



U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING



With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on March 31, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

Over 30 labor organizations call on [@lisapjackson](#) to protect American workers from exposure to Dioxin

Posted by: [chej](#) 3:30 pm Full post: <http://bit.ly/chejdioxin>
(Note: The Center for Health, Environment and Justice)

NJ Record: EPA chief Lisa Jackson meets with Ringwood residents

Posted by: [NewGreenMedia](#): 1:30 pm Full post: <http://tinyurl.com/ybu2ckr>

[@lisapjackson](#) 12 states use one in a million cancer risk clean up goal for Dioxin, why can't EPA?

Posted by: [chej](#) 1:45 pm Full post: <http://bit.ly/chejdioxin>

This needs to be fixed!!!! Weak Rules on Toxins and Safety - [@lisapjackson](#)

Posted by: [kfirminger](#): 12:45 pm Full post: <http://nyti.ms/bvWn7i>

Advocacy group says EPA CO2 Regs could hurt Minorities

Affordable Power Alliance: EPA CO2 regs will hit minorities worst: 4.1m lost jobs for 2015 for Hispanics & African Americans.

Posted by: [Freedomwarrior](#) 6:40 pm Full post: <http://bit.ly/90RTw4>
(Note: The Affordable Power Alliance is an "ad hoc coalition of civil rights, African American, Latino, small business, senior citizens and faith-based advocacy organizations.")

New [#EPA](#) policies could hurt minorities, advocates say.

Posted by: [michaeltruhl](#): 3:40 pm Full post: <http://bit.ly/axvinD>

EPA Disapproves part of Texas Air Quality Plan

EPA finds that Texas is not following the Clean Air Act....Again!

Posted by: [JimMarston](#): 7:15 pm Full post: <http://bit.ly/9afnKp>

EPA closes loophole that has allowed [#texas](#) industries to avoid seeking new [#air](#) permits as they expanded.

Posted by: [@gharman](#): 7:20 pm Full post: <http://is.gd/b8Lsw>

03/31/2010: EPA Disapproves Air Permitting Exemption Program in Texas

Posted by: [CFHeather](#): 6:20 pm Full post: <http://ow.ly/1tjM2>

Earth Day Web Site

Earth Day | US EPA has more than 50 bookmarks

Posted by: [delicious50](#): 6:45 pm Full post: <http://bit.ly/bJmaPD>

Clean Cars Rule Press Call Tomorrow

TOMORROW: Administrator Jackson, Secretary LaHood to Hold Press Conference Call on Clean Cars Rule...

Posted by: [toyotaequipment](#) 1:05 pm Full post: <http://bit.ly/9aYk8e>

GHG Regulation and Climate Change

Tomorrow, I will be making an important announcement related to reducing GHG emissions (on FB)

Posted by: [JimPrentice](#): 4:35 pm Full post:

(Note: Minister of the Environment and Parks Canada Agency)

ROUND-UP OF MAJOR BLOGS

ENERGY

Drilling Is Not The Solution To Create Jobs And Reduce Reliance On Foreign Oil (*Wonk Room*)

By [Brad Johnson](#) on Mar 31st, 2010 at 5:09 pm

President Barack Obama has made comprehensive energy reform a key issue of his presidency, with massive investments in clean energy, initial efforts to confront climate change, and a commitment to “[ending our addiction](#) to foreign oil.” Today, Obama announced a sweeping new offshore drilling policy, opening “[vast expanses of water](#) along the Atlantic coastline, the eastern Gulf of Mexico and the north coast of Alaska to oil and natural gas drilling” for the first time. This plan would also restore the ban on drilling in Alaska’s Bristol Bay and the West Coast. White House officials “pitched the changes as ways to [reduce U.S. reliance on foreign oil](#) and create jobs,” the Associated Press reports. For years, however, Obama has correctly explained that new offshore drilling would do nothing to “reduce U.S. reliance on foreign oil”:

“The days of running a 21st century economy on a 20th century fossil fuel are numbered – and we need to realize that before it’s too late.”

“The truth is, an oil future is not a secure future for America.”

“We could open up every square inch of America to drilling and we still wouldn’t even make a dent in our oil dependency.” [9/15/05](#)

“It would be nice if we could produce our way out of this problem, but it’s just not possible.” [2/28/06](#)

“Instead of making tough political decisions about how to reduce our insatiable demand for oil, this bill continues to lull the American people into thinking that we can drill our way out of our energy problems. ” [8/1/06](#)

“Now is the time to end this addiction, and to understand that drilling is a stop-gap measure, not a long-term solution. Not even close.” [8/28/08](#)

This expansion in offshore drilling leases, the Energy Information Administration has found, will have no effect on gas prices or [dependence on foreign oil](#). Nor will it increase jobs, as oil companies [aren't really interested in new drilling](#) — they are already sitting on existing leases instead of drilling them, in order to inflate their bottom lines by claiming the value of leased oil reserves as an asset. Furthermore, a Center for American Progress study has found that money that goes into the oil sector instead of the clean energy economy means a [net loss of 14 jobs per million dollars](#).

In the beginning of August 2008, as Newt Gingrich's American Solutions for Winning the Future (ASWF) "[Drill Here, Drill Now](#)" campaign overlapped the presidential campaign, and oil and gas prices were skyrocketing to record levels, Obama dropped his "[blanket opposition](#) to expanded offshore drilling," saying that he would be willing "to compromise in terms of a careful, well thought-out drilling strategy that was carefully circumscribed to avoid significant environmental damage" in order to get Republican votes for comprehensive climate and energy reform.

In 2005 and 2006, Obama talked about the "tough decisions" of "how to [reduce our insatiable demand](#) for oil" and "[investing in more hybrids](#) and renewable energy sources, raising CAFE standards and helping our auto industry transition to a fuel-efficient future," instead of drilling. In his first year in office, Obama made tremendous down payments on the clean-energy transition, the cash-for-clunkers program, and [ninety billion dollars of Recovery Act funds](#) for hybrid cars, efficiency, and renewable energy technologies, and momentous new CAFE standards that will save [1.8 billion barrels of oil demand](#). That accomplished, Obama took a step back, saying in his 2010 State of the Union speech that "clean energy jobs" means "making tough decisions about [opening new offshore areas](#) for oil and gas development." America's oil addiction can only be broken with comprehensive climate legislation that puts a real cap on carbon pollution.

