site down there somewhere," he says, "but I never even heard of Chemical Metals Industries. Nobody contacted us about anything going on with it, and I'm not overly concerned with it."

The Center for Public Environmental Oversight (CPEO), based in California, posts documents about vapor intrusion on its web site, including the "Report on the National Stakeholders' Panel on Vapor Intrusion," an event held in San Diego in 2008. In it, people who've lived through the experience of finding they've been living with solvents in their indoor air share their advice with officials and consultants who manage the problem.

"Vapor-intrusion investigations must be discussed as soon as possible," one presenter warned. "Residents will be mistrustful if they find out about possible vapor intrusion from a newspaper or television news program. Residents and anyone involved should be sent information, and a meeting should be scheduled so everyone can learn about this together."

CPEO's executive director, Lenny Siegel, visited Westport last year, and he's familiar with Turner's plans for the Middle Branch waterfront, as well as the voluntary clean-up of the old industrial land there. But he had no idea that Westport suffered from a vapor-intrusion problem until he received an e-mail from *City Paper* with the CMI court documents attached. He e-mailed back, saying the government "should convene a public meeting explaining what is it looking for, and why. If indeed the groundwater plume of organic solvents extends under people's homes, then they have been continuously exposed (whenever home) for years."

Environmental officials, however, say it's a "judgment call," determining when to notify others besides those living and working in buildings that suffer from vapor intrusion. "You don't want to alarm people," MDE's Carroll says. So although CMI is not Westport's only lingering environmental challenge, it is its stealthiest, as the government's efforts to tackle it have been kept relatively quiet.

"We haven't held any public meetings, but we are always willing to do that," EPA's Ham says. "You basically have brought the community's interest to our attention," says Wilson, adding that a public meeting in Westport about the activities at the CMI site is now being scheduled.

Meanwhile, word of mouth has been spreading the news about the CMI site's ongoing pollution problems and the work being done about it. At a July 14 community meeting at the Westport Academy, held to discuss Westport's rezoning and urban-renewal plans, Alston asks about "the current environmental threat that's at the bottom of Annapolis Road," and Vanskiver jumps in to answer. "They're cleaning it up from 1981, when Marvin Mandel's wife owned it, and it's been running into the Gwynns Falls and now they're cleaning it."

Then Vanskiver announces that, in that same school dining room on July 28 at 7 p.m., there will be a public meeting to discuss the pollution problem, and MDE and EPA will be there. "We'll be passing out fliers around the neighborhood about it," she says afterward.

The CMI site is actually two lots**:** 2001 and 2103 Annapolis Road, with a block of rowhouses and a railroad crossing in between them. The smelter, which used chemicals to recover market-grade gold, silver, and copper from a variety of sources, was at 2103, next to the railroad tracks, and after the 1981 clean-up it was capped with asphalt, taken over, and resurrected by the Maryland Department of the Environment as its Westport field office. Suspected vapor intrusion there was confirmed in 2002, and a system designed to remove the vapors was installed in 2006. Similar technology is being installed in some of the nearby rowhouses at government expense. In addition, according to Carroll, the state is conducting "*in situ* injections of chemicals that react with PCE and TCE and cause it to break down underground, so we don't have to worry about it in the long run."

The situation with 2001 Annapolis Road, a former gas station that CMI used as a storage lot and which is now vacant and grass-covered, is murkier. State real-estate records show it as still owned by the long-defunct CMI, so the government has been stymied when seeking an owner to ask permission to enter the property for testing. Soil, groundwater, and indoor-air sampling has been done in recent years at the MDE facility at 2103 Annapolis Road, and at many of the rowhouses, documenting the extent of the vapor intrusion there. But only groundwater testing has been done beneath 2001 Annapolis Road, which revealed high enough TCE and PCE levels to cause concern about cancer risks from the vapor intrusion observed in several of the homes. Without an owner's permission, nothing more could be done without a warrant.

