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ADMINISTRATOR JACKSON
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Adapted from The Post's online climate-change discussion (*Washington Post*)

June 29, 2010 Tuesday
Every Edition
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Adapted from The Post's online climate-change discussion.

Q: Should EPA keep pressing ahead with new greenhouse gas rules, or should it accept that Congress will shape the future of any mandatory limits on carbon dioxide?

Reid Detchon is vice president for energy and climate at the United Nations Foundation.

The globe just recorded the warmest March, the warmest April and the warmest May since record-keeping began in 1880, according to the National Oceanic and Atmospheric Administration. The period from January to May was the warmest on record. Hello! Whether Congress or the Environmental Protection Agency, the only path that is unacceptable is inaction.

Certainly Congress has more ability than the EPA to create a flexible, targeted program of action integrated with national energy policy. However, EPA regulation is preferable to a bill that coddles the coal industry and allows electric utilities to keep using their old, energy-wasting, pollution-spewing antiques.

Richard L. Revesz, dean of NYU's School of Law, is an expert on environmental regulation and policy and co-founder of the Institute for Policy Integrity.

The EPA can and must proceed with new rules -- but it must do so using market-based mechanisms that will not clash with possible future congressional actions.

In 2007, the Supreme Court ruled in Massachusetts v. EPA that the agency had to either prove that greenhouse gases were not a danger to public welfare or else, if it could not, it had to regulate those pollutants. Last year, EPA Administrator Lisa Jackson showed that the seven heat-trapping gases, including carbon dioxide, are indeed a serious problem. EPA has a legal obligation to proceed with rules that rein in our greenhouse gas emissions.

There are two roads the agency can take. One option is command-and-control regulations, which will be costly and inefficient, and will almost inevitably conflict with

legislation if and when Congress finally does act. Or EPA can select market-based mechanisms, like the one used successfully to combat acid rain since the 1990s, which allow businesses to cut their emissions at the lowest possible cost.

Jackson stands by underwater dispersants decision (*Greenwire*)

(06/28/2010)
Injecting dispersants a mile underwater was the right call, and so far data has shown that there has not been significant damage to the Gulf of Mexico, U.S. EPA Administrator Lisa Jackson told the New Orleans Times-Picayune.
"So far the data show we haven't done any damage and actually we've helped with dispersion and used a lot less of the chemical in the process," Jackson said.

Jackson called the decision to fight a toxic spill with less-toxic chemicals one of the toughest decisions she has ever made. To date, BP has applied 1.5 million gallons of dispersant into the Gulf of Mexico. One million gallons were applied on the surface, and a half-million gallons subsea.

This is the first time the chemicals have been used underwater, and critics say the chemicals are only adding to the toxic slew in the Gulf. Others say EPA did not know the ultimate impact of the dispersants and the agency is conducting an experiment instead of basing its decisions on sound science.

"We did not want to use our fishing areas, our estuaries, the richest in North America, as a test," said Alan Levine, Louisiana secretary of Health and Hospitals. "We didn't want to turn the Gulf into a chemistry experiment."

BP is using the dispersant Corexit, which is said to break down oil into small droplets that bacteria can chew into. It is expected that the oil will travel around in large underwater plumes for many years.

EPA has also come under criticism for never testing the effectiveness and toxicity of dispersants. The data it relies on now is industry-supplied and a "useless jumble," according to Carys Mitchelmore, a toxicologist at the University of Maryland.

EPA has ordered testing of Corexit 9500, Dispersit, SPC 1000, Nokomis 3-F4, Nokoims 3-AA, ZI-400, Saf-Ron Gold, Sea Brat #4 and JD 2000. Preliminary results will be released this week.

It also asked BP to limit its use of dispersant subsea and to stop surface spraying except in rare occasions, a directive that the company has not followed (Jonathan Tilove, New Orleans *Times-Picayune*, June 27). **--GV**

AIR

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June 28, 2010

EPA Toxics Standards for Cities Are 10 Years Late, IG Report Says (*New York Times*)

By GABRIEL NELSON of Greenwire

More than 10 years after releasing a plan to reduce health risks from toxic emissions in urban areas, U.S. EPA has not followed through with new rules or updated risk assessments for smaller local sources, according to a new report by the agency's inspector general.

Upon the release of the Integrated Urban Air Toxics Strategy in 1999, the agency sounded an alarm about city-dwellers' exposure to emissions from smaller pollution sources such as cars, dry cleaners and gas stations. One in 28,000 Americans could get cancer due to these "area" sources, according to the latest assessment, with about 2 million living in areas where the lifetime risk was 1 in 10,000 or greater.

But while the agency was required to issue new urban emissions standards in 2000, they never came, according to the inspector general's **report** (pdf), which was released last week. EPA's most recent risk assessment is based on data from 2002, and the agency never released an updated report on hotspots with lingering public health problems, as it was told to do when Congress amended the Clean Air Act in 1990.

"About half of the States and several local agencies have laws preventing them from implementing environmental regulations stricter than EPA's regulations," the inspector general concluded. "Without the establishment of a minimum, federally required risk-based program, we do not believe that all state and local agencies will implement programs to adequately address the health risks from urban air toxics."

The program has long drawn criticism from the inspector general and the Government Accountability Office, both of which have issued a string of reports over the past two decades concluding that air toxics have lingered near the bottom of the agency's priority list. According to the most recent GAO **report** (pdf), which was released in 2006, funding constraints had prompted the agency to bump toxics behind the agency's "criteria" air pollutants, which include sulfur dioxide (SO2), nitrogen oxide (NOx) and particulate matter (PM).

Jeffrey Holmstead, the agency's air chief under President George W. Bush, said area sources often fell by the wayside while the agency pursued new regulations on toxic emissions from mobile sources and major sources. Funding for air toxics efforts fell by more than 70 percent between fiscal 2001 and 2009, according to the new report.

"There was a feeling that any remaining risk was very small, and with the time and effort it took to go through and do a defensible rulemaking for these area sources, you got very little risk reduction for your effort," Holmstead said. "Of course, the agency tries to meet its statutory mandates as much as it can, but at a certain point, you have so many of them, you have to pick and choose."

Though area sources produce less emissions than major sources, they are "especially badly controlled," Earthjustice attorney Jim Pew said. Small businesses often have greater human health impacts because there are so many of them, he said, compounded by the fact that they are often located in residential neighborhoods rather than industrial parks.

"EPA has been behind on a huge part of the implementation of the Clear Air Act," said Jane Williams, chairwoman of the Sierra Club's toxics task force. "All of this has taken over a decade."

According to the most recent risk assessment, about half of the increased cancer risk attributed to air toxics is linked to two chemicals -- benzene and carbon tetrachloride (*Greenwire*, June 26, 2009).

Funding has started coming back to the air toxics program, the agency said in its written response to the inspector general's report. The Obama administration requested an $18.7 million budget increase next year for EPA's air quality and toxics management program, which received $202.2 million for the current fiscal year.

"Limited resources over the past eight years have impaired our ability to fully implement these programs," the agency said. "For the first time in almost a decade, this year EPA has shifted funds from other programs to help meet regulatory deadlines."

EPA has pledged to issue an updated risk assessment report this summer, this time using emissions data from 2005. The agency plans to submit its report on hotspots to Congress by next summer.

Litigation by environmentalists seems to have prompted the agency to shift its attention to regulation of area sources, Holmstead said. With regulation of greenhouse gases, ground-level ozone and PM 2.5 at the top of the agency's agenda, he said, "there are a number of things that they clearly want to focus on more than these very small sources of air toxics."

EPA said it would meet its court-mandated deadline to issue three separate emissions standards for industrial boilers, institutional and commercial boilers, and sewer sludge incineration. If the agency finalizes those rules by Dec. 16, the inspector general's office said in its response to the agency's comments, it will have met its requirements "a little over 10 years after the original deadline."

EPA Behind Schedule for Air Toxics Standards (*OMB Watch*)

By mmadia
Created 06/28/10

A U.S. Environmental Protection Agency (EPA) program to evaluate and regulate air toxics, especially in urban areas, is way behind schedule, according to an Inspector General report [1]released last week. Under the Clean Air Act, EPA established a Integrated Urban Air Toxics Strategy in 1999, but has yet to implement much of the strategy. “For example, EPA has not established baseline risk data to measure progress in reducing air toxics risks,” according to the report.

The Clean Air Act instructs EPA to Attain a 75 percent reduction in the incidence of cancer attributable to exposure to hazardous air pollutants by large and small stationary sources nationwide,” according to the report. To do that, EPA would have to regulate emissions, but has failed to do so for some sources. Those regulations were due in 2000.

EPA was also to report to Congress on its progress by 2002. The report is still pending.

Budget constraints could be to blame, the The New York Times reported [2] Sunday:

Some experts said the failures were persisting largely because the E.P.A.’s Office of Air and Radiation, which is responsible for regulating air pollutants, lacked the money needed to meet its deadlines.

In a written response to the report, E.P.A. officials also said budget cuts had made it difficult to meet their deadlines, noting that “air toxics support has been cut over 70 percent” since 2001.

In its response, EPA also said it will finalize standards for remaining sources by December (under a court order) and said it plans to submit its report to Congress in the summer of 2011.

Health dangers associated with living near roads (*TheMedGuru*)

by Pankhuri Kapoor - June 29, 2010
A new U.S. study establishes the ill effects on the health of children and adults living in houses situated near the road or within 500m of a freeway.

Findings of the latest study by the U.S. Health Effects Institute claim that while lung and heart diseases can develop in adults living near the road, children can develop respiratory problems like asthma.

A team of researchers funded by the U.S. Environmental Protection Agency and the worldwide motor vehicle industry initiated this largest international vehicle air pollution and health research.

According to the study, living near the roadside provoked asthma in kids, ignited fresh asthma cases in adults of all ages, impaired lung function in them, and also increased risk of cardiovascular illnesses and deaths.

“Reports like this... show that air pollution does impact on human health and provides evidence to support actions to further reduce air pollution,” says Stuart McConnell, Environment Protection Authority’s Victoria director.

Details of the study

For the present study, scientists from the U.S. Health Effects Institute examined more than 700 health and pollution related studies done throughout the world.

Thousands of people were found to be staying within 500 meters of a major road, and so the threat of noise and air pollution that is caused by vehicles and passer bys looms over them at all times.

Ground-level ozone and particle pollution have been found to be the main risk factors and there has been no major improvement in their harmful nature since the early 90s. Rise in population and the increasing number of cars has further worsened the problem.

Addressing the problem

In Australia, the National Environment Protection Council is planning to release a discussion paper on air-quality standards subsequent to a decade long research on the health effects of pollution.

The council's project manager, Kerry Scott informs, “The paper would look at regulations governing particulate matter (invisible specks found in traffic pollution) and whether smaller particulate matter had a greater impact on health.”

She adds, “The paper would discuss whether a limit should be imposed on the concentration levels of particulate matter larger than 2.5 micrometers.”

Opposition environment spokeswoman, Catherine Cusack warns that by the end of this year, air pollution problems in NSW area of Australia would get aggravated.

“NSW has the world's only air quality plan that locks in rising pollution levels, and accepts the problem is set to worsen,” she was heard saying.

CEO of the Australian Federal Chamber of Automotive Industries, Andrew McKellar, confirmed the industry's support to reduce pollution from cars. He also said that air quality in Australia was good and could not stand comparison with U.S. studies.

EPA toxics standards for cities are 10 years late – IG (*Greenwire*)

(06/28/2010)
Gabriel Nelson, E&E reporter
More than 10 years after releasing a plan to reduce health risks from toxic emissions in urban areas, U.S. EPA has not followed through with new rules or updated risk assessments for smaller local sources, according to a new report by the agency's inspector general.
Upon the release of the Integrated Urban Air Toxics Strategy in 1999, the agency sounded an alarm about city-dwellers' exposure to emissions from smaller pollution sources such as cars, dry cleaners and gas stations. One in 28,000 Americans could get cancer due to these "area" sources, according to the latest assessment, with about 2 million living in areas where the lifetime risk was 1 in 10,000 or greater.

But while the agency was required to issue new urban emissions standards in 2000, they never came, according to the inspector general's **report**, which was released last week. EPA's most recent risk assessment is based on data from 2002, and the agency never released an updated report on hotspots with lingering public health problems, as it was told to do when Congress amended the Clean Air Act in 1990.