Conservatives are treating the announcement with disdain — Gingrich's ASWF said the president's plan "is likely to be an [attempt by Obama to seduce the public](#) (into) believing that he will do something in the future on offshore drilling," but amounts to little more than window-dressing. Koch-funded Americans for Prosperity vice president Phil Kerpen commented that "[the idea that this is a big concession](#) in exchange for which Congress should jumpstart climate legislation is ridiculous."

Why Is Obama Opening Up New Areas For Offshore Drilling? (*The New Republic*)

- *Bradford Plumer*

• March 31, 2010 | 11:27 am

The big news today is that Obama's reportedly [planning to open up](#) a bunch of new offshore areas to oil and gas exploration for the first time:

Under the plan, the coastline from New Jersey northward would remain closed to all oil and gas activity. So would the Pacific Coast, from Mexico to the Canadian border.

The environmentally sensitive Bristol Bay in southwestern Alaska would be protected and no drilling would be allowed under the plan, officials said. But large tracts in the Chukchi Sea and Beaufort Sea in the Arctic Ocean north of Alaska — nearly 130 million acres — would be eligible for exploration and drilling after extensive studies.

Back in 2008—during peak "drill baby drill" season—Congress let the federal moratorium on offshore drilling expire. Now this move pushes drilling slightly closer to reality. So what's Obama thinking here? One possibility is that he's looking ahead to the climate-bill debate in the Senate. A number of conservative Democrats and even some Republicans like Lisa Murkowski have said that new drilling has to be a key part of any big energy legislation that tackles carbon emissions. (A separate bloc of coastal Democrats, meanwhile, [has warned](#) that drilling would be a dealbreaker for them.)

Still, it seems bizarre to fork over this bargaining chip before the bill is even released. What kind of negotiating tactic is that? Especially since this move is going to infuriate environmentalists—the folks you want pushing for your climate bill. Note that the administration did the same thing with nuclear power, another item that could lure swing senators. Back in January, the White House [proposed](#) a massive expansion of the nuclear loan guarantee program without getting anything tangible in return from pro-nuke Republicans. John McCain *still* wanders around complaining that the administration's not "serious" about nukes. Now, maybe that's the point—offer an olive branch and watch Republicans swat it down and look unreasonable. Right on cue, John Boehner's [already whining](#) about Obama's drilling plan. Not sure that strategy makes sense, though.

Another possibility, meanwhile, is that this move isn't focused on the climate-bill debate and is geared more toward public opinion. According to the EIA, gas prices are [expected to go up](#) quite a bit this summer (probably shooting north of \$3/gallon), and the administration may want to step out ahead of the inevitable teeth-gnashing and garment-rending over the issue. So this could be more about the midterms than rounding up votes in the Senate. Though, granted, this drilling announcement won't affect summer gas prices in the slightest.

And that leads to the separate question of how much oil will ever come out of these areas. After all, it's not like companies can just start drilling tomorrow. As *The New York Times* [reports](#): "In many of the newly opened areas, drilling would begin only after the completion of geologic studies, environmental impact statements, court challenges and public lease sales. Much of the

oil and gas may not be recoverable at current prices and may be prohibitively expensive even if oil prices spike as they did in the summer of 2008."

Obama Goes Forward on Clean Cars, Backward on Offshore Drilling (*The Huffington Post*)

[Frances Beinecke](#)

President, Natural Resources Defense Council

Posted: March 31, 2010 03:13 PM

President Obama traveled to Andrews Air Force Base today to [talk](#) about the need to strengthen America's energy security. I agreed with his emphasis on the need to invest in clean energy. I welcomed his mention of the [new fuel efficiency standards for cars](#) that will be formally announced tomorrow.

But I do not support his decision to open vast areas of our oceans to offshore drilling. Protecting coastal communities was one of the first things I worked on as an environmentalist, and for 30 years I have fought for sound ocean policies. Expanding offshore drilling will take us backward, not forward.

Spending time and money on dirty, 19th century fuels is a move in the wrong direction, especially since President Obama said today:

"Drilling alone cannot come close to meeting our long-term energy needs, and that for the safe of the planet and our energy independence, we need to begin the transition to cleaner fuels now."

The new fuel economy standards President Obama is establishing are the kind of solution we need right now--the kind that will get us moving into the 21st century.

As Obama pointed out, these new standards will not only save drivers money, but will also save 1.8 billion barrels of oil. That is the equivalent of taking 58 million cars off the road for a year.

If we want to boost our domestic oil supply, we should focus on enhanced oil recovery from existing fields, a process that can supply more than 10 times the amount of oil that could be produced by drilling in our oceans over the same period.

Turning back the clock and returning to more offshore drilling, meanwhile, will do little to relieve America's oil addiction.

According to the [Department of Energy's Energy Information Administration](#), drilling in America's previously closed ocean areas "would not have a significant impact on domestic crude oil and natural gas production...before 2030." Even then, "because oil prices are determined on the international market ...any impact on average wellhead prices is expected to be insignificant."

Offshore drilling would yield little cost or supply benefit, and yet it would pose serious long-term danger to our beaches and marine life. It also threatens commercial fishing, ocean-related tourism, and recreation industries that contributed more than \$128 billion to the nation's economy in 2004 and supported more than 2 million jobs.

As our economy falters and climate change continues unchecked, we should be preserving the jobs we have and investing in the clean energy technologies, which [studies](#) show, generate three times as many jobs as if the same amount were invested in the oil and gas industry.

If the administration proceeds with offshore drilling, NRDC will fight to make sure the strongest environmental standards are put in place. Those include making science-based assessments to identify fragile areas that must be set off-limits, placing no-drill buffers around parks and other sensitive areas, and requiring the use of the best available technology.

I agree with President Obama that we need to transition to cleaner fuels now. And I applaud the U.S. military's efforts to confront the twin challenges of oil addiction and climate change.

But sinking more drill pads into our oceans is not the answer. Not when better running cars and more efficient use of existing oil fields can transition us to the 21st century without harming marine life or marine jobs.

This post originally appeared on NRDC's [Switchboard blog](#).