This summer the EPA obtained a warrant to perform soil tests at 2001 Annapolis Road, sidestepping the need to ask permission from the property's unidentified owner, and on July 8, a drilling contractor began taking core samples. The results, according to the CMI site coordinator for EPA, Greg Ham, will help determine the best strategy for mitigating the remaining contamination. "If there is still solvent contamination in the soil itself," Ham says, "we'll look at whether that needs to be removed."

The court papers filed in the warrant case not only sparked community awareness (via *City Paper*'s inquiries) of CMI's ongoing contamination problems. They also revealed an intriguing aspect of CMI's history: The company was tied to former Maryland governor Marvin Mandel, whose release from federal prison on the corruption convictions that ended his political career coincided with the 1981 Superfund clean-up of the CMI site.

Chemical Metals Industries, according to the court documents, was a wholly-owned subsidiary of L&M Enterprises, a company whose shareholders were Lester Feit, Warren Stein, and Jeanne Mandel, the wife of the then-jailed ex-governor. As the owner of a company whose waste contaminated a site cleaned up under Superfund, L&M could have been on the hook for the $360,000 it cost to clean up the CMI site, but it was in the midst of a court-appointed receivership at the time, and soon was completely dissolved.

Jeanne Mandel passed away in 2001, and Marvin Mandel, now a lawyer and lobbyist, did not return calls or answer a detailed e-mail, with court documents attached, about

the current and past circumstances involving the site. Lester Feit, who court documents describe as 90 years old and who government investigators were not able to contact, did not respond to messages left at his home and with his lawyers. But Warren Stein, now the 54-year-old owner of Maryland Crab & Oyster Co. in Harwood, near Annapolis, was unabashed about discussing the situation.

"I never even set foot on the property in question," Stein says of 2001 Annapolis Road, which still lists CMI as its owner. "It was a mess. We never went in it."

The court documents supporting the EPA's warrant state that Stein, as CMI's president and director, "may [still] have the power to act" on CMI's behalf. So last year, Stein was contacted by EPA's Ham, who asked permission to enter the property for testing. "Mr. Stein stated that it was alright with him," the court documents relate. But Stein soon sent the EPA a letter stating "that he did not give his permission for anything except for Mr. Ham to research and prove Mr. Stein's ownership of the property and responsibility in this matter."

"My best guess would be that this is an oversight," Stein says of the land records showing CMI as current owner of 2001 Annapolis Road. "I highly doubt that I'm responsible for something that I've never touched."

Asked how, at such a young age, he ended up co-owning a precious-metals smelter with Marvin Mandel's wife, Stein says, "I was engaged to their daughter, Helen Dorsey, who I dated for a long time" and who also worked at CMI. Later, he explains, "I moved to the Eastern Shore with Helen, and we were together five or six more years."

Stein says he knew ex-governor Mandel "very well."

"He was the one who set me up with the smelter deal," Stein says. "I never knew Lester Feit until Marvin. Lester knew of this place owned by a Russian immigrant, Isaac Pancer, and the guy died of a heart attack, and Lester told the governor about it, and the next thing I know, the governor is asking me if I have any interest in running a chemical company. I walked into the place, and I was president. And gold prices kept going up and we made some money. In those days, I was something--I was a little wonder boy. Yeah, I lost a million-dollar business to the state. As for Marvin, we still say hello, that's about it, though I'm still in touch with Helen."

When told *City Paper* had been trying to contact the former governor, Stein's response was, "He didn't call you back, did he?" Attempts to speak with Dorsey were unsuccessful as well.

Later in the 1980s, Stein pleaded guilty to federal cocaine-conspiracy charges in Maryland and did his own stint in prison. "I was a young guy with some money, and I got caught," he says. Feit, too, has a criminal history; in 1966, in federal court in Maryland, he pleaded guilty to mail fraud and submitting false bids on federal contracts, was fined $21,000, and was given an 18-month suspended sentence. Still, Stein says they "ran a

very clean operation at CMI. Next thing I know, I'm outta there for something I didn't even do. The mess was there from the people we bought it from."