"About half of the States and several local agencies have laws preventing them from implementing environmental regulations stricter than EPA's regulations," the inspector general concluded. "Without the establishment of a minimum, federally required risk-based program, we do not believe that all state and local agencies will implement programs to adequately address the health risks from urban air toxics."

The program has long drawn criticism from the inspector general and the Government Accountability Office, both of which have issued a string of reports over the past two decades concluding that air toxics have lingered near the bottom of the agency's priority list. According to the most recent GAO **report**, which was released in 2006, funding constraints had prompted the agency to bump toxics behind the agency's "criteria" air pollutants, which include sulfur dioxide (SO2), nitrogen oxide (NOx) and particulate matter (PM).

Jeffrey Holmstead, the agency's air chief under President George W. Bush, said area sources often fell by the wayside while the agency pursued new regulations on toxic emissions from mobile sources and major sources. Funding for air toxics efforts fell by more than 70 percent between fiscal 2001 and 2009, according to the new report.

"There was a feeling that any remaining risk was very small, and with the time and effort it took to go through and do a defensible rulemaking for these area sources, you got

very little risk reduction for your effort," Holmstead said. "Of course, the agency tries to meet its statutory mandates as much as it can, but at a certain point, you have so many of them, you have to pick and choose."

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Should the EPA set rules for greenhouse gases, or wait for Congress to act? (*Washington Post*)

Tuesday, June 29, 2010; HE03
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Q: Should EPA keep pressing ahead with new greenhouse gas rules, or should it accept that Congress will shape the future of any mandatory limits on carbon dioxide?
Reid Detchon is vice president for energy and climate at the United Nations Foundation.
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There are two roads the agency can take. One option is command-and-control regulations, which will be costly and inefficient, and will almost inevitably conflict with legislation if and when Congress finally does act. Or EPA can select market-based mechanisms, like the one used successfully to combat acid rain since the 1990s, which allow businesses to cut their emissions at the lowest possible cost.

At German Airports, Bees Help Monitor Air Quality (*New York Times*)

Airports in Germany have come up with an unusual approach to monitoring air quality. The Düsseldorf International Airport and seven other airports are using bees as “biodetectives,” their honey regularly tested for toxins.

“Air quality at and around the airport is excellent,” said Peter Nengelken, the airport's community liaison. The first batch of this year's harvested honey from some 200,000 bees was tested in early June, he said, and indicated that toxins were far below official

limits, consistent with results since 2006 when the airport began working with bees.

Beekeepers from the local neighborhood club keep the bees. The honey, “Düsseldorf Natural,” is bottled and given away as gifts.

Biomonitoring, or the use of living organisms to test environmental health, does not replace traditional monitoring, said Martin Bunkowski, an environmental engineer for the Association of German Airports. But “it's a very clear message for the public because it is easy to understand,” he added.

Volker Liebig, a chemist for Orga Lab, who analyzes honey samples twice a year for the Düsseldorf and six other German airports, said results showed the absence of substances that the lab tested for, like certain hydrocarbons and heavy metals, and the honey “was comparable to honey produced in areas without any industrial activity.” A much larger data sampling over more time is needed for a definitive conclusion, he said, but preliminary results are promising.

Could bees be modern-day sentinels like the canaries once used as warning signals of toxic gases in coal mines?

Assessing environmental health using bees as “terrestrial bioindicators“ is a fairly new undertaking, said Jamie Ellis, assistant professor of entomology at the Honey Bee Research and Extension Laboratory, University of Florida in Gainesville. “We all believe it can be done, but translating the results into real-world solutions or answers may be a little premature.” Still, similar work with insects to gauge water quality has long been successful.

Many experts say aircraft are not the only, or even main, source of pollution at airports. Cars, taxis, buses and ground activities as well as local industry are often major polluters.

Not surprisingly, Nancy Young, vice president of environmental affairs at the Air Transport Association of America, an airline trade group, defended the air quality at airports. “Airports are not significant contributors” to local air pollution, she said, adding that aviation emissions represent “less than 1 percent of the nation's inventory and typically only a few percentage points in any given metropolitan area with a major airport.” She said the United States had improved the air quality at its airports through more stringent standards and improved monitoring techniques.

Internationally, there have been similar improvements, said Steven Lott, a spokesman for the International Air Transport Association. Since the 1960s, carbon monoxide, unburned hydrocarbons, smoke and nitrogen-oxide emissions have been substantially reduced, he said. Standards for most of them are set by the International Civil Aviation Organization, a United Nations body.

“It's a challenge for an industry that continues to grow,” Mr. Lott said. But the industry

has invested in developing cleaner aircraft engines and ground-support equipment and vehicles as well as improvements in how equipment is operated. Initiatives like its Green Teams, for example, allow industry consultants to visit airlines to identify and share ways to reduce fuel burn and emissions. More than 105 airlines have participated, he said.

Still, some community groups are not persuaded that air quality at airports has improved.

“It's way worse than people think,” said Debi Wagner, a board member of Citizens Aviation Watch USA, who lives in Seattle. Some emissions are not adequately sampled and measured, Ms. Wagner said, and other potentially dangerous ones are not monitored at all. She said she was concerned particularly about the health of people living within three miles of commercial airports.

Two recent studies also raise questions about the quality of air at airports. Both focus on small general aviation airports, like the one in Santa Monica, Calif., which was studied in both reports.

“The traditional pollutants did not seem to be a local issue,” said Philip Fine, atmospheric measurements manager for the South Coast Air Quality Management District, an air quality regulatory agency for most of Southern California. “However, there were issues for ultrafine particles and lead.”

Dr. Fine, who oversees a network of air-monitoring stations, was a lead researcher on a study financed by the Environmental Protection Agency that is to be released in the next few weeks.

The lead levels from non-jet aircraft emissions did not exceed federal limits, but were significantly elevated, Dr. Fine said. Elevated levels of ultrafine particles, primarily from jet aircraft, were also a concern. The particles are short-lived, but because they are in high concentration down wind during takeoff, they are particularly worrisome for people who live close to small airports or who are repeatedly exposed, he said.

Most large airports are farther from residential communities, and also have buffer zones separating them.

The health implications of ultrafine particles are not yet known, but some medical research suggests they could pose a serious risk because the extremely fine particles pass through cell walls easily and are able to penetrate far into the brain and circulatory system.

Epidemiological studies have shown there are health risks from elevated levels of these particles emitted by cars and trucks, a concern for people who live near or frequently travel on busy highways, said Suzanne E. Paulson, professor of atmospheric sciences at the University of California, Los Angeles. But “we know next to nothing about the

health effects of aircraft emissions" of these particles, Dr. Paulson said. She was a lead researcher on another study, published late last year in the journal Environmental Science & Technology.

The federal government sets standards for pollutants like ozone and particulate matter, Dr. Fine said, "but ultrafine particles are not currently regulated."

Europe has limits on ultrafine particles from vehicle emissions, Dr. Fine said. But Emanuel Fleuti, head of environment services for Zurich Airport, said there were concerns in Europe as well. Meanwhile, he said, he is confident about the biomonitoring work the German airports are doing with bees, as the results are consistent with traditional air quality monitoring in Europe.

"If you look at the honey, it's perfectly fine," Mr. Fleuti said, adding that he often gets jars of it when he visits Germany. "It's good honey."

Businesses compete for cleaner air (*Charlotte Observer*)

North Carolina
June 29, 2010 Tuesday
Businesses compete for cleaner air
By Danielle Kucera; dkucera@charlotteobserver.com
June 29 2010
New Dominion Bank and the recruiting firm Sherpa don't have much in common, but the two Charlotte companies have been in a heated competition since June 1.

The winner will have added the least pollution to the city's air this summer.

The competition began when two Sherpa employees - Kori Renn and Heather Tatum - decided they wanted to step up the company's involvement in Clean Air Works!, a Charlotte-based program helping 116 businesses improve air quality.

"We looked for another partner with roughly the same size and location so that it would be equal," said Jennifer Dory, outreach coordinator for Clean Air Works!. "When I floated the idea by New Dominion, they jumped all over it."

Employees gain points for carpooling to work and to lunch, using public transit, swapping old light bulbs for energy-efficient ones, refueling cars after 6 p.m. and using reusable grocery bags.

Combined, the companies' actions have saved 2,985 miles in vehicle usage - by carpooling to work or walking to lunch - and 1,941 grams of nitrogen dioxide, a chemical that adds to the formation of ground-level ozone and can have adverse affects on the respiratory system, Dory said.

An average commute for a Charlotte resident - about 24 miles round-trip - creates 15

grams of nitrogen, according to Mecklenburg County air quality emissions.

Clean Air Works!, a project of the Regional Air Quality Board, tallies the points and keeps track of how much air pollution the companies have avoided through the website www.trackyourcommute.com.

These energy-saving measures are especially relevant, Dory said, because the Charlotte region has exceeded the federal **Environmental Protection Agency's** health standard for ground-level ozone - or smog - eight days so far this summer.

Employees from both companies said the contest is following them into their homes.

"It's changing a mindset," said Robin Diamond, a marketing officer at New Dominion. "We're creatures of habit. You touch something and you throw it away in the trash. I touch something now and ask myself if it's recyclable or not."

New Dominion is ahead in the competition, in part because many of its employees carpool, but shopping with reusable grocery bags and refueling after 6 p.m. are also popular ways to participate.

One employee at New Dominion, a frequent traveler, has garnered the most points in gas receipts because she makes sure to fill up in the evening during her trips, said Amy Farris, a cash management specialist at the bank, and the main organizer for the competition.

"She tells us stories, and we always joke about it because her husband will be saying, 'We've got to get gas now,' and she'll say, 'Honey, it's 5:45. We're waiting 15 minutes,'" Farris said.

The evening is a better time to refuel because fumes emitted from gas pumps and cars during refueling cook in the sun to create ground-level ozone. When the sun goes down, less is created, Dory said.

Both companies plan to continue promoting environmentally-friendly measures after the contest is over Aug. 31.

"We hope to be able to encourage that of our customers in the future," Farris said.

AWARDS

ACC Salutes Member Companies For Winning Presidential Green Chemistry Challenge Awards (*ChemicalOnline*)

June 29, 2010

The American Chemistry Council (ACC) applauds three of its members — BASF Corporation, Dow, and Merck & Co., Inc. — for winning 2010 Presidential Green Chemistry Challenge Awards, which recognize innovations that incorporate the principles of "green chemistry" into the design, manufacture and use of products for pollution prevention, or, as the U.S. Environmental Protection Agency (EPA) explains: "cleaner, cheaper, smarter chemistry."

Established in 1995, the Presidential Green Chemistry Challenge Awards Program is led by EPA's Office and Pollution Prevention and Toxics, which works with other federal agencies, members of the chemical industry, trade associations, scientific organizations, and academia. An independent panel of technical experts convened by the American Chemical Society Green Chemistry Institute judged award applications from individuals, groups, and nongovernmental organizations, both nonprofit and for profit. ACC is proud to note that its member companies have been recognized with these awards nearly every year since the program's inception. For 2010:

Dow and BASF won the Greener Synthetic Pathways Award for jointly developing a route that uses hydrogen peroxide to make propylene oxide, greatly reducing the waste, as well as the water and energy used in manufacturing propylene oxide. One of the world's highest volume industrial chemicals, propylene oxide is a chemical building block for a vast array of products, including detergents, polyurethanes, de-icers, food additives, and personal care items.
ACC member company Merck & Co. worked with Codexis to develop a second-generation synthesis of an ingredient in Type 2 diabetes medicine. The enzymatic process reduces waste, improves yield and safety, and eliminates the need for a metal catalyst. EPA notes that early research has shown that these new biocatalysts may prove useful in manufacturing other medicines. Together, Merck and Codexis received the Greener Reaction Conditions Award.

"These awards provide public recognition of the hard behind-the-scenes work that our members do to make our lives healthier, safer and better, while building a solid foundation for the future — all through the products of chemistry," said ACC President and CEO Cal Dooley. "The industry's effort in green chemistry isn't news to us, though. Through ACC's Responsible Care initiative, our members have long practiced and promoted the principles of sustainable chemistry and effective product stewardship through their ongoing contributions to the nation's economic, energy, health, environmental and social progress."