HAZARDOUS WASTES

Energy Secretary Admits Nuclear Waste Commission Will Not Consider Yucca (*The Heritage Foundation*)

Posted March 31st, 2010 at 4:00pm in

Testifying before the House Subcommittee on Energy and Water Development last Wednesday, Department of Energy Secretary Steven Chu acknowledged to the committee that he explicitly directed the Blue Ribbon Commission charged with recommending a nuclear waste storage policy to the Obama Administration to strike the Yucca Mountain repository from its purview. This is unfortunate, as considering Yucca would add significant credibility to the recommendation of the Blue Ribbon Commission, which held its first meeting last week. By asking the committee not even to consider Yucca Mountain, the Administration is solidifying the criticism that it is basing its decision on politics rather than scientific or technical data.

Secretary Chu's written statement submitted to the subcommittee only says concerning the Yucca decision that "The Administration has determined that developing a repository at Yucca Mountain, Nevada is not a workable option..." Indeed, for over a year the Administration has insisted that there are better options than Yucca Mountain for dealing with storage of the nation's nuclear waste, and the Administration has all the while expressed confidence that an impartial review by the Blue Ribbon Commission would show that its position on Yucca is the right one. Given Secretary Chu's admission before the House subcommittee, however, it is plain that the Administration is not, after all, confident in the soundness of its decision as adjudged apart from political considerations.

Make no mistake, the science so far very clearly shows that Yucca could safely house the nation's nuclear waste. [As the Wall Street Journal reported earlier this month](#), "As recently as late last year, the DOE Web site said 20 years of research and billions of dollars-worth of scientific work found that the Yucca Mountain repository 'brings together the location, natural barriers, and design elements most likely to protect the health and safety of the public.'"

And yet, the Obama Administration is not just attempting to take Yucca off the table for the foreseeable future. No—the Administration wants to really kill Yucca for good, and has accordingly chosen to go down a procedural path that, if decided in the Administration's favor, will result in a permanent and irreversible termination of the Yucca project. On this topic, Rep. Mike Simpson (R-ID) questioned Secretary Chu about why the Administration would opt for the most extreme measure in its effort to end Yucca when less stringent options were available to the Administration. The most that Chu could do to explain the decision was to say that the Administration wanted to send a clear message about its intention not to go forward with Yucca. Anyone who has been following the fate of Yucca knows that the Administration's intention to terminate Yucca has never been in doubt. Chu's response does nothing to explain why the Administration has chosen such a drastic means of achieving its goal.

Such a decision, made without a rational basis, does not bode well for the future of nuclear energy. Indeed, as Heritage Research Fellow in Nuclear Energy Policy [Jack Spencer has said](#), "The Administration's Yucca policy signals once again that the government cannot be a trusted partner." [A geologic repository is critical to the realization of a nuclear energy renaissance in America](#), and there's nothing scientific or technological that says Yucca cannot be that repository. The Obama Administration is jeopardizing America's energy future by advancing political interests ahead of the national interest.

If President Obama and Secretary Chu were truly confident that there are better ways to manage nuclear waste than Yucca, then they would have no reason to fear what an open inquiry on the part of the Blue Ribbon Commission would find. Clearly, the president and the secretary do not have such confidence in the defensibility of their decision to end the Yucca Mountain repository project.

Instead of rejecting the repository outright and thus potentially undermining the credibility of the Commission's conclusions, the commission should recommend how to specifically resolve the Yucca Mountain impasse. The commission should first make a technical and scientific conclusion about Yucca Mountain's viability based on the data available. If it determines that Yucca is not technically viable, then it should simply defend that conclusion. However, if the commission concludes that it is viable and still determines that Yucca Mountain is not fit for nuclear waste disposal, then it should also state why that site should not be part of a comprehensive national nuclear waste disposition strategy and put forth a detailed recommendation on how to disengage from the program.

This disengagement strategy should include how to repay to electricity ratepayers the \$8 billion in sunk costs that have already been invested in Yucca and a legal analysis of how its conclusions affect the U.S. government's ability to fulfill its legal obligations to dispose of America's nuclear waste. Finally, it should make recommendations on whether the Nuclear Regulatory Commission should continue with its review of the Department of Energy's permit application to build the Yucca repository.

Jeff Witt is a member of the Young Leaders Program at the Heritage Foundation. For more information on interning at Heritage, please visit: <http://www.heritage.org/About/Internships-Young-Leaders/The-Heritage-Foundation-Internship-Program>

MINING

Obama Ends 150-Year War of Strip-Mining in 24 States! Mountaintop Removal Loses Its Groove (*The Huffington Post*)

[Jeff Biggers](#)

Author, "Reckoning at Eagle Creek: The Secret Legacy of Coal in the Heartland"

Posted: April 1, 2010 07:39 AM

Obama Ends 150-Year War of Strip-Mining in 24 States: Mountaintop Removal Loses Its Groove.

Yeah, I've been wanting to wake up to that headline for years, too. Instead, I read another [Coal Tattoo headline](#) about President Obama genuflecting in front of Big Coal.

But don't be fooled on April 1st today: Mountaintop removal, the process of blowing up mountains in Appalachia to scoop out the last tiny seams of dirty coal, ain't new. Nor is the devastating strip-mining of coal limited to the Appalachian coalfields. Nor is it abating.

The war goes on.

To be sure: Strip-mining, which provides the lion's share of our dirty coal today, takes place in 24 states and on several sovereign Native American reservations. You can find the nearest strip-mining near you, from Alabama to Wyoming---even in Louisiana, New Mexico and Kansas!--on this handy official [Energy Information Administration chart](#).

The largest strip-mine is now slated for [Indiana](#).

Just last week, protesters were arrested in an attempt to stop the approval of a massive strip-mine in the pristine [Otter Creek valley](#) in eastern Montana.

Let's move from Montana to mountaintop removal in four Appalachian states: Mountaintop removal got its groove in Fayette County, West Virginia, in 1970. The first mountaintop removal operation was launched on [Cannelton Hollow](#) in area once called Bullpush Mountain. *Forty years later*, mountaintop removal operations have destroyed over 500 mountains, 1.2 million acres of hardwood forests, and neighboring communities, displaced miners, and stripmined the cultural landscape in the Appalachian region.

The "rape of Appalachia," as eastern Kentucky author Harry Caudill declared in his classic portrait of Appalachia, *Night Comes to the Cumberlands*, "got its practice" in Illinois. He was referring to the fact that the nation's first commercial strip mines took place in eastern and southern Illinois in the 1850s, when horses and scrapers began to bite into the hills and forests and farmland.