That "mess" is still causing problems, nearly three decades after the Superfund clean-up there. But to many of those living on top of it, it seems not to be such a big deal--though CMI's political history remains a source of amusement.

"I got high levels at my place, but nothing life-threatening," Bill Cragg says of the chemical-laden vapors that for decades have been seeping up out of the ground into the lower levels of his house. But he's not concerned about it. "I was born and raised in that house, and there's no kind of odor, nothing that causes illness."

Still, he's happy that the government is acting to solve the problem, and he signed off on having "their remedial system" set up in his home, even though he says the pollution isn't bothering him. The technology simply vents the vapors to the outdoors, preventing them from building up inside.

"It's minimal, as far as any impact is concerned," Cragg says. "I don't think anybody would think that these types of chemicals still exist down there, after all these years."

Cragg recalls environmental regulators first notifying him about his home's vapor-intrusion problem three or four years ago, and that they came and tested three times since then.

For Cragg's neighbor, Jim Fox, the news came more recently, in a letter last year. "I have a little boy," says Fox, a waiter who bought his house three years ago, "and he's now 2. It made me feel a little better that they tested the vapors." Another resident of the block, a young woman sitting on the front porch, holding her infant, says she's heard nothing about it, though she only moved in six months ago, she adds, asking that her name not be used. When told that there's a health risk from long-term exposure, she shrugs it off. "I won't be here that long, anyhow."

Cragg says that his family complained about the problems with CMI years ago, "And then the EPA came in and took it over, and it turns out the ex-governor's wife, Jeanne Mandel, is one of the owners. I never could prove it, but I'm thinking, *Well, that's why the city didn't do anything.* 'Cause you know how politics runs in here."

There is, it seems, no answer to the question of what happened to the court records from the 1981 Baltimore City Circuit Court case, in which CMI and L&M Enterprises were dissolved. In the EPA's warrant application to obtain access to the property for testing, it simply says that "The Court has been unable to locate any records associated with this case." Without them, the EPA couldn't find evidence that CMI's ownership of 2001 Annapolis Road had transferred to someone else. Meanwhile, the property-tax bill still gets sent to CMI at the only address it has left: 2001 Annapolis Road.

A missing court file might seem an innocent, though regrettable circumstance, but for the presence of the Mandels and two other ex-cons in the CMI picture.

"It's an oddball set of circumstances," says Sen. George Della. "But the first concern should be that there are still people that live there, and have lived there for generations. That's the first concern." MDE and EPA, as they work to solve the problem, probably couldn't have said it any better.

July 22, 2009

EPA proposes capping part of Metachem site (*News Journal*)

Lower-cost option would permanently cover contaminated soil
By JEFF MONTGOMERY
The News Journal
The Environmental Protection Agency has recommended a $12 million to $19 million pave-over for the worst-contaminated section of the abandoned Metachem Products chemical plant near Delaware City.

More comprehensive cleanup schemes under consideration for the 22.8-acre plant area carried price tags of up to $100 million, according to a document recently released for public comment.

The agency's preferred, lower-cost option -- scheduled for a public hearing July 28 -- would permanently cover untreated soils deeply soaked with toxic chemicals. Contractors already have sunk walls deep into the ground on three sides of the area, as part of a series of containment and cleanup projects that already have cost taxpayers about $70 million.

Other major expenses are pending for more than 40 nearby acres tainted with chlorinated benzene compounds, polychlorinated biphenyls (PCBs) and other contaminants.

"I'd certainly want to know whether they can do more chemical treatments before they cap it, whether they can pull it up or inject something to neutralize the chemicals that are there," said Seth Ross, a Delaware Nature Society member who has followed the cleanup closely.