School District 2 Award (*KULR-8 News*)

Originally printed at http://www.kulr8.com/news/local/97339549.html
BILLINGS - Some good news for School District 2, the Environmental Protection Agency has named it an Energy Star leader. Officials say out of the 31 buildings in

School District 2, 28 of them qualified as Energy Star efficient. That makes them one of the top 25 districts in the nation to earn an Energy Star label. Superintendent Jack Copps said their efforts have been well worth it, by helping the environment they're also saving the district thousands of dollars each year. He says it's a team effort. "All of our staff and administration were watching energy closely and saving costs, but now we've even gone down to the student level. We have 16,000 kids here and we have kids talking about energy costs. So it's a combination of all of these people who have come together and have made a change here." Copps said by just shutting off the computers at night they're saving about 175 thousand dollars a year.

BP SPILL

New EPA technology locates oil for faster, more efficient clean up (*WLOX News*)

Posted: Jun 28, 2010 7:09 PM EDT Monday, June 28, 2010 7:09 PM EST Updated: Jun 28, 2010 7:48 PM EDT Monday, June 28, 2010 7:48 PM EST

By Elizabeth Vowell
GULFPORT, MS (WLOX) - Government technology that started as way to detect chemicals in the air is now helping find exact locations of oil in the gulf. The EPA is using a one of a kind airplane to scan the water and spot the oil before it hits beaches. "The beauty of what these guys have discovered is a department of defense asset that was originally used to detect biological or chemical or even nuclear particulate matter after an event," said Congressman Gene Taylor, who flew with the EPA team Monday morning.

The EPA's ASPECT Aircraft uses infrared technology to take photos of and locate oil. The technology was adjusted from scanning the air to looking for oil only two weeks ago.

According to Contractor Robert Kratil, the technology is only now being utilized because they had to test and make sure it could be used to scan the water and see oil.

"The answers came back that yes, this is a valid technology. It looks like it's scientifically defendable. So, as soon as we could, we've tried to implement this," said Kratil.

The ASPECT plane goes out twice a day, taking pictures and sending back coordinates of possible oil spots. Those coordinates are then given to skimmers who can go directly to the site and begin clean up.

The scanners can also tell the difference between crude oil, algae blooms and turbulent water. This allows boats to know exactly what and how much oil to expect, and be better prepared for clean up.

"They don't get caught short handed and above all they don't waste any more time because we want to catch every drop of this before it hits our shoreline," said Taylor.

Though ASPECT is proven, EPA still does not have authorization from the Coast Guard to use the program. Congressman Gene Taylor said the authorization boils down to funding, and that's no excuse.

"There never should have been a drop of oil on our mainland shores it was all preventable. This is what I did for the Coast Guard. I've got a heck of a lot of local knowledge out there on the water and they weren't listening," said Taylor. "I'm going to see that they listen or I'm going to tell the President of the United States to let me run the show… I'll fix it."

Taylor has been helping EPA get the authorization it needs by meeting with Governor Haley Barbour, Coast Guard Officials and BP representatives.

However, EPA officials expect the authorization to come through quickly and already have Coast Guard officers helping to process incoming information.

All photographs and flight paths can be seen online through Google Earth.

Posted on Mon, Jun. 28, 2010

Taylor meeting with Coast Guard, governor on better response (*Sun Herald*)

By ANITA LEE
GULFPORT — U.S. Rep. Gene Taylor plans to meet this afternoon in Biloxi with Gov. Haley Barbour and U.S. Coast Guard command so that an Environmental Protection Agency plane can be used to spot oil in Mississippi waters.

Taylor, D-Miss., worked through the weekend to win permission for the specially equipped plane to fly over Mississippi waters as oil from the Deepwater Horizon streamed onshore along Jackson and Harrison County beaches. Infrared equipment on the plane has located masses and streams of oil in the Mississippi Sound this morning and over the weekend.

Until today, the U.S. Coast Guard had no liaison to relay the information to Vessels of Opportunity searching Mississippi waters for oil that can be skimmed up before it reaches shore. The Coast Guard did send a liaison this morning to the Gulfport-Biloxi civilian airstrip to work with the EPA team and relay oil coordinates to VOO.

Rough weather, however, had stopped skimming operations out of Pascagoula and threatened to shut down operations out of Biloxi, Pass Christian and Hancock County harbors.

“My responsibility is to streamline communication between the air operation of the EPA and the Vessels of Opportunity,” said Markus Liu, Coast Guard marine science technician 2nd Class.

Taylor flew across the Mississippi Sound in the EPA plane Monday morning. The 1968 prop plane has been used to spot oil in Louisiana. But the scientific team that staffs the plane was still awaiting permission from Unified Command in Mobile to look for oil in Mississippi waters.

Meanwhile, under Taylor’s direction, the plane flew out Saturday and Sunday to calibrate equipment, zeroing in on masses and streams of oil while crisscrossing the Mississippi Sound for more than two hours. On the flight Taylor took Monday, the team found an large oil mass between Petit Bois and Dauphin Islands, seven miles south of Pascagoula. Coordinates were still being pinpointed for oil picked up in other areas of the Mississippi Sound.

Without such equipment, Taylor’s office said, cleanup vessels have basically been playing Marco Polo in the Mississippi Sound, which feeds into the Gulf of Mexico.

Taylor, who has served in the Coast Guard, said he submitted a plan more than two weeks ago to Coast Guard Commander Thad Allen and BP to keep the oil out of Mississippi waters.

“What was ticking me off was it was not being implemented,” Taylor said. “Had they done what I asked then, the fact of the matter is that there would be no oil in the Mississippi Sound.”

Taylor said he believes the lines of communication are opening so that information from the plane can go directly to the Vessels of Opportunity and the plane’s fuel bill will be authorized for those flights.

He also is asking that shrimp boats be staged at the barrier islands. Because they run at only about 8 miles an hour, it currently takes shrimp boats leaving from shore two hours or more to reach oiled areas around the barrier islands.

“We’re still working on trying to get the boats pre-staged so we don’t have to waste our resources or our time.” Taylor said when he returned from the EPA flight. “They need to pounce on this oil. I can assure you today they will be tasked to do so.”

Taylor said he plans to stay on the Coast until he feels confident that the response is going well.

“The reason I’m more concerned now is because the oil has gotten so close,” Taylor said.

Read about the latest developments in Tuesday's Sun Herald and at sunherald.com

ENERGY

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JUNE 28, 2010, 8:13 P.M. ET

Democrats struggle to find energy plan (*Wall Street Journal*)

By LAURA MECKLER

Congressional Democrats are still struggling to come up with a plan for energy legislation in response to the Gulf oil spill and are looking to a bipartisan meeting with President Barack Obama on Tuesday to produce some clarity about trade-offs the White House favors.

For its part, the White House wants to know what Republicans would be willing to support.

Senate aides say they want to bring legislation to the Senate floor next month. The broad goal: To create more incentives for consumers and businesses to cut their consumption of oil, coal and other fossil fuels. But after two meetings this month of the full Democratic caucus, no decisions have been made about what the bill should include or how to corral the needed votes for passage.

Meanwhile, time is running short, as lawmakers look ahead to their August recess and the midterm elections.

Mr. Obama has summoned a bipartisan group of senators to a White House meeting on Tuesday to sort out a way forward.

One Senate aide working on energy issues said White House leadership is "a real missing ingredient here. I don't think we can succeed without them."

Many, but not all, Democrats are hoping for legislation that will put "a price on carbon"—another way of saying raise the cost of burning coal to generate electric power and using gasoline to power automobiles. A White House official said the president still wants a comprehensive energy bill that does that, but he said the White House understands that a measure to cap greenhouse-gas emissions across the economy cannot pass the Senate.

The president has declined to put forth an alternative ahead of Tuesday's meeting, where negotiators will sort through what might be possible, the official said.

Democrats agree that an economy-wide carbon cap won't be approved in the Senate. That system, known as "cap and trade," would require companies to buy permits to generate carbon dioxide. Republicans have branded it a "national energy tax," and a group of coal and Midwest state Senate Democrats also oppose it because of the economic impact on their states.

Senate aides and others involved in the discussions say there is interest in a compromise that would cap emissions of carbon dioxide from the electric power sector only—not the transportation and manufacturing sectors. The plan would raise the cost

of burning coal to generate electricity, which could boost alternative technologies such as nuclear plants, wind turbines and solar panels.
One Democrat close to the White House said the administration would likely favor this approach as the best option that can win sufficient Senate support. White House chief of staff Rahm Emanuel has said it is one of the ideas that will be considered.
But the plan hasn't been publicly embraced by any of the key congressional players in the energy debate, or by the White House. Mr. Obama used a recent Oval Office address to call for action to cut U.S. fossil fuel consumption in response to the Gulf oil spill, but he and his aides still have not told lawmakers exactly what they want in a bill.
"In private, most agree that a power sector cap is the apex of the possible, but it is easier to maintain the all-or-nothing debate that has dominated the last decade than to climb into the middle and forge a passable compromise," said Jason Grumet, president of the Bipartisan Policy Center, a centrist think tank. His group is circulating a plan that would impose a utilities cap, along with other energy provisions.
Some utilities support the idea of a cap for the power sector, partly to forestall what could be more onerous regulations from the Environmental Protection Agency. Utilities that invested in coal alternatives—such as Texas wind energy farms—also could benefit if the bill creates new incentives for using wind-generated power.
But a utilities-only cap wouldn't affect oil consumption, making it difficult to explain how the policy relates to the oil spill that is providing the political momentum for action this year. Some environmental groups have questioned the value of a narrow, power-sector carbon dioxide cap.
Passing a comprehensive energy bill would give the president another significant victory on his domestic agenda. Just this year, Congress has passed major laws affecting health care and student lending, and is on the brink of approving a financial regulatory overhaul.
Republicans say they won't support proposals to raise the cost of burning fossil fuels. Democrats "never miss an opportunity to seize on a crisis to turn to the far left to-do list," Senate Minority Leader Mitch McConnell (R., Ky.) said this week. Some Republican lawmakers have expressed support for proposals to boost the energy efficiency of buildings and cars, and take other steps that don't involve carbon limits or significant new energy levies.

Save money by turning thermostat up, fans on (*Record & Herald News*)

Monday, June 28, 2010
Last updated: Monday June 28, 2010, 10:00 AM
The Record
The Environmental Protection Agency says there are simple ways to save money when keeping your home cool during hot summer months. One easy way is to just increase your thermostat by 2 degrees and turn on ceiling fans. You can lower your cooling costs by 14 percent with this one step. When you leave the room, make sure to turn the fans off, so the fans cool you, not the room.

The Environmental Protection Agency says there are simple ways to save money when keeping your home cool during hot summer months. One easy way is to just increase your thermostat by 2 degrees and turn on ceiling fans. You can lower your cooling costs by 14 percent with this one step. When you leave the room, make sure to turn the fans off, so the fans cool you, not the room.

June 29, 2010

State's manufactured homes honored (*Statesman Journal*)

Oregon's manufactured home building industry and six factories have been identified as the top producer of Energy Star homes in the country by the U.S. Environmental Protection Agency.

The six companies that earned the Energy Star Leadership in Housing Award are: Homebuilders Northwest in Salem, Fleetwood Homes in Woodburn, Fuqua Building Systems in Bend, Golden West Homes in Albany, Marlette Homes in Hermiston and Palm Harbor Homes in Millersburg.

To earn the designation, builders must make a minimum of either 125 Energy Star manufactured homes in 2009 or 70 percent of their total production must conform to Energy Star standards.

Railroad CSX spends $1.1M lobbying in the 1Q (*Associated Press*)

Story also appeared: *Bloomberg Businessweek*

NEW YORK

Railroad operator CSX Corp. spent $1.1 million lobbying the federal government in the first quarter, according to a disclosure report.

That's less than the $1.3 million it spent in the fourth quarter, but about even with the year-ago period.

The company lobbied the U.S. House of Representatives, the U.S. Senate, the Environmental Protection Agency, the Department of Homeland Security, the Department of Transportation and the Department of Energy on transportation budget allocations.

CSX, which is based in Jacksonville, Fla., also lobbied on issues surrounding clean energy jobs, national energy policy, rail infrastructure and security.