Of course, Caudill overlooked the fact that African slaves had been used as human bulldozers in the Virginia coal outcroppings since the mid-1700s.

But Caudill understood, like anyone in the coalfields from Alaska to North Dakota to Texas to Pennsylvania, that strip-mining more than strips the land; it strips the traces of any human contact. It results in a form of historical ethnic cleansing or historicide---the killing or removal of people from their histories, relegating them to the scrap pile of a vanished past.

In truth, strip-mining and its unhinged offspring of mountaintop removal are not only crimes against nature and our communities. They are crimes against our history. They allow us to intentionally strip away the most troubling issues of the coal industry from our historical memory.

The birth of strip-mining in the 1850s in eastern Illinois churned the historical memory of Kickapoo villages into ashes and spoil piles, stagnant mine ponds and pits; the first mechanized strip-mining machines rattled their blades across the land cleared of virgin forests, creeks, and thousand-year-old Native settlements.

The full-scale launch of strip mining--the process of clear-cutting the forests and dynamiting or detonating explosives across the landscape and then using heavy machinery to remove anything overlaying the mineral seams--took a giant leap in 1910 when steam-powered shovels rolled from the railroad tracks and tore pits out of the land with increasing ease. Within a decade, electrical power equipment had been developed: shovels with 12-cubic-yard dippers mounted on the end of a 95-foot boom. They seemed like enormous monsters at the time. But they were tiny. By the 1950s, over a third of all coal in the region was being strip-mined by "walking draglines," stripping shovels that towered over 250 feet tall and sported buckets of 35 cubic yards.

Strip mining got its real groove when the "Captain" arrived in the 1960s. At one point considered to be the largest dragline in the world, the "Captain" stood twenty- one stories tall, weighed over 28 million pounds, and could sweep up two seams of coal simultaneously in its 180-cubic-yard dipper.

The Captain was a monster. It dug out craters with the panache of a meteor, and once it had finished reaping all the coal out of the area, it walked itself like a surreal robot skyscraper down the road to the next mine.

It was the tallest building in most coalfield regions, though a transient one.

By 1940, Illinois became the national leader in strip-mining coal. It was not limited, of course, to the hilly ranges across southern Illinois. Throughout the midwestern states, over a million acres of prime farmland were lost to strip mining in the mid-twentieth century. The unbridled destruction of fertile farmland in central and western Illinois actually gave rise to a national movement to regulate surface mining. As early as 1940, Senator Everett Dirksen, a conservative Republican from Illinois, introduced federal legislation to require coal companies to reclaim the land to a certain degree of sustainable post-mining use.

This concern fell on deaf ears. Dirksen's bill didn't even manage to get out of a subcommittee, but it marked the beginnings of a new awareness about strip mining.

By the 1960s, an extraordinary alliance of farm organizations, community groups, and coalfield delegations from across the nation united in a campaign to abolish strip mining. Millions of acres across the nation resembled, according to the coalfield residents, the "aftermath of Hiroshima."

It was not only a matter of the land, but also the economy. With 60 percent of our national coal production coming from strip-mining operations, everyone in the coalfields knew that the massive machinery and explosives would eventually wipe out the need for two out of every three coal-mining jobs. Strip-mining operations had been pounding the final nails in the coffin of the large-scale shaft-mine employers in the region for years.

This was the cruel irony of strip mining, of course: It also stripped the miners of their jobs, polluted the communities, and devastated the region for any other economic development. In fact, more jobs would be lost over the next decades to scaled-down heavy-machine-driven strip-mining operations than those impacted by any environmental legislation in the country.

In 1971, West Virginia congressman Ken Hechler had also spelled out the impending impact of strip mining on his region's broader economy:

"What about the jobs that will be lost if the strippers continue to ruin the tourist industry, wash away priceless topsoil, fill people's yards with the black muck, which runs off from a strip mine, rip open the bellies of the hills and spill their guts in spoil-banks? This brutal and hideous contempt for valuable land is a far more serious threat to the economy than a few thousand jobs which are easily transferable into the construction industry, or to fill the sharp demand for workers in underground mines."

Forty years later, Hechler's prediction has become Appalachia's nightmare.

Yet, there was a certain banality of evil in the strip-mining debate. The movement to abolish surface mining was effectively derailed by the Goliath-like resources of the coal companies, whose sway on Capitol Hill was no less powerful in the state and township corridors. In the end, federal legislators opted to "regulate" strip mining, instead of banning its undeniable wrath of destruction in the coal areas.

Sound familiar?

In 1977, in the afterglow of the OPEC energy crisis and a new scramble toward coal production, President Jimmy Carter signed the Surface Mining Control and Reclamation Act, an admittedly "watered down bill" that would enhance "the legitimate and much-needed production of coal." The president declared that it would also "assuage the fears that the beautiful areas where coal is produced were being destroyed."

Few residents in the coalfields agreed. In his classic *To Save the Land and People: A History of Opposition to Surface Coal Mining in Appalachia*, Chad Montrie described the sense of betrayal of the Appalachian coalition working with the midwestern heartland advocates, and those living in the ruins of the strip mines:

"The present bill was so weakened by compromise that it no longer promised effective control of the coal industry or adequate protection of citizens' rights. A press release listed the provisions (or absent provisions) the Coalition found particularly troublesome: an eighteen-month exemption of small operators; recognition of mountaintop removal as an approved mining

technique (rather than a variance requiring special approval); language allowing for variance from restoration to approximate original contour; failure to impose slope limitations (or a partial ban on contour mining); and failure to fully protect surface owner rights with a comprehensive consent clause."

According to longtime anti-strip-mining activist Jane Johnson in Illinois, the act also allowed a flood of "grandfathering" of old mining contracts to circumvent the new requirements. Johnson wrote in the Illinois South newsletter in 1987, on the tenth anniversary of the surface-mining act: "People in the cornbelt felt betrayed."

So did virtually every resident in the affected coalfields in the heartland, Appalachia, and the western tribal areas---across the 24 states of strip-mining glory.

And that betrayal continues today.