Metachem's former owners declared bankruptcy and walked away from the factory in 2002, leaving behind some $65 million in debts and more than 40 million pounds of waste chemicals and products. The bankruptcy forced the entire cleanup cost onto the depleted Superfund cleanup program and federal and state taxpayers.

Millions of pounds of chemicals used to make herbicides and pesticides were spilled over the years at the plant, which operated as Standard Chlorine of Delaware until 1998. The company once ranked as one of the world's top producers of chlorobenzenes.

Much of the spilled material remains in soils and sediments under and around the plant, creating cancer risks recently rated as high as nine in 10,000 for construction workers at the main production site. State and federal cleanup goals usually aim for a risk level of one in 100,000 or one in a million.

Buried wall circles property

EPA contractors already have encircled the 65-acre property with a bathtub-like buried wall up to 70 feet deep that contains tainted groundwater. Recovery wells steadily tap groundwater for treatment, preventing most from leaking into nearby Red Lion Creek.

Hilary Thornton, EPA project manager for the Metachem cleanup, said studies of cleanup plans for nearby wetlands and sediments are continuing. Officials tested the use of a chemical to oxidize and break down chlorobenzenes deep in the soil, but found that other toxins could be left behind at levels too high to justify the expense.

Thornton said cost was one of the considerations in choosing the capping plan for the production area. The work would limit rainwater flows into the tainted soils and reduce exposure to toxic vapors in soils.

The EPA plans to take written public comments through Aug. 14. A public meeting is scheduled for 6 p.m. July 28 at the Delaware City Fire Hall, 815 Fifth St., Delaware City.

Industry group sues to keep styrene off Calif. toxics list (*Greenwire*)

(07/22/2009)
Sara Goodman, E&E reporter
The styrene industry this month filed a lawsuit to stop California from adding the chemical to its list of substances that may cause cancer or reproductive harm.
The Arlington, Va.-based Styrene Information and Research Center wants to prevent California from adding styrene, a chemical commonly used to make plastics and rubber, to its Proposition 65 list, which mandates warnings on products that might cause cancer or damage reproductive systems. California's Office of Environmental Health Hazard Assessment said last month that it planned to include styrene under Prop. 65.

"The evidence of carcinogenicity for styrene falls well short of 'sufficient,'" the styrene group argues in documents filed to the state.

The Sacramento Superior Court has set a hearing for Aug. 12 to discuss the group's request, and the state has agreed to wait until then before taking action on the chemical.

Styrene is used in milk cartons, egg crates, plastic pipes, automobile parts and many other products. U.S. EPA has classified it as a suspected carcinogen, and the Occupational Safety and Health Administration says that exposure may affect the central nervous system and result in headaches, fatigue and dizziness.

But the group argues that the chemical is not known to cause cancer and that recent studies have shown no adverse effects, so listing it would be illegal and would mislead consumers about the product. Such a listing, the group says, would "stigmatize SIRC's members and their products by creating a false public perception that styrene and styrene products are dangerous to human health."

The state, in court filings, said the center's argument against the listing was "complete speculation" and noted that the chemical is already regulated by OSHA and has been designated by the International Agency for Research on Cancer as a possible carcinogen. Furthermore, the state argues that delaying the process of informing the public could cause "significant harm" to human health and the environment.

WATER

Posted on Thu, Jul. 23, 2009

EPA tests southwest Mo. town for zinc (*Associated Press*)

Story also appeared: *Belleville News Democrat*

The Associated Press
The Environmental Protection Agency says results from tests of Webb City's water supply will be available next month.

Webb City's public works director, Lou Gutheil, says the EPA inspected the city's sewer lines, maintenance logs and procedural guidelines. The EPA investigators also monitored zinc levels in the water system during the visit last week to the southwest Missouri town.

Gutheil said the EPA recommended the department improve its documentation of maintenance and field repair work. A final report from the EPA on the visit is expected next month.

A spokesman for the EPA's office in Kansas City said the mining history of the region in southwest Missouri makes heavy metals like zinc and lead potential "contaminants of concern" for water supplies.