ASHRAE Earns EPA's ENERGY STAR® for Superior Energy Efficiency

News (*Green Building Pro*)

ALBUQURQUE – ASHRAE has earned the U.S. Environmental Protection Agency's (EPA's) prestigious ENERGY STAR, the national symbol for protecting the environment through superior energy efficiency, for its renovated Headquarters in Atlanta. This signifies that the building performs in the top 25 percent of similar facilities nationwide for energy efficiency.

Jean Lupinacci, chief of the ENERGY STAR Commercial & Industrial Branch, presented the award during ASHRAE's 2010 Annual Conference taking place this week. Lupinacci spoke today, June 28, during the Presidential Luncheon and presented ENERGY STAR to ASHRAE President Gordon Holness.

"Improving the energy efficiency of our nation's buildings is critical to protecting our environment, "Lupinacci said. "From the boiler room to the board room, organizations are leading the way by making their buildings more efficient and earning EPA's ENERGY STAR."

"In deciding to renovate our existing Headquarters building, ASHRAE followed its mission of 'promoting a sustainable world,'" ASHRAE President Gordon Holness said. "The renovation gave us the opportunity to demonstrate that existing buildings can be upgraded to provide equal or better than new building performance. We are delighted to have achieved the ENERGY STAR rating as further indication of successful implementation and real-world performance.

Commercial buildings that earn the ENERGY STAR use an average of 35 percent less energy than typical buildings and also release 35 percent less carbon dioxide into the atmosphere. ASHRAE improved its energy performance by managing energy strategically across the entire organization and by making cost-effective improvements to its building. ASHRAE has prevented greenhouse gas emissions equal to the electricity use from nearly 22 households for a year.

The national average site energy use index (EUI) is 68 and average source EUI is 228.

ASHRAE's site energy intensity is 49 and source is 162.

To earn ENERGY STAR, ASHRAE took the following actions:

* Reduced its estimated annual energy usage by more than 32.5 percent through enhancements to the building envelope and use of the following systems: Dedicated outside air system with energy recovery, ground-source heat pumps, and mini-split systems with heat recovery.

* Utilizing an extensive permanent air quality monitoring system to help sustain occupant comfort and well-being in the renovated building.
* Utilizing a 6,000 CFM dedicated outside air system for the building that can provide ventilation rates to each space that are 30 percent higher than Standard 62.1-2004.
* Reduced IAQ problems resulting from the construction/renovation process in order to help sustain the comfort and well-being of construction workers and building occupants by developing and following a construction IAQ management plan.
* Providing a comfortable thermal environment that supports the productivity and well-being of all building occupants by adhering to the requirements of ASHRAE Standard 55 and by surveying their occupants for feedback on a regular basis.
* Demonstrating how PV arrays can be utilized to generate clean power by taking advantage of under-utilized space on building roof. It is estimated that the installed array will provide more than 8 percent of the building's total annual energy cost in the form of renewable energy (in addition to the energy savings measures taken).

For a complete list of sustainability measures undertaken by ASHRAE, visit <http://www.ashrae.org/building> .

The building received an A- rating as designed in a new building energy labeling program being launched by ASHRAE. The Building Energy Quotient™ program, which is known as Building EQ, will include both asset and operational ratings for all building types, except residential.

The renovation also earned LEED Platinum Certification in the New Construction 2.2 rating system from the U.S. Green Building Council. It is one of only six buildings in the state of Georgia to receive a LEED Platinum rating, the highest certification the program offers.

ENERGY STAR was introduced by EPA in 1992 as a voluntary, market-based partnership to reduce greenhouse gas emissions through energy efficiency. Today, the ENERGY STAR label can be found on more than 60 different kinds of products, new homes and commercial and industrial buildings. Products and buildings that have earned the ENERGY STAR prevent greenhouse gas emissions by meeting strict energy-efficiency specifications set by the government.

ASHRAE, founded in 1894, is an international organization of some 50,000 persons. ASHRAE fulfills its mission of advancing heating, ventilation, air conditioning and refrigeration to serve humanity and promote a sustainable world through research, standards writing, publishing and continuing education.

GENERAL

June , 2010

Fighting Skin Cancer Takes More than a "Little Dab" of Protection (*Public News Service*)

PORTLAND, Ore. - The Fourth of July weekend is a time for many Oregon families to enjoy the outdoors, but their doctors hope they're not in such a hurry to get outside that they forget to pack the sun hats and sunscreen. Oregon ranks number four among the states for new cases of melanoma, the most serious form of skin cancer.

Dr. Richard Leman, a family practice physician and medical epidemiologist with the Oregon Public Health Division, says - as with many other forms of cancer - early detection is critical.

"Typically, melanoma starts as a very shallow tumor that's just on the surface of the skin, and when you catch it there and get it off, typically it's completely curable. If it has a chance to grow down into the skin and maybe spread to other areas, that's when it's dangerous."

Leman says people who are light-skinned or who had a lot of sun exposure or sunburns growing up, are the most likely to have skin cancer problems later in life. The U.S. Environmental Protection Agency says more than 1200 people were diagnosed with melanoma last year in Oregon, and for about 120 Oregonians per year it is fatal.

Dr. Leman says sunscreen products are less greasy and more waterproof than in past decades, which might prompt people to use more. He says most people don't use enough, and kids are not the only ones who should really slather it on.

"Many people are of the 'a little dab'll do ya' school when it comes to sunscreen, and just putting a little dot of sunscreen is probably not enough. We actually think it's more like between a teaspoon and a tablespoon that needs to go just on the face."

Leman says there's a handy phrase to think about, to help minimize harmful sun exposure.

"I think an easy way to remember it is kinda, 'slip, slap and slop.' So, you can slip on an overshirt that covers your arms; you can slap on a hat that has a brim and protects your face and neck; and you can slop on that sunscreen of SPF 15 or more."

For children, the recommendation is sunscreen with an SPF factor of 30 or higher. 'SPF' stands for sun protection factor.

An Oregon skin cancer fact sheet is online at www.epa.gov.

GRANTS

EPA grant will repower GPA cranes (*Effingham Herald)*

Staff Report
news@effinghamherald.net
Updated: June 28, 2010 6:44 p.m.
The Georgia Ports Authority (GPA) has been awarded a U.S. Environmental Protection Agency Diesel Emissions Reduction Act grant in conjunction with the National Clean Diesel Funding Assistance Program. The $2.72 million award will repower GPA-owned equipment with higher tier engines that reduce air emissions.

"When we officially adopted the Environmental Policy last year, the GPA made a commitment to do everything it could to conduct port operations in an environmentally sensitive and responsible manner," said GPA Executive Director Curtis J. Foltz. "I'm very pleased the new engines will increase fuel efficiency by burning cleaner, emitting less pollution and reducing fuel use per container."

Through assistance of this grant, the GPA will repower 17 of its older rubber-tired gantry cranes (RTG) from TIER I to newer, cleaner TIER III diesel engines. In addition to significant reduction in emissions as a result of upgrading to TIER III engines, these new diesels will be more fuel efficient.
These diesel engines automatically switch from idle (about half of normal operating speed) to higher operating speeds and back to idle speed as needed to meet the variable load demands.

The RTG repower project, as calculated by the EPA's Diesel Emissions Quantifier, will reduce diesel emissions 33.29 percent or 24,829 tons over the
lifetime of the 17 cranes. It will also reduce fuel consumption by 129,200 gallons annually.

"Repowering takes advantage of new technology that will significantly improve the efficiency, productivity and service life of the equipment," said GPA Senior Director of Engineering and Facilities Maintenance Wilson Tillotson. "These newer engines will use 70 percent of the fuel compared with the older engines, which reduces diesel emissions and our dependence on fossil fuels."

The GPA converted its fleet of yard cranes, trucks and other container handling equipment to cleaner burning ULSD fuel in June 2008, two and a half years prior to the federal requirement.

"EPA is proud to recognize the efforts of the Georgia Ports Authority to reduce the impact of diesel pollution and protect public health," said EPA Acting Regional Administrator Stan Meiburg. "Emissions from diesel engines are a serious public health threat and environmental challenge, as well as a priority for EPA."

The National Clean Diesel Funding Assistance Program provides funding to reduce emissions from existing diesel engines through a variety of strategies, including but not limited to: add-on emission control retrofit technologies; idle reduction technologies; cleaner fuel use; engine repowers; engine upgrades; and/or vehicle or equipment replacement; and the creation of innovative finance programs to fund diesel emissions reduction projects.

DERA was passed under the Energy Policy Act of 2005 and assists states and other organizations with grants and loans to curtail diesel emissions without impeding economic development. The initiative authorized $1 billion during the next five years to help states clean up diesel fleets through upgrades and retrofits.

PESTICIDES

Calif. may approve controversial chemical for strawberries (*Greenwire*)

(06/28/2010)
The California Department of Pesticide Regulation is recommending approval of methyl iodide for fumigating strawberry fields, despite scientists' concerns.
An independent scientific review panel recommended the highly toxic chemical, which has caused cancer, brain damage and miscarriages in animal studies, be limited to 0.8 parts per billion as an acceptable exposure level.

"We all thought that, if anything, it should be lower than that," says Edward Loechler, a molecular biologist at Brandeis University in Boston.

Instead, the state pesticide regulators established 96 parts per billion as a safe amount, which is about half the amount allowed by U.S. EPA. The agency approved the chemical in 2007 even though 54 prominent scientists wrote a letter asking EPA to prohibit its use.

Methyl iodide is being considered as an alternative to methyl bromide, which harms the ozone layer. Farm workers applying the chemical will be the people most at risk. Strawberries grown in fields treated with methyl iodide are safe to eat, according to EPA tests that showed no trace of the chemical on or in the fruit.

Pesticide reform groups are opposing the methyl iodide's use, especially for strawberries, which are already one of the top three foods exposed to pesticides.

Loechler summed up the options this way: "Use methyl iodide and potentially risk workers' and their families' health; use methyl bromide and risk the ozone layer; or use neither and have strawberries be more expensive" (Jill Adams, *Los Angeles Times*, June 28). **-- LP**

SUPERFUND

Good news on Koppers, but site still poses risk (*Gainesville Sun*)

By Chad Smith
Staff writer
Published: Tuesday, June 29, 2010 at 6:01 a.m.
Earlier this month, the Florida Department of Health released two reports stating there was a “low” health risk from the Cabot-Koppers Superfund site contamination in nearby creeks and the soil around the site, but local officials are by no means celebrating.

“There's still a lot more sampling that needs to be done,” said Anthony Dennis, the environmental health director for the Alachua County Health Department.

John Mousa, the pollution prevention manager in the county's Environmental Protection Department, said: “It's good news that it isn't an immediate health risk to the residents. But at the same time, it confirms there certainly is contamination there.”

In one report, the state Department of Health looked at the amount of contamination in Springstead and Hogtown creeks, near the Superfund site situated between 23rd and 39th avenues east of Main Street, concluding that ingestion of “very small amounts of contaminated sediments in off-site ditches (or the creeks) downstream of the Cabot Carbon-Koppers site will not harm people's health.”

In the other report, the department concluded that swallowing “very small amounts of dioxin-contaminated surface soil along Stephen Foster [Neighborhood] roadsides is not expected to harm children or adults.”

Dennis said while the health risks might be low, the contamination levels are still above the state's maximum cleanup standards.

Gainesville Mayor Craig Lowe pointed out that these studies come at a “very critical period” for the cleanup of the site.

In mid-July, the U.S. Environmental Protection Agency will release its preliminary cleanup plan before a weeks-long period to gather public comments.

The agency is waiting until next month so the nonprofit group Protect Gainesville's Citizens Inc. can hire, with a $50,000 EPA grant, an adviser to help explain what that plan means — and what its impact could be, said Dawn Harris-Young, an agency spokeswoman.

After that 30-day public-comment period, the EPA will release its so-called “record of decision,” the final plan for decontaminating the site.

The city has asked that the 30-day period be extended another 30 days, giving the community more of a chance to weigh in, Lowe said.

“We need to make sure that the (record of decision) that is issued is a proper one, so if it takes 30 days longer or 60 days longer to achieve that — an appropriate remediation — it's well worth it,” the mayor said.

Kaya Ideker, a member of Protect Gainesville's Citizens, said the community needs to turn out en masse to have its voice heard by the EPA.

“That is crucially important if this community wants this site cleaned up,” Ideker said.

Contact Chad Smith at 338-3104 or chad.smith@gvillesun.com.