As foretold by Caudill, the connection between Appalachia and the Illinois coalfields intensified: Like the unintended consequences of outsourced war from a peace treaty, the Clean Air Act in 1990 not only dismantled the high-sulfur coal industry in Illinois, but also shifted our nation's demand to Appalachia's low-sulfur reserves, wildly escalating the process of mountaintop removal--the process of literally blowing up mountains and dumping the waste and overburden into the valleys and waterways.

Over the next decades, despite the new surface-mining laws, a land mass the size of some entire eastern states would be strip-mined and eliminated from our American maps.

Sure, the EPA blocked the largest mountaintop removal permit in West Virginia last week---70-odd permits still remain in limbo, as 3 millions pounds of ANFO explode daily in WV and KY.

And the 150-year war of strip-mining rages on in the other 24 states.

It's time to bring this war to an end.

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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April 12, 2010**

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Carbon Cap Would Deny Iran Precious Petrodollars: Over \$100 Million A Day (*Wonk Room*)

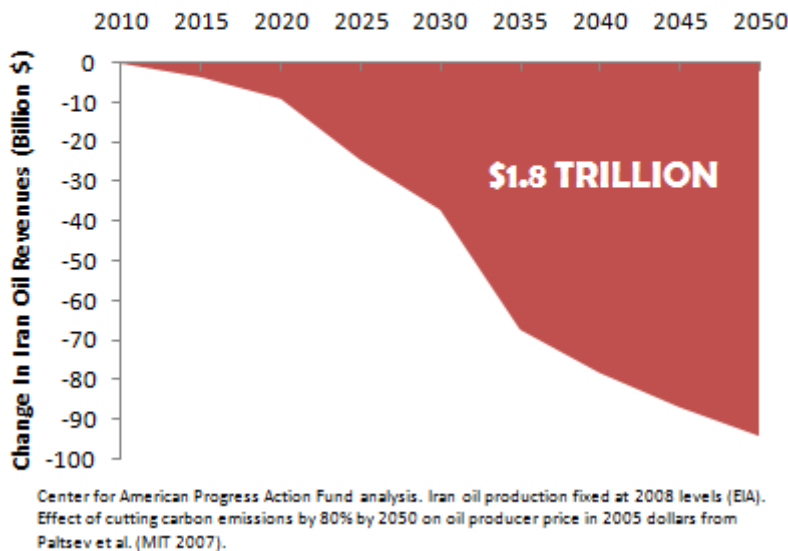
By [Brad Johnson](#) on Apr 9th, 2010 at 11:31 am

A strong cap on carbon would significantly cut the flow of petrodollars to Iran’s hostile regime, a Wonk Room analysis shows. The economic and political strength of Iran’s dictatorship is a threat to the national security of the United States and the world, and its nuclear ambitions threaten to destabilize the Middle East. Yesterday, diplomats from “six world powers have met for the first time to discuss imposing [new sanctions on Iran](#) for its failure to suspend work on its controversial nuclear program,” but negotiators have not yet figured how to achieve President Barack Obama’s goal of being “[consistent and steady](#) in applying international pressure.”

Iran, “which holds the world’s second-biggest oil and gas reserves and supplies about 4.5 percent of the world’s oil production,” uses its oil power “as a [strategic asset](#).” Even though oil is “one of [history’s Big Levers](#) concerning Iran,” the idea of [gas sanctions](#) to control Iran’s oil income is not likely to succeed, and [could even backfire](#).

One mechanism to control the flow of petrodollars to Iran — whose [oil production](#) is worth \$120 billion a year at [current prices](#) — is for the United States to control its appetite for oil. Based on an [economic analysis](#) by the Massachusetts Institute of Technology of a carbon cap that reduces global warming pollution by 80 percent by 2050, the Wonk Room has found that Iran would lose approximately \$1.8 trillion worth of oil revenues over the next forty years — over \$100 million a day:

Strong Climate Policy Cuts Iran Petrodollars



The United States is by far the [world's biggest consumer of oil](#), accounting for 25 percent of world production. Our demand is more than the four next biggest consumers — China, Japan, India, and Russia — combined, despite having only 11% of their population. Unilateral action by the United States to reduce oil consumption has a profound effect on the world market, and is the first step towards global climate policy that builds a zero-carbon economy.

If the world moves away from oil dependence, Iran's regime will no longer be able to rely on petrodollars to stay afloat. Other [unfriendly regimes](#) propped up by carbon-fuel money, such as Hugo Chavez's Venezuela, will also feel the pinch, improving our national security and making it less likely our armed services will fight battles amid the oil fields. For that to happen, the United States must pass comprehensive climate and clean energy legislation as fast as possible, the stronger the better.

A note about methodology:

Iran's oil production is assumed fixed at 2008 oil production levels of 4,174,000 barrels/day [[EIA](#)]. Iran's lost oil production value is calculated by the projected effect of strong global climate policy on the world oil price for producers, as determined by the 2007 Massachusetts Institute of Technology report [Assessment of U.S. Cap-and-Trade Proposals](#), which calculated a reference scenario crude oil price and a 167 bmt scenario producer crude oil price [see [reference data](#)]. That difference is multiplied by Iran's annual oil production to estimate lost production value. The 167 bmt scenario has cumulative US carbon dioxide emissions between 2010 and 2050 of 167 billion metric tons, equivalent to emissions targets of 1990 levels by 2020 and 80% below 1990 levels by 2050. These targets are similar to those in current legislation. Under the reference scenario, global CO₂ concentrations reach 880 ppm and temperatures increase 3.5 –

4.5°C over current temperatures, a global catastrophe. Under the 167 bmt scenario, CO2 concentrations reach 520 ppm, and temperatures increase only 1.8 – 2.2°C.

ENERGY

Village Green: Planning Cities for Sustainability and Resilience (*Huffington Post*)

[F. Kaid Benfield](#)

Director of NRDC's Smart Growth Program

Posted: April 12, 2010 09:41 AM

Warren Karlenzig, founder and president of the consultancy [Common Current](#), believes that many cities' current sustainability efforts are misplaced. In particular, he asks, "should efforts such as focusing on renewable energy and energy efficiency [to power buildings] deserve the highest priority, when a city such as San Francisco produces [78 percent of its greenhouse gases](#) from transportation and only 17 percent from buildings?" The question appears in one of two recent posts by Karlenzig on sustainable resilience (["Urban Resilience Planning for Dummies"](#)) on the blog *Green Flow*. It's a good one.