EPA's cleanup plan is praised in Copley (*Akron Beacon Journal*)

Akron,OH
Remedy might include city water to 50 homes
By Bob Downing
Beacon Journal staff writer
Published on Thursday, Jul 23, 2009
COPLEY TWP.: The U.S. Environmental Protection Agency's long-awaited cleanup plan for contaminated groundwater and soil at Copley Square Plaza got a warm response at Wednesday's public hearing.

The hearing on the $5 million remedy for the contamination that was discovered in 1990 near Copley (state Route 162) and Jacoby roads drew about 70 people to the Copley Community Center.

The EPA's preferred cleanup plan pleased 81-year-old Eugene Smith, who lives in the affected area with his wife, Rita. They have a device in their basement that strips out toxic chemicals and leaves their well water safe to drink.

"It's the best way to go; you'd better believe it," he said of the EPA plan. "We've been living with this problem for a long, long time. It's been frustrating."

Getting city water will be "a big relief to me," said Copley resident Patty Konkiel.

The EPA wants 50 buildings, including some in the Meadows of Copley condominium complex and some nearby houses, to get devices to collect any dangerous vapors that might seep into the houses and make sure gases do not collect in the soil under the buildings.

In addition, 50 houses on Copley and Appletree roads, Plainview Drive and Elizabeth Avenue would be hooked up to ctiy of Akron water at no cost to homeowners.

The EPA wants to inject a chemical compound into contaminated groundwater for about two years to break down the dry-cleaning chemicals that are polluting a shallow aquifer.

The chemical treatment in the water and soil would turn the contaminants into a nontoxic substance that naturally degrades.

The EPA would monitor the groundwater and watch for vapors intruding into homes until the contaminated water meets EPA standards.

The EPA will pick a final remedy in September, design work will begin in the fall and construction could begin next June if the project wins federal funding.

The contamination is linked to four dry-cleaning chemicals in the surface water, two aquifers and soil gases.

There is no immediate health threat to the residents, but they could be at risk because of long-term exposures, the EPA has said.

The Copley Square contamination was detected in 1990 because of odors in water from two wells at the plaza at 2777-2799 Copley Road.

In 1994, the Ohio EPA discovered toxic chemicals stored in eight homemade pits under the Danton Dry Cleaners shop. About 8,000 gallons of solvent-contaminated waste were removed from the leaking pits.

Contamination also was discovered in nine residential wells off South Plainview Drive. Air strippers and carbon filters were placed on eight wells.

The EPA is accepting public comment on its plan through July 30. The agency will review all comments before making a final decision.

Comments may be faxed to EPA Community Involvement Coordinator Susan Pastor at 312-385-5344. You can also submit a comment at http://www.epa.gov/region5/publiccomment/copley-pubcomment.htm.

Records on the Copley Square Plaza site are available at http://www.epa.gov/region5/sites/copleysquare.

Bob Downing can be reached at 330-996-3745 or bdowning@thebeaconjournal.com.

Pitt study shows green roofs help delay rainwater and sewage overflow (*Pittsburgh Post Gazette*)

Wednesday, July 22, 2009
By David Templeton, Pittsburgh Post-Gazette
Robin Rombach/Post-Gazette
Jason D. Monnell, research assistant professor and Dr. Ronald Neufeld on the green roof above the Giant Eagle in Shadyside next to the Market House condominiums.

Green is one good color. In the pocket, it denotes wealth. In the yard, it portends fertility. But on the roof, it causes delay.
Oh, but delay is a good thing.
A University of Pittsburgh study, just completed, provides reams of evidence that green roofs successfully delay water runoff from roofs. Such delays can help prevent rainwater and sewage overflow into combined municipal and the Allegheny County Sanitary Authority sewer lines.
When overflows occur, municipalities and Alcosan must divert polluted water into streams and rivers. Correcting that problem in the next five years could cost $3 billion to $10 billion for Alcosan and its 83 member communities, according to Alcosan and Allegheny County projections.