EPA Supports Superfund "Polluter Pays" Provision (*PollutionOnline*)

June 28, 2010
Washington, DC - The U.S. Environmental Protection Agency recently sent a letter to Congress in support of reinstating the lapsed Superfund "polluter pays" taxes. Superfund is the federal government's program that investigates and cleans up the nation's most complex, uncontrolled or abandoned hazardous waste sites. If reinstated, the Superfund provision would provide a stable, dedicated source of revenue for the program and increase the pace of Superfund cleanup. It would also ensure that parties who benefit from the manufacture or sale of substances that commonly cause environmental problems at hazardous waste sites, and not taxpayers, help bear the cost of cleanup when responsible parties cannot be identified.

"Since the beginning of this administration we have made it clear that we support the reinstatement of the polluter pays system for the Superfund program," said Mathy Stanislaus, assistant administrator for EPA's Office of Solid Waste and Emergency Response. "Our taxes should be paying for teachers, police officers and infrastructure that is essential for sustainable growth -- not footing the bill for polluters. Today, we are formalizing our call to Congress to pass this important legislation and ensure responsible steps to keep our communities clean. In the meantime, EPA is taking action to better manage the Superfund program to increase cleanups and enhance transparency, accountability, and community input in agency decision-making."

The Superfund taxes expired on December 31, 1995. Since the expiration of the taxes, Superfund program funding has been largely financed from General Revenue transfers

to the Superfund Trust Fund, thus burdening the taxpayer with the costs of cleaning up abandoned hazardous waste sites. The administration is proposing to reinstate the taxes as they were last in effect on crude oil, imported petroleum products, hazardous chemicals, and imported substances that use hazardous chemicals as a feedstock, and on corporate modified alternative minimum taxable income. Under the administration's proposal, the excise taxes and corporate environmental taxes would be reinstated for a period of 10 years beginning in January 2011.

N.J., already nation's leader, set to add more sites to priorities list (*Greenwire*)

(06/28/2010)
New Jersey could add between 15 and 25 new Superfund toxic-waste sites to the National Priorities List in the next five years, despite already having the most such sites in the country.
"We are still discovering cases we believe are going to involve multimillion-dollar remediation costs," said Ed Putnam, head of the publicly funded remediation program for the state Department of Environmental Protection.

Classifying the cleanups as Superfund sites denotes hazardous substances that threaten public health and nets the state federal money if the polluters cannot pay. New Jersey has already received $3 billion from the Superfund in the 30 years since it was created, but 29 of the 142 sites have been cleaned up.

The Government Accountability Office released an audit last week predicting that more states will compete for federal cleanup money in the next five years and that remediation costs will "exceed current funding levels." GAO predicted that 20 to 25 sites will join the list every year for the next five years, up from an average of 16 over the previous five. The funding crunch could get worse if U.S. EPA applies money to "vapor intrusion" sites, where contaminated air enters buildings through underground sources.

Putnam did not say which New Jersey properties would be added to the list but estimated that three to five would be added per year. The additions would be based on the probability of finding offending companies as well as the scope of the problems. State investigators continue to find new problems, though, including leaking residential oil tanks around a facility run by chemical firm DuPont (Brian T. Murray, New Jersey *Star-Ledger*, June 27). **-- JP**

TOXICS

June 29, 2010

EPA removing toxic chemicals from closed facility in Prattville (*Montgomery Advertiser*)

By Marty Roney
mroney@gannett.com
PRATTVILLE -- Sulfuric acid. Cyanide sulfate. Muratic acid. Nickel sulfate.
These are just some of the chemicals and compounds a cleanup crew is dealing with at a hazardous materials site in Prattville. Work began last week, under the direction of the Environmental Protection Agency, to remove toxic materials from a long-closed metal plating facility.

The process is expected to take three months and cost taxpayers about $800,000.

The discovery of hazardous materials in closed industrial sites, old warehouses and even behind bushes "happens more than we want it to," said Tom Barnes of Compliance Specialists Inc. The environmental health and safety consulting company is based in McCalla. Barnes has been in the hazardous materials field for more than 23 years.

"There's no telling what is out there and what we haven't found," he said. "It's not unusual to receive reports like this, that hazardous materials were discovered in a closed or abandoned building or even in rural areas away from any industrial-type setting.

"Even though these materials and compounds are hazardous, they are safe when used properly. With the Prattville situation, things are much safer now as compared to when the building was accessible to children going inside and not being aware of what they were dealing with."

The biggest danger would have come if the site hadn't been discovered in time and the chemicals leaked and mixed, Barnes said.

"Sulfuric acid is highly corrosive and could blind you or cause severe burns," he said. "The corrosive nature of the chemicals meant their storage containers were degrading. If they mixed in sufficient quantities, you could have reactions that produce a lot of heat. That could have led to fires and explosions."

The situation came to light in February, when a city councilman complained about the dilapidated condition of the building on Industrial Park Drive in south Prattville. How long the business has been closed isn't known, but city officials said it has been at least 10 years.

The city's code enforcement officer was sent to check the building, and he knew something was wrong when he walked inside. He first noticed open vats of liquids.

"There were also metal drums that were leaking on the concrete floor," Carl Wilson said. "The steel I-beams holding up the roof weren't I-beams anymore. They had corroded

away to almost nothing. It looked like the front wall had been so weakened by corrosion, parts of it just collapsed."

The Alabama Department of Environmental Management was called, and they kicked the matter to the EPA, said Scott Hughes, spokesman for the state environmental enforcement agency. The federal agency has the money and resources to handle such large-scale hazardous materials problems, he added. EPA officials secured the building and placed the leaking drums in containers.

That made the situation safe until crews could begin the cleanup, said Dawn Harris-Young, a spokeswoman with the EPA's Region 4 office in Atlanta.

"The compounds will be separated and classified," she said. "The items that are hazardous will be disposed of properly in a landfill designed to handle that type of waste. The items that aren't hazardous will be recycled if possible or sent to landfills permitted to handle that type of waste."

The EPA is looking to find the owners of the business to see if they can recoup the expense of the cleanup process. Harris-Young said it is not unusual for the government to have to pick up the full tab because many closed businesses might have declared bankruptcy and past owners can't be found.

In 2009, ADEM spent $36,193.81 cleaning up hazardous substances in the state. The cleanup efforts included:

 An asphalt plant in Tuscaloosa that closed in 1985, when the site was abandoned. According to state reports, ADEM inspectors concluded the site offered an eminent danger to the public because of accessibility and wastes remaining onsite. The site also was close to the Black Warrior River, which raised concerns about contaminants reaching the river. At the site are sludge pits, lagoons, various storage pits and abandoned drums. The EPA now is cleaning up the site, Jerome Hand of ADEM said.
 A residence in Loxley in Baldwin County where the occupant renting the home was a chemist. The man moved into an assisted-living facility. When the owner of the house went to prepare the house to be rented again, he discovered what he thought were hazardous materials. ADEM personnel met with officials from the Baldwin County Emergency Management Agency and inspected the house. They found a fully equipped chemistry laboratory, fume hood and various classes of hazardous chemicals including corrosives, poisons and highly flammable substances. There also were several containers of explosive powders, fuses and cardboard tubes used for assembling fireworks.

The investigation led to a nearby paid storage facility where the former homeowner had stored other similar hazardous materials. A private contractor removed the chemicals with some being reused as commercial chemical products and all other chemicals disposed of in a hazardous materials landfill.

Not all the finds were of hazardous materials:

 At a lot off U.S. 231 inWetumpka, five 55-gallon metal drums were found. During the ADEM inspection, the property owner explained that the drums contained purge water from on-site groundwater monitoring wells. The lot was the location of an old gas station, where an underground storage tank leak occurred. The wells were set up to determine the amount of groundwater contamination on site. The company monitoring the wells was told to remove the drums.

Hughes said people finding suspicious materials need to contact their local public safety agencies, which will call ADEM if the situation warrants.

"If people know of places where there may be problems, those problems need to be addressed," he said. "If there are hazardous materials at a place, the proper officials need to be informed so they can take action to remove the problem.

"The good thing about what happened in Prattville is we were informed before something more serious occurred at the site. The building and its contents were made safe, and after the cleanup is completed, they won't offer any more dangers to the community."

EPA to Include Employees in Chemical Safety Inspections (*EP Magazine*)

Jun 29, 2010
The U.S. Environmental Protection Agency has released interim guidance that would provide greater transparency in the agency's chemical safety inspections process. Under the guidance, EPA inspectors will offer employees and employee representatives the opportunity to participate in chemical safety inspections. In addition, EPA will request that state and local agencies adopt similar procedures under the Risk Management Program.
Through this program, EPA seeks to reduce the risks to surrounding communities that arise from the management, use or storage of certain hazardous chemicals. Owners and operators of covered facilities must develop a risk management plan, which includes facility plans for the prevention and response to chemical accidents. Under the Clean Air Act, the Chemical Accident Prevention Provisions require facilities that produce, handle, process, distribute, or store certain chemicals to develop a Risk Management Program, prepare a risk management plan, and submit the plan to EPA. The agency expects to issue final guidance on participation of employees and employee representative in RMP inspections later this year.

June 28, 2010, 3:13 pm

Toxic Mercury Is More at Home in Seawater, Study Finds (*New York Times*)

By SINDYA N. BHANOO
Agence France-Presse — Getty Images Unloading a fresh catch of tuna in Jakarta, Indonesia.

It has long been known that mercury levels in seafood can prove poisonous to humans. Methylmercury, an especially toxic form of mercury, can lead to kidney dysfunction and neurological disorders.
Pregnant women in particular are told to be careful because dietary exposure to methylmercury can lead to birth defects in infants.
Now a new study suggests that humans need to be more wary of saltwater fish like tuna, mackerel and sharks than of freshwater fish. Although seawater has lower concentrations of mercury than freshwater, mercury in seawater is more likely to stay in its toxic form, researchers report in a recent issue of Nature Geoscience.

In freshwater, methylmercury tends to latch onto decaying organic matter like dead plants and animals. It then breaks down with the help of sunlight. In saltwater, methylmercury latches onto chloride, which does not easily break down. The mercury is then likely to be ingested by marine mammals.

“Because sunlight does not break it down in seawater, the lifetime of methlymercury is much longer in the marine environment,” Heileen Hsu-Kim, assistant professor of civil and environmental engineering at Duke University and one of the study’s authors, said in a press release. “However, the Food and Drug Administration and the Environmental Protection Agency do not distinguish between freshwater and seawater.”

Mercury enters the environment via human activities like manufacturing and coal burning as well as from natural sources like volcanic eruptions.

The E.P.A. does offer some tips on fish consumption, especially by women and young children.

In line with Dr. Hsu-Kim’s research, the E.P.A. suggests that shark and king mackerel be avoided because of their high mercury content. Shrimp, salmon, pollock and catfish are among the fish that the agency recommended for lower mercury levels.

Last updated June 28, 2010 4:39 p.m. PT

Pacific Seafood fined $35K for ammonia release (*Associated Press*)

Story also appeared: *Seattle Post Intelligencer, Puget Sound Business Journal, Seattle Times*

SEATTLE -- The U.S. Environmental Protection Agency has fined a Seattle seafood distributor $35,000 for failing to properly report the release of ammonia from its warehouse in Mukilteo.
The 210-pound ammonia leak at Pacific Seafood Group in May 2009 was first noticed by the employees of a neighboring company. The neighbors called the fire department when they detected a strong ammonia odor coming from Pacific Seafood.

EPA says Pacific Seafood, which distributes fresh frozen seafood, port and poultry products, failed to follow emergency procedures.

Ammonia is a colorless gas that can cause severe irritation of skin, eyes, throat and lungs.

A Monday e-mail to Pacific Seafood seeking comment was not immediately returned.

Cameron Soil Sampling Inconclusive, EPA Wants More Testing (*KCTV Kansas City*)

EPA Says Site Contained High Arsenic Levels After Years Of Ore Off-Loading
POSTED: 10:53 am CDT June 28, 2010
UPDATED: 11:25 am CDT June 28, 2010

CAMERON, Mo. -- Lab results from soil sampling done by the Environmental Protection Agency near a Cameron, Mo., soccer complex came back inconclusive and the EPA would like to conduct more testing.