In the second post (["Urban Resilience for Dummies, Part 2: Failing the Milk Test"](#)), he answers his own question with some advice for environmentalists and conscientious municipal officials:

[Considering the need to plan for resilience in the face of climate change and diminishing resources, - especially fresh water and oil], "what aspect of U.S. metro development stands out as the most ill-advised and risky? Short answer: exurban sprawl.

'If the 'Great Recession' taught us anything, it is that allowing the unrestrained sprawl of energy-inefficient communities and infrastructure is a now-bankrupt economic development strategy and constitutes a recipe for continued disaster on every level.'

I would go even further and ask why we enviros trumpet successes in getting pledges from big-city mayors to cut energy consumption and emissions in their jurisdictions while focusing almost no attention on the suburbs, where the real inefficiencies are, especially for transportation. As [David Owen](#) puts it, further shrinking the per-capita energy profile of an already-efficient place such as Manhattan is “like putting skinny people on diets.”

Back to Karlenzig, he points out that a recent British industry study forecasts a major oil crunch by 2014-15 that could potentially mean shorter supplies and much higher prices for gasoline. Because US cities do not use oil for electric power generation, he believes we should be shifting more of our resources to pursuing efficiencies in transportation and other key areas that will be more severely impacted by the high price of oil.

Of course, NRDC believes we should be doing both. Even Karlenzig is quick to concede that his concern about currently neglected issues “doesn't mean that increasing renewable energy and energy efficiency shouldn't be part of every community's planning, projects and budgets.” But he does argue that “**at no time has effective planning, land use and public transit been so key to ensuring economic vitality, as well as equity (access to jobs and services with transit), environmental sustainability, climate security and health.**”

Karlenzig also believes that we are not doing enough to address water consumption, particularly in the West, and food security, both of which also have close links to energy and carbon emissions.

Taken from [his first post](#), here are Karlenzig's “general urban resiliency rules of thumb.” Note that first on his list is smart growth *per se*, and the next two are closely related to a smart and efficient built environment:

1. **Planning:** *Enable the development of vibrant mixed-use communities and higher-density regional centers, that create a sense of place, allow for transportation choices (other than private automobiles), and protect regional agricultural, watershed, and wildlife habitat lands.*
2. **Mobility:** *Invest in high-quality pedestrian, bicycle, and public transit infrastructure with easy access, shared connectivity and rich information sources, from signage to cell phone alerts.*
3. **Built Environment:** *Design new buildings and associated landscaping--and retrofit existing buildings--for state-of-the-art energy (smart grid applications), and resource efficiency, integrated with mobility options.*
4. **Economy:** *Support businesses in order to provide quality local jobs and to meet the needs of the new economy with renewable energy and other "green" technologies and services. Support local and regional economic decision-makers in adapting to the new world of rising prices, volatile energy supplies and national demographic shifts.*
5. **Food:** *Develop regional organic food production, processing, and metro-area distribution networks.*
6. **Resources:** *Drastically cut use of water, waste and materials, re-using them whenever possible.*

7. **Management:** *Engage government, businesses and citizens together in resilience planning and implementation; track and communicate the successes, failures, and opportunities of this community-wide effort.*

Karlenzig writes that he has incorporated these into a chapter in the upcoming *Post Carbon Reader: Managing the 21st Century's Sustainability Crises*, to be published this summer from the University of California Press and Watershed Media.

In Karlenzig's view (and mine, for what it's worth), sprawl has done more than send carbon emissions through the roof and caused excessive water use. It has also destroyed valuable farmland, sensitive wildlife habitat, and irreplaceable drinking water systems "at great environmental, economic, and social cost. We can no longer manage and develop our communities with no regard for the limits of natural resources and ecological systems that provide our most basic needs."

He notes that a few US cities and metro areas are, in fact, doing some of the right things:

- *Build and re-build denser and smarter*
- *Focus on water use efficiency and conservation*
- *Focus on food*
- *Think in terms of inter-related systems*

As I've mentioned before, NRDC has chosen sustainable communities as one of its strategic priorities for the next five years. Karlenzig's advice seems right on target as we further refine that agenda. I hope the larger smart growth community will pay some attention as well; right now we define our cause much too narrowly, aiming at achieving near-term policy objectives. In my view, we must find more of a balance, because the opportunity costs of not pursuing a broader sustainability agenda are simply too high.

Kaid Benfield writes occasion "Village Green" commentary on Huffington Post and (almost) daily about community, development, and the environment on NRDC's Switchboard. For daily posts, see [his Switchboard blog's home page](#).

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on April 12, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

@lisapjackson Reverse EPAs toxic blunder. Get methyl iodide out of the fields RT TO SIGN PETITION

Posted by: davidakhoa : 5:20 pm Full post: <http://act.ly/1vw>
(Note: United Farm Workers petition (UFW))

@lisapjackson Reverse EPAs toxic blunder. Get methyl iodide out of the fields RT TO SIGN PETITION

Posted by: Bezique2 : 4:20 pm Full post: <http://act.ly/1vw>

UFW: **@lisapjackson** Reverse EPAs toxic blunder. Get methyl iodide out of the fields <http://act.ly/1vw> RT TO SIGN PETITION **#actly #ufw**

Posted by: UFWupdates : 4:25 pm Full post: <http://act.ly/1vw>

@LisaPJackson: \$2 Million in Brownfields Jobs Training Funds to Clean up Our Communities

Posted by: fairclimate : 11:25 am Full post: <http://ow.ly/1xpsu>
(Note: Fair Climate.org: "promoting policies and programs that empower underserved communities to cope with climate change impacts and advocate for fair and equitable solutions.")

GHG Regulation & Climate Change

Guardian UK: Leaked confidential doc. reveals Obama's plan for a Global Regime to combat climate change

Posted by: @TheGenuineDavid 7:20 pm Full post: <http://ow.ly/1xDgi>

3,000 Businesses Create New Ad for Climate Change Action : CleanTechnica

Posted by: dotcommodity : 6:58 pm Full post: <http://bit.ly/cADHuR>

(Note: 3,000 US businesses are not waiting around any longer to see if climate and clean energy legislation will move along in Congress. American Businesses for Clean Energy, the US Climate Action Partnership and others have created a new national advertising campaign to push for swift action on this important legislation.)