But Pitt's study of green roofs atop Giant Eagle grocery stores in Shadyside and Homestead offers one natural method to help reduce overflow during the average rainfall. The study, with Dr. Ronald Neufeld, a Pitt environmental engineer, as principal investigator, revealed that green roofs not only reduce runoff but push back the peak water flow after a rainfall by hours, reducing flow to sewer pipes.

Three Rivers Wet Weather, a nonprofit organization affiliated with the Allegheny County Health Department, funded the $355,000 study. The organization assists municipalities in dealing with water-quality impacts on public health.

Withholding water atop a roof after a downpour spreads out water flow over a longer period of time, giving municipal systems and Alcosan additional time to manage water flow and get waste water to Alcosan successfully for treatment. The net result is that less sewage overflow ends up in local rivers.

"Nothing I've seen in the data suggests that green roofs are not a positive way to realize energy savings, control storm-water runoff and reduce the frequency of wet-water overflows, especially in average rainfall," said John Schombert, Three Rivers executive director. "It really can help solve the small-rain events."

Pitt used sensors and other equipment to monitor temperatures and water flow on the roofs. Sedum, planted on the roofs, can withstand extreme temperatures and weather conditions on a rooftop.

City pavement and concrete, along with traditional roofing, do not absorb water nor delay its flow during rainfall. But soil and plants do.

From April 2006 to April 2007, sensors and data loggers at the two stores recorded 24 storms ranging from 0.07 inches to 2.2 inches of rain. From April 2008 to April 2009, Pitt recorded 95 storms ranging from 0.02 inches to 2.42 inches of precipitation.

The study determined that soil and greenery on the roofs retained water for up to three hours or longer, compared with traditional roofing, which sends water straight to the downspout.

The Giant Eagle on Centre Avenue, Shadyside, has a 41/2-inch layer of soil on 12,000 square feet of its roof. Another area of roof was left with gravel covering a traditional roofing membrane for comparison.

The older structure housing the Giant Eagle in Homestead used a different technology. There a series of square modules with egg-carton-shaped containers inside were covered with a 11/2-inch layer of soil used to grow plants. The modules were lifted onto the slanted roof with a crane and positioned in a fashion similar to laying sod.

The thick and thin roofs over the Giant Eagle stores improved water quality and offered some insulation benefit for the building, although the thicker roof showed better results in water retention. Still, the thin roof showed that green roofs atop older buildings offer welcome results.

"The results demonstrated that in comparison to the conventional roofs, green roofs retained significantly more water, moderated temperature increases and decreases of the roof, and had marginal effect on the chemistry of the discharged runoff," the study states.

In particular, the green roofs showed an ability to neutralize acidity.

The study also showed that soil and plants not only delay the flow of rainwater, but also retain a large portion of the water indefinitely. Green roofs, however, cannot prevent runoff when rainfall is torrential.

The green-roof study, exceeding 300 pages, adds hard science to the discussion of green-roof technology, Dr. Neufeld said.

"This might be one technology suitable for future application," he said. "It retains rainwater until a point of saturation. The peak of rain is diminished. The peak is pushed back and overflow is diminished."

The Pitt study also showed that a green roof can moderate roof temperatures by absorbing solar energy. Resulting evaporation of moisture in soil and plants cools the roof.

"Anytime you can reduce runoff and the pollutants they carry into waterways, that's a plus," said Nancy Barylak, Alcosan spokeswoman, noting the high cost the region faces to correct the overflow problem. "This is going to be a big issue, and it's going to impact everyone."

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Read more: http://www.post-gazette.com/pg/09203/985400-113.stm#ixzz0LzmbAbK4

EPA tweaking Hudson River dredging (*WTEN*)

Albany,NY
Posted: July 22, 2009 08:40 PM EDT
The EPA is tweaking how it is dredging the Hudson River after PCB levels spiked in the water and the air near Fort Edward.
Daily tests found PCB levels between 385 and 426 parts per trillion at Thompson Island and in Schuylerville earlier this month, but the agency says levels are still below the federal standard for drinking water which is 500 parts per trillion.