The EPA Region 7 said it became interesting in the location, known as the Ore Stockpile Area, based on citizen tips that it has been used for years for off-loading railroad cars that carried ore and other raw materials. The EPA said the materials were then taken by truck to the former Rockwool Industries facility in Cameron.

After a separate rail line was built to allow for delivery directly to Rockwool, the old railroad tracks were removed, a street was built and a soccer and skate park were built.

Since the sampling near the soccer complex were inconclusive, EPA officials said they are seeking permission to sample on three other private properties nearby.

Soil samples taken in March from locations around the former railroad spur, including park property, city right-of-way property, and two residential tracts of land, were tested for the presence of 22 different metals. Out of the 63 samples collected, elevated levels of arsenic were detected in approximately 10 samples, including four taken from the southeast corner of the park, three from the city's right-of-way property, and three from residential properties immediately south of the park.

The metals included on the EPA's list for the March round of sampling are known to occur naturally in Cameron area soils, EPA officials said. However, the grouping of samples containing levels of arsenic above naturally-occurring background levels on the eastern edge of the sampled area suggests a need for additional investigation, EPA officials said, both on and beyond the sampled area. EPA officials said data currently available to EPA is insufficient to characterize potential long-term health risks.

As part of its continuing investigation, the EPA said it plans to conduct a second round of sampling at the Ore Stockpile Area.

Potentially harmful chemicals being used to drill for natural gas in Pa. (*Associated Press*)

Story also appeared: *Baltimore Sun*

MARC LEVY Associated Press Writer

HARRISBURG, Pa. (AP) — Compounds associated with neurological problems, cancer and other serious health effects are among the chemicals being used to drill natural gas wells in Pennsylvania, although state and industry officials said Monday the practice is not polluting drinking water.

The Associated Press obtained the list from the state Department of Environmental Protection, which assembled what is believed to be the first complete catalog of gas drilling chemicals being used in Pennsylvania. It hopes to post it online soon.

The department counts more than 80 chemicals being used by the rapidly growing drilling industry in a process called hydraulic fracturing, or "fracking," as it pursues the rich Marcellus Shale reserve.

Many of the compounds are also present in consumer products, such as salt, cosmetics, gasoline, pesticides, solvents, glues, paints and tobacco smoke.

Environmental advocates worry the chemicals are poisoning underground drinking water sources. However, environmental officials say they know of no examples in Pennsylvania or elsewhere.

"If we thought there was any frack fluid getting into fresh drinking water ... I think we'd have to have a very serious conversation about prohibiting the activity completely," said Scott Perry, the director of the department's Bureau of Oil and Gas Management.

Conrad Volz, who directs the University of Pittsburgh's Department of Environmental and Occupational Health, said state and federal agencies haven't done enough research to come to that conclusion.

The Department of Environmental Protection assembled the list from information the industry is required to disclose.

Industry officials say the chemicals pose no threat because they are handled safely and are heavily diluted when they are injected under heavy pressure with water and sand into a well. Industry officials say the chemicals account for less than 1 percent of the fluid that is blasted underground.

The mixture breaks up the shale some 5,000 to 8,000 feet down and props open the cracks to allow the gas trapped inside to flow up the well to the surface.

Approximately 1,500 Marcellus Shale wells have been drilled in Pennsylvania in the past three years, and many thousands more are expected in the coming years. Hydraulic fracturing has been heavily used in Texas, Louisiana, Colorado and Wyoming in the past decade.

The chemicals are used to reduce friction, kill algae and break down mineral deposits in the well. Various well services firms make different proprietary blends of the solutions and supply them to the drilling companies, which blend them with water at the well site before pumping them underground.

In recent years, the makers of the solutions have sought to replace toxic ingredients with "green" or food-based additives.

One compound, naphthalene, is classified by the federal Environmental Protection Agency as a possible human carcinogen.

The EPA said central nervous system depression has been reported in people who get high levels of toluene by deliberately inhaling paint or glue.

In its online guidelines on xylene, the U.S. Occupational Safety and Health Administration cites an industrial hygiene and toxicology text that says chronic exposure to xylene may cause central nervous system depression, anemia, liver damage and more.

Pennsylvania natural gas drilling uses chemicals linked to illness (Fort Worth Star-Telegram)

Texas
June 29, 2010 Tuesday
SECTION: C
HARRISBURG, Pa. -- Compounds associated with neurological problems, cancer and other serious health effects are among the chemicals being used to drill natural gas wells in Pennsylvania, although state and industry officials said Monday the practice is

not polluting drinking water.

The Associated Press obtained the list from the state Department of Environmental Protection, which assembled what is believed to be the first complete catalog of gas drilling chemicals being used in Pennsylvania. The agency hopes to post it online soon.

The department counts more than 80 chemicals being used by the rapidly growing drilling industry in hydraulic fracturing, or "fracking," as it pursues the rich Marcellus Shale reserve. Many of the compounds are also present in consumer products, such as salt, cosmetics, gasoline, **pesticides,** solvents, glues, paints and tobacco smoke.

Environmental advocates worry that the chemicals are poisoning underground drinking water sources. However, environmental officials say they know of no examples in Pennsylvania or elsewhere.

Devon Energy, the largest producer in North Texas' Barnett Shale, and Fort Worth-based Range Resources said Monday they support disclosure. Chesapeake Energy, another major Barnett Shale driller, has previously also called for greater disclosure by its contractors, who conduct the actual fracturing work.

In 2008, the Star-Telegram analyzed records filed with the city of Fort Worth and found that companies were using several hazardous chemicals, including petroleum distillates, caustic soda and biocides. Some of the chemicals were listed as possible carcinogens and others at certain concentrations could cause lung, eye and nervous system problems. Other chemicals were simply listed as "trade secret" or "proprietary ingredient."

"As a rule, the volume of chemicals is right at 0.5 percent of volume, so 99.5 percent of volume is water and sand," Devon spokesman Chip Minty said. "We view it as a positive thing that Pennsylvania is working to promote transparency. If the Texas Railroad Commission decides they'd like to disclose chemicals being used in Texas, Devon would support that completely."

Range Resources began releasing detailed information about its fracturing program in Pennsylvania, including the amounts of chemicals used in each well. The company said it wants to reassure residents that drilling is safe.

"We recognized early on the need to demystify the process," Range spokesman Matt Pitzarella said. One compound, naphthalene, is classified by the federal **Environmental Protection Agency** as a possible human carcinogen. For another, toluene, the **EPA** said central nervous system depression has been reported in people who get high levels of it by deliberately inhaling paint or glue.

In its online guidelines on xylene, the U.S. Occupational Safety and Health Administration cites an industrial hygiene and toxicology text that says chronic exposure to xylene may cause central nervous system depression, anemia, liver damage and

more.

Pennsylvania's pending disclosure comes as Congress is debating the need for federal regulation of hydraulic fracturing. Scott Perry, the director of Pennsylvania's Bureau of Oil and Gas Management, said that "if we thought there was any frack fluid getting into fresh drinking water ... I think we'd have to have a very serious conversation about prohibiting the activity completely."

But Conrad Volz, who directs the University of Pittsburgh's Department of Environmental and Occupational Health, said state and federal agencies haven't done enough research to come to that conclusion.

About 1,500 Marcellus Shale wells have been drilled in Pennsylvania in the past three years. About 14,000 wells have been drilled in the Barnett Shale, according to the railroad commission.

E. coli lurks in some unexpected places (*Miami Herald*)

June 29, 2010 Tuesday
E; Pg. 2
By JODI MAILANDER FARRELL; Special to The Miami Herald
June 29 2010
Thought contaminated raw lettuce and undercooked ground beef were your only worries when it comes to potentially dangerous bacteria? In the age of E. coli outbreaks and food recalls, scientists are finding the virulent bug in the most surprising places.

• Reusable grocery bags: More than 50 percent of reusable grocery bags are contaminated with E. coli and other bacteria, according to a study released this month that involved researchers from University of Arizona and Loma Linda University in California randomly testing shoppers' reusable grocery bags as they walked into grocery stores in Tucson, Los Angeles and San Francisco. Some 97 percent of the shoppers polled never washed their bags. Researchers warned that people who use reusable bags should wash them regularly, keep raw foods separate from other food products in the bags, avoid using the bags to carry other things like books and gym clothes, and stop storing meat or produce in the trunks of their cars because the higher temperature promotes growth of the bacteria.

• Petting zoos: Britain experienced its largest outbreak of a dangerous strain of E. coli last year at a petting farm. The outbreak affected 93 people, most of them children. Eight of the children infected required dialysis and some have been left with permanent kidney damage. E. coli lives in the guts of ruminant farm animals, such as cattle, sheep and goats, and is transmitted through contact with their feces. Thorough handwashing can prevent the bug entering the human digestive system.

• Beach sand: The sand between your toes and fingers this summer could be a reservoir for E. coli, according to a number of recent studies. A 2007 University of Minnesota report found that E. coli and other bacteria indicating raw sewage can accumulate and grow in beach sand. An analysis last year of seven beaches across the nation by the University of North Carolina-Chapel Hill and the U.S. Environmental Protection Agency showed that beachgoers digging in sand were more likely to develop gastrointestinal illness after a day at the beach compared to those not digging in sand. The risk was even greater for people who had been partially covered up in sand. Washing your hands after digging in beach sand could greatly reduce the risk.

• Why worry? Most varieties of E. coli are harmless or cause relatively brief diarrhea, but a few particularly nasty strains, such as E. coli O157, can cause bloody diarrhea, abdominal cramps, kidney failure and even death for the very young and very old. Severe cases are usually treated with antibiotics, but resistance to these drugs is an increasing problem. A 2007 study in the journal Science found that the rate of E. coli mutations is 1,000 times higher than previous estimates.

• Potential vaccine: Last year, a Minnesota company won federal approval to become the first in the United States to market an E. coli vaccine for cattle. Researchers working on an E. coli vaccine for humans are in phase III of clinical trails to verify the large-scale efficacy of the treatment, which has been proven safe in adults and children.

Get Smart appears every other week, and offers a quick overview of health and medical topics in the news. Got a question or suggested topic? E-mail jmailander@MiamiHerald.com

WATER

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Activists Fear Local Push For Kansas Nutrient Limits Could Overwhelm EPA (*Inside EPA*)

Posted: June 28, 2010

Environmentalists are expressing concern that an effort by local activists to force EPA to develop numeric nutrient criteria for the Kansas River could cause an avalanche of similar demands on EPA, overwhelming the agency and ultimately forcing it to fight the suits rather than develop numeric limits.

Meanwhile, water resources offices are beginning to take notice of the Kansas effort as proof that such a suit can be brought virtually anywhere and are using that argument to urge states to begin developing numeric criteria on their own in order to preclude such a suit.

On June 2 Friends of the Kaw (FOK) -- a member of the Waterkeeper Alliance -- filed a 60-day notice of intent to sue (NOI) EPA for its failure to establish numeric water limits for nitrogen and phosphorus in the Kansas River, which contribute to the hypoxic "dead zone" in the Gulf of Mexico. In the complaint, FOK says EPA set out a policy in 1998 whereby all states would have either developed their own numeric nutrient criteria or adopted criteria established by EPA by 2003, but since Kansas has not yet adopted such a criteria, EPA is required to develop and impose them on the state per its 1998 determination that such an action would be required to meet the demands of the Clean Water Act.

"EPA determined 12 years ago, in June 1998, that numeric water quality criteria for nutrients were necessary to meet the requirements of the Act," the notice reads. "Kansas, however, still has not imposed such numeric criteria. The time for 'prompt' response has long since passed in Kansas, and the Administrator is subject to a nondiscretionary duty to directly impose such standards."

But one environmentalist says that, while the circumstances in the Kansas River most likely do warrant EPA intervention, FOK's decision to file a notice of intent to sue EPA for failure to implement its 1998 determination could lead to a cascade of similar suits in other impaired waters nationwide, which in turn could overwhelm the agency and force it to fight the suits instead of begin the painstaking process of developing numeric criteria for those watersheds.

"The way EPA is going about [writing numeric criteria], it is really a lot of work," the source says. "To put it bluntly, if you tell EPA they have to do a lot of work . . . at some point they're going to decide it's just easier to have [the Department of Justice] fight these cases."