Newsweek - Climate Change: From Paris to the Alps, European Places in Peril (photos)

Posted by: [RHWIII](#): 6:50 pm Full post: <http://bit.ly/cjYBQp>

Deny This: The Physical Science Basis of Climate Change

Posted by: [@greenforyou](#): 6:30 pm Full post: <http://bit.ly/aqU78Y>
(article from Nat. Climatic Data Center – NOAA)

Support UN Climate Secretary's holistic approach to fighting climate change.

Posted by: [mickeybv](#): 5:30 pm Full post: <http://www.care2.com/go/z/19836345>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Don Blankenship Called Safety Regulators ‘As Silly As Global Warming’ (*Wonk Room*)

By [Brad Johnson](#) on Apr 12th, 2010 at 10:45 am

The death toll from Massey Energy’s Upper Big Branch mine explosion last week has reached a total of 29 miners, the [worst coal disaster in 40 years](#). When the disaster occurred, Massey was contesting [millions of dollars in major safety violations](#) levied against the mine. At his Labor Day anti-union rally last year, Massey CEO Don Blankenship attacked the Mine Safety and Health Administration (MSHA), claiming it “seeks power over coal miners.” He mocked both “Washington politicians” and local elected officials who attempt to ensure miner safety, calling their efforts “as silly as global warming”:

We also endure a Mine Safety and Health Administration that **seeks power over coal miners** versus improving their safety and their health. As someone who has overseen the mining of more coal than anyone else in the history of central Appalachia, I know that the safety and health of coal miners is my most important job. I don’t need Washington politicians to tell me that, and neither do you. But I also know — **I also know Washington and state politicians have no idea how to improve miner safety. The very idea that they care more about coal miner safety than we do is as silly as global warming.**

Don Blankenship — who uses his position on the boards of the National Mining Association and the U.S. Chamber of Commerce to promote his [conspiracy theories about global warming](#) — said he spent one million dollars to put together the “[Friends of America](#)” right-wing rally and rock concert in Holden, WV on September 7, 2009, which starred Ted Nugent, Hank Williams, Jr., and Fox News host Sean Hannity. In 2009, Blankenship also complained that “[politicians get emotional](#)” about disasters and establish “nonsensical” safety rules.

Update At [Work in Progress](#), Michael Whitney notes:

This morning's news from the S&P stock exchange should be music to Don Blankenship's ears. Massey's stock has been upgraded to a "buy" because the accident should be "immaterial" to Massey's finances.

Update Before the disaster, Blankenship [attacked MSHA](#) and "emotional" elected officials trying to improve mine safety with "nonsensical" laws. After the disaster, Blankenship claimed these "experts" had certified the mine as safe, when in fact Massey Energy was contesting hundreds of violations worth over \$1 million, [preventing MSHA from taking action](#):

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Lisa Jackson

Thank [@LisaJackson](#) for her bold action against mountaintop removal coal mining

Posted by: [HermioneJohnson](#): 6:45 pm Full post: <http://bit.ly/d3cjea>

ExecutiveGov - Lisa P. Jackson : EPA Gives More Brownfield Funding -

Posted by: [elndavi](#) 6:35 pm Full post: <http://url4.eu/2awgU>

RT TO SIGN PETITION [@lisapjackson](#) & tell the EPA to reverse their toxic blunder, Get methyl iodide out of the fields

Posted by: [UFWupdates](#): 6:00 pm Full post: <http://act.ly/1vw>

Earth Day

Super cool project from the EPA:

Posted by: [clintongardner](#): 6:19 pm Full post: <http://bit.ly/diEuOd>
(It's My Environment video project)

Resources for empowering your Earth Day on April 22nd from the EPA. [#earthday](#)

Posted by: [DismissalMgr](#): 3:19 pm Full post: <http://bit.ly/qk9nf>

USA Today: Earth Day's 40th anniversary sparks creative activism: EPA is urging US to commit to five actions:

Posted by: [DianeN56](#) 10:19 am Full post: <http://bit.ly/97M98W>
(Note: To celebrate Earth Day's anniversary, EPA is urging Americans to commit to [five actions](#) to protect the environment, such as driving less and conserving water. It's asking for [video clips](#) of people holding up a sign and saying "It's My Environment.")

New Lead Rule

Effective April 22, 2010: New Legislation Mandates Your Renovator Must Be EPA Certified When Lead Based Paint is...

Posted by: [RealEstateAKS](#): 4:19 pm Full post: <http://bit.ly/d0yXqN>

NAHB Petitions EPA to Delay Lead-Paint Work Regulations Until Agency Can Show Capacity|Citing a need for more ..

Posted by: [chemicallygreen](#): 2:20 pm Full post: <http://oohja.com/xaKeF>

GHG Regulation & Climate Change

New book: Carbon Shift: How Peak Oil and the Climate Crisis Will Change Canada (and Our Lives) - by Thomas Homer-Dixon.

Posted by: [events book](#): 7:10 pm Full post: <http://j.mp/cvhA1W>

(Note: From Amazon review: "Homer-Dixon clearly sets the scene. He correctly argues that cheap oil has undermined our economic models, and business as usual is no longer an option.")

Thanks - UN Seeks to Avoid New Failure on Climate Change

Posted by: [Its our choice](#) 6:50 pm Full post: <http://bit.ly/9rRkr0>

UN Reaching for Any Excuse to Tackle Climate Change: As Ban attempts to build momentum for this year's climate sum...

Posted by: [ecohouses](#): 6:45 pm Full post: <http://bit.ly/dk57UN>

What Are You Doing About Climate Change Today?

Posted by: [NaturalLifeMag](#) 6:42 pm Full post: <http://bit.ly/aio7ZA>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Climate Change Plan B (*The Huffington Post*)

[Daniel C. Esty](#)

Hillhouse Professor of Environmental Law and Policy at Yale University

Posted: April 13, 2010 05:32 PM

Bringing down greenhouse gas emissions with a "cap and trade" system of tradable emissions allowances seemed like a good idea. When first proposed, the prospect of setting up a carbon market to create incentives for energy efficiency and renewable power looked like a cutting-edge policy tool. But the legislative effort to pass a climate change bill has stalled. Today, cap and trade looks badly out of sync with political reality. So what is Plan B?