Dredging in one area of Rogers Island was actually stopped on Sunday and was slowed in another spot to accommodate the large amount of PCB-laden sediment being removed.

The EPA says the spike comes from an unusually high concentration of the chemical near Rogers Island.

The $750 million project will remove potentially cancer-causing PCB's from the Hudson River, which were dumped there legally by GE.

Since it got started in may, 66,000 tons of sediment and debris have been removed from the River.

Thursday, July 23, 2009

WSSC pushes back Broad Creek pumping station improvements (*Business Gazette*)

Residents angry with delays after reported sewage problems
by Joshua Garner | Staff Writer
During a heated Broad Creek Historic District meeting last week, representatives from the Washington Suburban Sanitary Commission told Fort Washington residents that they could endure up to seven more years before improvements are completed on the long-plagued Broad Creek pump station.

Residents said the Broad Creek Waste Water Pumping Station has a history of issues ranging from power outages during thunderstorms to sewage spills into Broad Creek and residents' backyards when the station reached capacity.

WSSC representatives described the area around the 40-year-old facility as an "aging infrastructure" that has become more strained over the years due to an increase in development throughout the area, including National Harbor and residential homes, but assured residents that the project is moving forward.

Residents were originally told the $80 million station project would be completed in 2012. But during the July 15 meeting, WSSC officials said that completion will likely be pushed back two or four years due to the late approval of the project from the Maryland Department of the Environment and the U.S. Environmental Protection Agency.

Establishing right-of-way and obtaining permits for a sewage main that would connect the pumping station to the Piscataway Wastewater Treatment Facility in Accokeek could also delay the project.

Not content with the reasons, residents released a barrage of complaints at the WSSC demanding to know why there has been so much secrecy about the project timeline, why details for the project were not cited in the Capital Improvement Program and why completion deadlines have not been met.

"What bothers us is that [the end date] appears to be their best guess, but they haven't really given us a flow chart of what's going to happen in that time," said Richard Krueger, chairman of the Broad Creek Historic District Local Advisory Committee.

The project includes installing two generators at the Broad Creek pumping facility, installing a new 42-inch sewage main that would double the station's output capacity and installing an emergency sewage storage station at the Piscataway facility.

"Right now everything is aligned so we can get this [project] done," said Kira Lewis, a spokeswoman for the WSSC.

But more work looms on the project as the installation of the sewage main looks to be particularly costly because the line would likely have to cut through residential properties along Livingston Road.

Lewis and site project manager Austin Freeman asked community members to be a part of a newly formed citizen advisory commission that would act as a liaison between the WSSC and the community and help decide the path of the sewage line.

"We are committed to getting this project done, and we will work with the committee to ensure that residents' concerns are addressed," Freeman said.

Paving an Environmentally Friendly Path (*Washington Post*)

July 23, 2009 Thursday
Suburban Edition
METRO; Pg. B01
Maryland
Paving an Environmentally Friendly Path;
Pr. George's Town Sees Facelift, Economic Boost in Road Project
BY: Lisa Rein; Washington Post Staff Writer
For decades, the town of Edmonston in Prince George's County has been an industrial back lot for a toxic and stinking waterway. In the suburb split in half by the Anacostia River, freight trains rumble along Route 1, factories churn out auto parts and Greyhound repairs its buses. Stormwater rolls down warehouse roofs and swells the river, flooding already threadbare homes.

Now the hamlet of 1,500 near the District line, with numerous foreclosures and many residents out of work, is trying to remake itself by joining an environmental movement more often embraced by wealthier communities.

In a few weeks, workers will start ripping up Edmonston's main road and replacing it with an environmentally friendly street of rain gardens, porous brick and a drought-resistant tree canopy designed to shade the concrete, filter rainwater before it flows into the river and put people to work.