As part of a historic settlement between EPA and environmentalists last year, the agency agreed to establish numeric nutrient criteria for Florida, superseding the state's longstanding narrative criteria and causing a flurry of controversy among industry, states and activists, who say the Florida agreement could prompt the agency to establish similar requirements elsewhere throughout the country.

Activists in Wisconsin and the Mississippi River basin have cited the Florida settlement to press for numeric criteria in their states. Environmentalists last November sent EPA a notice of intent to sue for numeric criteria in Wisconsin, and other activists petitioned EPA to take action in the Mississippi River basin. The threat of a suit prompted Wisconsin officials to propose numeric criteria, activists say. And EPA in March met with activists to discuss efforts to curb nutrient pollution in the Mississippi River. In that meeting, agency officials reportedly said they were working to compel other states in the Mississippi River watershed to develop numeric nutrient criteria, including in Ohio, Illinois and Iowa.

State officials, however, have cast doubt on a link between numeric criteria and improved ecosystems, with the Association of State & Interstate Water Pollution Control Administrators, in April comments on EPA's proposed limits for Florida, urging EPA not to establish similar criteria in other states.

Numeric Criteria

The environmentalist source says the need for numeric criteria nationally is serious and widespread, but there comes a point after which suing EPA to nullify narrative standards in individual watersheds becomes counterproductive, and the environmental community has to be more judicious in which watersheds it chooses to target. The effort to establish numeric criteria in Wisconsin, for example, was based on the state's progress in establishing a numeric limit for phosphorous, so that a suit would not result in an overwhelming amount of labor for the state to comply with the terms of the suit, the source says.

"[Activists] filed in Wisconsin after giving it great thought," the source says. "We have a petition out asking [EPA] to do [numeric criteria] for every state in the country, and we haven't brought a lawsuit there, even though we can. To use a crude analogy, if you're whipping a donkey softly it might get it to move a little faster, but if you're hitting it hard it may just decide to quit. So some is good but more is not necessarily better."

A source affiliated with the Kansas suit says they have been in contact with EPA about possible ways to improve the health of the Kansas River watershed and water quality in Kansas more generally, but declined to cite specific proposals laid out by EPA or say whether they would be enough for the activists to drop their suit. The source says the Kansas Department of Health & Environment (KDHE) is also scheduled to have a meeting with the activists and EPA, but the source has little confidence that KDHE will take sufficient actions to reduce nutrient pollution in the state.

"The goal is to see an improvement in the water quality and not to have to file" the lawsuit, the source says. "If we can come to that result, that's good. The primary focus is to have [numeric criteria] done in Kansas in general . . . we want to see this across the state."

The Kansas suit has also received attention from water interests in other states. One source with a water development district in South Dakota -- which also has several waterbodies impaired by nutrient pollution -- says they view the Kansas NOI as proof that numeric criteria are going to eventually be established everywhere, either by EPA, states or through lawsuits. The source cites states' resistance in the 1990s to listing their waterways as impaired as an analogue for the current effort to establish water quality criteria, where activists filed a flurry of suits on specific waterways that ultimately led to scores of waterways being included on the impaired list.

"It would appear from past history that, with these kinds of things it's not a matter of 'if' but 'when,'" the source says. "For states without numeric standards, it's clearly necessary, and if the appropriate entity -- be it EPA or South Dakota -- is not willing to step up, [something like the Kansas NOI] is likely to happen." -- *John Heltman*

Critics Fault North Carolina Panel's Bid To Set New Floor For PFOA Limits (*Inside EPA*)

Posted: June 28, 2010

Environmentalists and New Jersey officials are calling on a North Carolina science advisory panel to reconsider its recommended regulatory limit for the bioaccumulative chemical perfluorooctanoic acid (PFOA) in groundwater, which is weaker than other state standards and even the provisional EPA standard for PFOA.

The standard that the North Carolina Science Advisory Board (NCSAB) is recommending the Tar Heel state adopt is based on a novel dose analysis model -- developed by an industry consultant -- and which industry urged EPA's water office to adopt as the agency considers reassessing the chemical's risks and setting a new mandatory standard.

NCSAB recommended a maximum allowable concentration of a range of 0.9-1.6 parts per billion (ppb) PFOA per liter of water -- a significant departure from the state's 2002 interim standard of 0.002 ppb.

North Carolina's Division of Water Quality, which asked NCSAB for the recommendation, put the interim standard in place in in 2006 spurred by growing concern in other states about PFOA. New Jersey and Minnesota, other states with significant PFOA contamination issues, have set standards of 0.004 ppb and 0.3 ppb, respectively, though the New Jersey standard is currently being revised.

EPA's water office set an interim provisional health authority of 0.4 ppb as the Bush administration left office.

The Minnesota standard is based in part on the new approach, first developed by scientists at 3M company in 2004, and later refined in calculations by the industry-funded Hamner Institutes and the consulting firm the Sapphire Group.

The approach is based on analysis of human blood serum levels, rather than traditional external dosing of lab animals, and has been lauded by industry representatives as a more accurate way to calculate dose-response than simply monitoring the amount of a chemical administered to a lab animal. From these serum levels, scientists back-calculate to a concentration in drinking water and then use a formula to adjust from lab animal to human.

Environmentalists, however, have argued that industry is seeking to take advantage of declining levels of PFOA in humans due to a voluntary phaseout that the major producers of PFOA committed to in 2006. Under the terms of the voluntary agreement with EPA, industry committed to reduce and eventually cease production of PFOA by 2015. But critics have said that phasing out in the future "does absolutely nothing to deal with what's already out there."

Persistent Pollutant

PFOA is one in a relatively new class of ubiquitous chemicals used in manufacturing protective coatings for a wide range of products, including paper, Teflon non-stick cookware, Gore-Tex waterproof fabrics and Stainmaster carpets. Some studies have indicated that the chemical could persist in humans for several years.

To address this, state regulators have been setting safety standards and other regulatory limits but NCSAB's recommendation would set a new floor for state standards.

The New Jersey toxicologist whose risk assessment is the basis for the Garden State's existing standard expressed concern about NCSAB's recommendation, in June 1 comments. Gloria Post, of the New Jersey Department of Environmental Protection said chronic exposure to groundwater even at the lower end of NCSAB's proposed range would cause PFOA levels 22-30 times higher in serum than those found in the general American population.

Post argues it was "not scientifically defensible" to set a groundwater PFOA standard that would ultimately cause such an increase in serum levels in those who drank the water. "This is particularly true because PFOA is a persistent bioaccumulative chemical whose health effects are not fully characterized, and because the serum PFOA levels that will result from chronic exposure at the proposed groundwater MAC level are associated with multiple endpoints in humans and experimental animals, including some considered clinically adverse." She added that NCSAB's risk assessment wasn't based on the most scientifically appropriate endpoints.

Perry Cohn, an epidemiologist with New Jersey Department of Health and Senior Services who is also working on developing New Jersey's new PFOA standard, submitted comments in the same vein. He argues that the NCSAB's assessment focused on occupational studies and lacked any discussion of adverse health effects in community-based studies. Cohn criticizes the assessment because it failed to address epidemiological studies in relation to the high serum levels resulting from exposure to PFOA within NCSAB's proposed range.

Similarly, the activist group Public Employees for Environmental responsibility (PEER), argues that NCSAB's assessment relied too heavily on the serum level dose-response method. PEER says that the levels of PFOA that NCSAB is proposing to allow in drinking water "are much higher than levels that have prompted other states [such as Ohio and West Virginia] to provide bottled water to affected populations until treatment systems are installed," according to the group's June 1 press statement.

PEER also pointed out that NCSAB's assessment proposed a range that exceeded levels of PFOA found at a German contamination site that were high enough to warrant treatment

The environmental group Clean Water for North Carolina pointed out in their June 1 comments that the suggested standard was significantly higher than the levels already reported in the section of the Cape Fear River contaminated by DuPont's Fayeteville, NC, facility which manufactured and used PFOA.

The environmental group says that raising the allowable level of PFOA in the groundwater "could result in a substantial overall increase in body burden of PFOA in those drinking PFOA contaminated water with unknown health effects and no regulatory consequences for producers or users of PFOA." In its comments, the group calls the proposal a "public health experiment that is unconscionable."

DuPont, meanwhile, submitted comments detailing monitoring and sampling work the company has done since the presence of APFOA (the ammonium salt of PFOA) was detected in the groundwater near their operation in 2003, including the installation of 41 monitoring wells near the site. DuPont did not address the content in the science advisory panel's risk assessment -- though the company's scientists were among those that met with EPA water office officials last October and urged EPA to use the serum-based risk assessment method.

DuPont indicated that at the request of North Carolina Department of Environment and Natural Resources (NCDENR), it worked with EPA staff to sample groundwater, sediment, and surface water samples near the river basin to pinpoint the area of greatest concentration of APFOA, which came from a shallow perched aquifer zone beneath a manufacturing unit at the facility. DuPont said in their comments they planned to conduct an investigation, under the oversight of NCDENR, to better identify the path of the APFO distribution in the groundwater. -- *Bridget DiCosmo*

Posted: 1:00 AM

State releases list of drilling chemicals (*Wilkes Barre Times-Leader*)

Compounds associated with serious health effects are among those being used to drill gas wells.
Staff and wire reports
HARRISBURG — More than two years after the start of a natural gas drilling boom, Pennsylvania is making public what environmental regulators dub a complete list of the chemicals used to extract the gas from deep underground amid rising public fears of potential water contamination and increased scrutiny of the fast-growing industry. Compounds associated with neurological problems, cancer and other serious health effects are among the chemicals being used to drill the wells, although state and industry officials say there is no evidence that the activity is polluting drinking water.

The Associated Press obtained the list from the state Department of Environmental Protection, which assembled what is believed to be the first complete catalog of chemicals being used to drill in the Marcellus Shale. The department hopes to post it online as soon as Wednesday, according to spokesman Tom Rathbun.

It counts more than 80 chemicals being used by the industry in a process called hydraulic fracturing, or "fracking," as it pursues the gas in the mile-deep shale.

Many of the compounds are present in consumer products, such as salt, cosmetics, gasoline, pesticides, solvents, glues, paints and tobacco smoke.

Environmental advocates worry the chemicals are poisoning underground drinking water sources. However, environmental officials say they know of no examples in Pennsylvania or elsewhere.

“If we thought there was any frack fluid getting into fresh drinking water ... I think we’d have to have a very serious conversation about prohibiting the activity completely,” said Scott Perry, the director of the department’s Bureau of Oil and Gas Management.

Conrad Volz, who directs the University of Pittsburgh’s Department of Environmental and Occupational Health, said state and federal agencies haven’t done enough research to come to that conclusion.

Dr. Thomas Jiunta, a podiatrist from Lehman Township who founded the Gas Drilling Awareness Coalition, predicted DEP’s list would be incomplete and that it would not provide concentrations of chemicals used in fracking fluids. He referred a reporter to Theo Colburn, who has been conducting research on the effects of fracking chemicals.

Colborn, who founded The Endocrine Disruption Exchange, a Colorado non-profit that studies health and environmental problems caused by low-dose exposure to chemicals that interfere with development and function, said the list of chemicals is “the longest list (that she’s seen) provided by any government agency.”

But, said Colborn, whose degrees include pharmacy, epidemiology, toxicology and water chemistry, the list does not contain Chemical Abstract Services registry numbers, which aid in identifying the chemicals through databases. And several items on the list are classes of chemicals rather than individual chemicals.

“Glycol ethers – see, here you have a general term again. There are many glycol ethers. In our spreadsheets, you wouldn’t find anything so general,” Colborn said, scanning the list. “And Oil Mist – what is that?” she said.

Posted on Mon, Jun. 28, 2010

EPA plane sanctioned to spot oil in state waters (*Sun Herald*)

By ANITA LEE
GULFPORT — After persevering into a third day, U.S. Rep. Gene Taylor got a commitment from the Coast Guard command Monday afternoon to deploy a specially equipped Environmental Protection Agency plane that will spot oil in the Mississippi Sound and relay coordinates for cleanup.
Taylor, D-Miss., worked through the weekend to win permission for the specially equipped plane to fly over Mississippi waters as oil from the Deepwater Horizon streamed onshore along Jackson and Harrison County beaches. Infrared equipment on

the plane located masses and streams of oil in the Mississippi Sound on Monday morning and over the weekend.