When the work is done, Decatur Street will naturally treat more than 90 percent of the pollution from the 40 inches of rainwater that sweeps into the Anacostia each year. "We're a town that's been beaten up by floods," said Adam C. Ortiz, Edmonston's mayor and the firepower behind the project. "We have to make things happen for us instead of making things happen to us."

Ortiz, 35, who speaks Spanish with many of his constituents, has a framed poster in his Town Hall office from Lyndon Johnson's 1964 presidential campaign: "Let's keep building the Great Society."

Edmonston's "green" street will be its biggest public works project, employing about 40 workers from the town and neighboring communities. The project qualified for $1.3 million in federal stimulus money. Sen. Benjamin L. Cardin (D-Md.) got Ortiz an audience with Vice President Biden at an **Earth Day** event in April, and Ortiz said that Biden told him that he would try to attend the groundbreaking next month.

"A little town like this?" mused Robert Kerns, a Town Council member who works as a ground supervisor for FedEx. "In a million years, I would never have thought it would happen."

Green streets have been built in Seattle and Portland, Ore., but they're novel in small towns such as Edmonston, which has no system to filter stormwater. Planners are just

beginning to use roads to reduce the community's carbon footprint. There are apparently no similar projects underway in the Washington area.

"As we start rebuilding infrastructure, this is a great way to do it," said Neil Weinstein, executive director of the Low Impact Development Center in Beltsville, who is working with Edmonston with help from planners at the **Environmental Protection Agency.** "The thing here? Edmonston's got diddly."

The town, between Hyattsville and Bladensburg, is one of the Washington area's lowest-lying communities. It probably got its name from James Edmonston, a captain from Bladensburg who paid five shillings in 1742 for land that eventually was developed into dairy farms.

It has always been a working person's community: Just 8 percent of the adults went to college, the mayor said. It's a diverse place where newcomers, many of them construction workers, hail from 19 countries, a fact celebrated in a mural that artists are painting on the retaining walls of the bridge over the river. It reads: "Diversity Without Division Creates Harmony."

Flooding has always been Edmonston's Achilles' heel. A new pumping station was built at the river's edge in 2007, and it has helped keep the town dry.

Decatur Street runs three-fourths of a mile, and it's a throughway for trucks whizzing between factories on Kenilworth Avenue and Route 1. It is lined with Sears model homes, old Victorians and Edmonston's only restaurant, La Fondita. Grass peeks through the cracked sidewalks. There's no bike path. Main streets in wealthier towns often have a strip of grass between sidewalks and roads, but the area along Decatur Street is just a foot wide, browned by the sun.

The project, to be completed in six months if construction goes as planned, will usher in dramatic changes. Thirty maple, elm, sycamore and oak trees will line the street, and energy-efficient streetlights will be powered by wind. The street will be eight feet narrower to reduce paved surfaces, with landscaped "bump-outs" filled with moisture-loving plants to absorb and filter stormwater. The sidewalks will be laid with permeable concrete blocks to absorb the residue of daily life. And a bike path will encourage people to get out of their cars.

"The biggest thing to me is, it will help us find shade," said Jose Hernandez, 17, who moved to Edmonston from El Salvador in 2005. And there are a lot of people who don't have jobs, said his brother, Luiz, 16, as they helped artists from the Port Towns Youth Mural Project paint the bridge one morning last week. Their father, a construction worker, has steady work, they said.

Most of the design and engineering work was done for free because the town couldn't afford to pay.

Maggie Pooley got involved right away. She has raised her four children in a Sears house on Decatur Street. Although she said she is disheartened about the foreclosed Victorian two doors down that's for sale for $145,000, she is proud that the town is trying to revive its fortunes.

"This will put us on the radar screen," Pooley said of the new street. "Even a working-class community can glom on to being a little bit aware of the environment."

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