Until Monday, the U.S. Coast Guard had no liaison to relay the information to Vessels of Opportunity searching Mississippi waters for oil that can be skimmed up before it reaches shore. The Coast Guard did send a liaison Monday morning to the Gulfport-Biloxi civilian airstrip to work with the EPA team and relay oil coordinates to VOO.

“My responsibility is to streamline communication between the air operation of the EPA and the Vessels of Opportunity,” said Markus Liu, Coast Guard marine science technician 2nd Class.

Taylor flew across the Mississippi Sound in the EPA plane Monday morning. The 1968 prop plane was initially used to detect airborne compounds from the oil spill, but the scientific team that staffs the operation realized infrared equipment could be used to detect oil. They just needed permission for their Mississippi mission, beyond flights to calibrate equipment.

That permission came after Taylor went on the Monday morning flight, then met in the afternoon with Gov. Haley Barbour, Coast Guard Capt. Steve Pullen of the Unified Command in Mobile, BP and state agency representatives, and others. Pullen said after the meeting that he is getting with the EPA to determine the number of hours the plane will be used in Mississippi and the pace of operations.

Meanwhile, under Taylor’s direction, the plane flew out Saturday and Sunday to calibrate equipment, zeroing in on masses and streams of oil while crisscrossing the Mississippi Sound.

On the flight Taylor took Monday, the team found numerous oil masses or streamers from five to seven miles south of Pascagoula near Petit Bois and Horn islands and two oil streamers 7.5 miles, and nine miles off Biloxi’s shoreline. They did not find any areas of oil west of Biloxi in Mississippi waters.

Weather permitting, the plane will fly again today. The EPA team uses Airborne Spectral Photometric Environmental Collection Technology. Infrared equipment can differentiate whether oil is weathered, mixed with water or thick, and can tell the difference between oil and algae. The team’s leader, Mark Thomas, is assembling equipment that could be used on a second airplane.

Deal aims to stop sewage spills on Waikiki beaches (*Associated Press*)

By MARK NIESSE (AP)

HONOLULU — Honolulu officials said Monday that the city will upgrade its aging sewer system to prevent another spill from contaminating Waikiki's famous beaches.

The upgrades were part of a settlement with the U.S. Environmental Protection Agency that ended years of lawsuits and sanitation warnings.

The threat spilled over in 2006, when 48 million gallons of sewage was flushed into a Waikiki canal and reached beaches after weeks of heavy rain. If the wastewater hadn't been released into the ocean, sewage could have backed up into hotels, homes and businesses.

"My biggest nightmare was to have a sewage spill in Waikiki ... and that's what happened," said Mayor Mufi Hannemann. "This is a clear case of pay now or pay later."

The proposed settlement resolves four lawsuits, filed between 1994 and 2010 by environmental groups including the Sierra Club, Our Children's Earth Foundation and Hawaii's Thousand Friends. It still needs to be approved by the city council and the federal court.

Details of the settlement weren't disclosed, but they require the city to improve wastewater collection and sewage treatment. It will likely mean more increases to sewer charges paid by island residents and businesses, which will pass on the costs to tourists.

"Everyone from residents to tourists care about clean water, especially when they come to a pristine place like Hawaii," said Jared Blumenfeld, regional administrator for the EPA. "This is the right decision, the right time, and we're very proud to be part of this settlement."

Honolulu is the largest city in the country that hasn't required its wastewater treatment plants to handle secondary treatment, said Hannemann, who maintains that the city's water is safe even without it.

The agreement calls for improved wastewater collection pipes called force mains, as well as upgrades to pump stations. It also sets an extended timeline for the city's two largest wastewater treatment plants, at Sand Island and Honouliuli, to begin handling secondary treatment of sewage that contains pesticides, toxins and pathogens found in water tests, Blumenfeld said.

"I'm confident that once we upgrade the system and we take care of our structural deficits that we're no longer going to be seeing these type of problems," said city Environmental Services Director Timothy Steinberger, referring to spills like those in Waikiki.

Robert Harris, director for the Sierra Club's Hawaii chapter, called the settlement "a significant long sought-after win for the environment."

"Under the settlement, the city will improve our wastewater system in a systematic long-term fashion to protect the health of citizens and our coastal environment," he said.

"No one in Hawaii should be at risk of swimming in raw sewage," said Donna Wong, executive director for Hawaii's Thousand Friends.

Although the cost of the sewage system upgrades wasn't revealed, Hannemann said last year it would cost the city about $1.2 billion to add secondary treatment capabilities to its two major wastewater plants, forcing the city to raise sewer fees.

Average monthly sewer service charges have already gone up from $33 in 2005 to nearly $79 this year. Those increases have helped pay for increased sewer line inspections, more sewer repairs and a drop in gravity main spills.

City, EPA Reach Sewage Settlement (*KITV Honolulu*)

Honolulu Required To Upgrade Sewer Lines
POSTED: 11:42 am HST June 28, 2010
UPDATED: 4:50 pm HST June 28, 2010
HONOLULU -- The City and County of Honolulu must upgrade its sewer lines to prevent another sewage spill from contaminating Waikiki's famous beaches, as it did four years ago.
The U.S. Environmental Protection Agency and the Honolulu government announced a settlement Monday aimed at ending years of lawsuits and potential sanitation threats.
"This is the right decision and the right time and we are proud to be part of this settlement and we look forward to it being finalized through the city council and the court," said EPA administrator Jared Blumenfeld.
About 48 million gallons of sewage was flushed into a Waikiki canal and later reached beaches in 2006 after weeks of heavy rain overwhelmed the city's aging sewer system. If the waste water had not been released into the ocean, sewage could have backed up into tourist-filled hotel rooms and businesses.
The terms of the tentative settlement were not disclosed, but they require the city to improve wastewater collection and sewage treatment. The deal addresses a plan to upgrade two of Honolulu's sewage plants.
"We wanted to do it in such a way that an extended construction schedule would be granted, so we wouldn't have to do this as some as quickly as some had suggested we needed do," said Honolulu Mayor Mufi Hannemann.
Earlier the city sought a waiver to rules requiring secondary treatment of it's waste water.
"I have tried and tried to make the case that we are not going any damage to the environment by not going to secondary treatment. But as much we did that, we were hitting a brick wall, because we have the EPA committed that cities go to secondary treatment," Hannemann said.
The Honolulu City Council is set to review the deal next month. Final approval still has to come from a federal court judge and the justice department

EPA: Tulsa-based RAM Must stop oilfield discharge (*Tulsa World*)

by: ROD WALTON World Staff Writer
Monday, June 28, 2010
RAM Energy Resources Inc. was ordered to quit discharging production wastewater from its oil field in Wichita County, Texas, according to a federal Environmental Protection Agency statement Monday.

The EPA issued a cease-and-desist order to RAM after discovering that the company's production site released an unauthorized discharge of oilfield brine and wastewater into Long Creek. The water going into the creek contained brine discharges and salts, according to the statement.

Tulsa-based RAM must give the EPA written certification about the discharge activities within 30 days.

EPA Cites Tulsa Energy Firm For Violations Of Clean Water Act (*News on 6*)

Posted: Jun 28, 2010 10:58 AM EDT Updated: Jun 28, 2010 1:43 PM EDT
NewsOn6.com

TULSA, OK -- The Environmental Protection Agency has issued a cease and desist administrative order to RAM Energy Resources of Tulsa for violations of the federal Clean Water Act.

In a news release from the EPA, a May 13, 2010, EPA inspection of the company's oil field production facility in Wichita County, Texas, found an unauthorized discharge of oil field brine and produced wastewater generated by oil production activities into Long Creek.

The inspection also revealed that water located at the discharge point of entry into Long Creek was contaminated with brine discharges and salts.

The release goes on to say, based on these findings, RAM Energy Resources has been ordered to cease all discharges of pollutants from the facility, remove all brine from the flow path located between the facility and Long Creek, and within 30 days provide written certification that these activities have been completed.

June 29, 2010

Presidential disaster request expected for Rocky Boy (*Great Falls Tribune*)

By TRAVIS COLEMAN
Tribune Staff Writer
Gov. Brian Schweitzer is expected to request a presidential disaster declaration for the Rocky Boy's Indian Reservation after receiving the Federal Emergency Management Agency's preliminary assessment of flooding damage there.

The declaration would allow for emergency funding for the Chippewa Cree Tribe to rebuild roads, homes and buildings.

FEMA officials have completed their assessment and found there to be $6 million in flood-related damage on the reservation and that the tribe is eligible for $2.3 million in assistance, according to Monique T. Lay, Montana Disaster and Emergency Services spokeswoman.

But officials warn that those figures will most likely go up as this process moves forward. FEMA found the damage to be significant at Rocky Boy. Additional assistance may be available from other federal agencies such as the Bureau of Indian Affairs and the Department of Transportation, Lay said.

Lay said that the money can tentatively be used for immediate repairs to reservation infrastructure such as roads and homes owned by the tribe.

FEMA external affairs officer Scott Sanders said FEMA worked with the U.S. Army Corps of Engineers and the Environmental Protection Agency, among others, in this assessment. Sanders said assessors couldn't see all of the damaged areas because water is still covering some spots of the reservation.

Sanders added that depending on the type of projects, rebuilding funds can be granted almost immediately, most likely for smaller projects.

The tribe's public information officer Neal Rosette said that the new emergency road to the health clinic was about 85 percent complete Monday.

This road will access the clinic and other offices in that area for emergency purposes. The main road was washed out by the flood. Rosette said the clinic has sustained structural damage and needs to be evaluated to see if it can be used again at all.

If not, the tribe is considering retrofitting a nearby tribal office that was the old health clinic and turning it into a makeshift clinic, Rosette said.

There are still people living around the clinic who have not been able to return to their homes. Much of the reservation was still under a boil order for its water Monday.

City's water meets or exceeds standards (*Pasadena Citizen*)

By KRISTINA SALAZAR
Published: 06.28.10
In the final figures of the Consumer Confidence Report regarding the Annual Drinking Water Quality Report for 2009, the city of Pasadena either meets or exceeds all federal Environmental Protection Agency (EPA) drinking water requirements.

According to the report, Pasadena's drinking water is obtained from surface and ground water resources.

The report also describes that all drinking water may contain contaminants. Even bottled water may reasonably be expected to contain at least small amounts of some contaminants. However, the presence of contaminants does not necessarily mean the water poses a health risk.

In dissecting the report, there are two charts in the beginning that list inorganic contaminants and organic contaminants.

Regarding the inorganic chart, some of the results include:

• Arsenic (erosion of natural deposits; runoff from orchards; runoff from glass and electronics production wastes). Average Level: 1. Measured in parts per billion or micrograms per liter

• Fluoride (water additive which promotes strong teeth; discharge from fertilizer and aluminum factories). Average Level: 0.9. Measured in parts per million or milligrams per liter

• Uranium (erosion of natural deposits) Average Level: 0.6. Measured in parts per billion or micrograms per liter

Regarding the chart of organic contaminants, some of the results include:

• Atrazine (Runoff from herbicide used on row crops). Average Level: 0.06. Measured in parts per billion or micrograms per liter

• Heptachlor (residue of banned termiticide). Average Level: 0.07. Measured in parts per trillion or nanograms per liter

• Xylenes (discharge from petroleum factories; discharge from chemical factories). Average Level: 0.07. Measured in parts per billion or micrograms per liter

The Maximum Residual Disinfectant Level is the highest level of disinfectant allowed in drinking water. According to the report, there is convincing evidence that the addition of a disinfectant is necessary for control of microbial contaminants.

The average level of chlorine, which is used as a disinfectant to control microbes and is measured in parts per million, was 1.88.

Turbidity is another factor that is tested in drinking water. While it has no health effects, it can interfere with disinfection and provide a medium for the growth of microbes. Such organisms can cause symptoms such as cramps, nausea, diarrhea and associated headaches.

The highest single measurement of turbidity was 0.40, and was measured using Nephelometric Turbidity Units. According to the report, the source of the contaminant is soil runoff.

Looking at the report from a greater point of view, the annual report is required by the EPA due in part to the Safe Drinking Water Act, which is a main federal law that ensures the quality of drinking water that Americans are drinking.

The law allows the EPA to establish a set of national health-based standards for drinking water in order to protect against both naturally produced and man-mad contaminants that can be found in drinking water.

For more information regarding the testing of drinking water and the procedures involved, go to www.epa.gov.

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