Before we shift policy gears, it is important to understand what went wrong with the Waxman-Markey and Boxer-Kerry bills. We owe these leaders in the Congress a great debt of gratitude for having gotten a serious climate change policy debate going, but their proposals failed to take seriously our current political and economic circumstances.

First, cap and trade turned out to be badly out-of-step with our difficult economic situation. This approach to greenhouse gas emissions control locks in the environmental target but leaves open the question of the price at which allowances will trade - and thus what the economic burden to society will be. In the wake of a deep recession, this economic uncertainty unsettled many in the Congress, including Democrats as well as Republicans.

Second, rather than auctioning off the emissions allowances and generating revenues that could be used to lower other taxes (or fund universal health care or support clean energy research and development), the current legislation gave away nearly 80% of the pollution permits - and not just for a couple of transition years but out to the 2030s. The "free" allowances were spread in many directions but the largest chunk went to coal utilities and their customers. This was said to be the political price for change - buying off those who would be hurt by putting a price on carbon. But if this were the logic, the strategy failed. The votes needed to pass legislation have not materialized.

And the allowance giveaways seemed like another example of special interests manipulating the political process for personal gain. And indeed, the loss of \$800 billion in potential revenue over the next decade offered real cause for concern. But even more troubling, the allowance allocation would have blunted the incentives for behavioral change. Rather than sharpening the focus of both power producers and consumers on the need to move toward lower emissions, the free allowances would have meant that many coal-burning utilities had little reason to shift to cleaner fuels until their fossil energy (and emissions spewing) plants reached the end of their useful lives. Likewise, at the household level, consumers would have seen little change in their electric bills (after the free allowance rebates) and thus not given much thought to energy conservation.

Third, the idea of a "carbon market" seemed like a flexible and sophisticated way to harness market forces in pursuit of an important environmental goal. But in the wake of our recent economic meltdown, the idea of another esoteric and opaque market didn't sit so well. It felt like another opportunity for Wall Street bankers to make money at the expense of Main Street.

Finally, the current legislation said almost nothing about natural gas. But with half the emissions of coal per unit of electricity generated, natural gas offers the best transition strategy to a clean energy future. Moreover, in the last couple of years, vast new reserves of natural gas have been identified in the United States. The price of gas has come way down and supplies look plentiful for decades to come.

More importantly, natural gas has a proven record as a cost-effective approach to lowering greenhouse gas emissions. Only three countries met the goal of the 1992 Framework Convention on Climate Change and reduced their emissions in the year 2000 to 1990 levels. Russia hit the target, but only by collapsing its economy - not a very useful policy prescription. Both Britain and Germany cut their emissions dramatically by shutting coal mines and shifting to natural gas as the primary fuel source for power generation.

So what should climate change legislation look like? First, we must refocus on driving technology innovation. We need a policy framework that offers real incentives to develop energy efficiency, carbon-free power generation, and the infrastructure (particularly electricity storage and transmission systems) needed to support a clean energy future. Innovation is critical because the key to a winning political coalition on climate change lies in finding breakthroughs that give us more energy (not less!) at lower prices (not higher!).

In this regard, it remains critical to put a price on greenhouse gas emissions. But we need to do it right this time. Let's avoid complexity and adopt a straightforward carbon charge (or better yet, let's call it what it is: a "harm charge") of perhaps \$4/ton starting in 2012 and rising \$4/year for 20 years, yielding a price of \$84/ton in 2032 - with all of the revenue returned to the public in the form of lower payroll taxes. Using the money raised to cut payroll taxes would broaden the base of support for climate change action since any family that did its part to reduce its own energy consumption would come out ahead. And lowering payroll taxes would also encourage businesses to hire more workers and thus provide a significant economic stimulus.

The low initial rate of the emissions harm charge would impose little economic burden. Indeed, utilities in the Northeast are already buying allowances at about \$3/ton under the Regional

Greenhouse Gas Initiative. And European companies are paying five times this amount under the EU Emissions Trading System.

Die-hard environmentalists will complain because this slow ramp-up will not guarantee that emissions come down on a specified schedule. But the prospect of paying much higher harm charges in the future will change investment decisions. It will mean that utilities think hard about the right fuels for the future - knowing that for most of the life of any power plants they build now, they'll be paying \$80+ for each ton of carbon dioxide emissions. And anyone building a new factory, house, school, or shop will also face a new energy efficiency calculus - with investments in more efficient lighting, heating, air conditioning, windows, and insulation all paying off in a much bigger way in the years ahead. Likewise, consumers will look harder at the energy efficiency of everything they buy from cars to appliances.

The biggest impact, however, of an escalating harm charge would be the incentive created for investment in energy innovation. With a clear price signal in place, private capital would flow to companies with strong energy technology pipelines. The promise of a huge payday for breakthroughs that contribute to a clean energy future will engage entrepreneurs across the country and the world in finding ways to bring down the costs and improve the reliability of power generation from the wind, sun, geothermal wells, second-generation biofuels, waves, tides, and other alternative sources.

And we shouldn't leave nuclear power out of this technology development race. If the waste disposal and safety issues can be addressed and power plant designs structured to keep costs down, nuclear energy might well turn out to be the winning bet. Likewise, we should let those who envision an energy future based on oil, coal, and natural gas compete. Their technology challenge will be to demonstrate that carbon capture and storage can be done cost effectively.

Remember that energy is a \$6 trillion dollars per year sector of our global economy so the stakes are high. But with a clear price signal and an open playing field, we can engage the creative spirits and inventive minds across society in the mega-challenge of creating a clean energy future that will not only address climate change but drive economic progress and global prosperity.

*Dan Esty directs the Yale Center for Environmental Law Policy. He served for a number of years as a top official at the US Environmental Protection Agency and more recently as an energy and environment advisor to the Obama campaign and as a member of the Presidential Transition Team. He is the author or editor of nine books including the recent prizewinning *Green to Gold: How Smart Companies Use Environmental Strategy to Innovate, Create Value, and Build Competitive Advantage*.*

UN Reaching for Any Excuse to Tackle Climate Change (*The Heritage Foundation*)

Posted April 13th, 2010 at 5:35pm in [Energy and Environment](#)

United Nations Secretary-General Ban Ki-moon is never afraid to make headlines when it comes to his stance on climate change. In 2007 he likened the war on climate change to actual war [saying](#), ““The majority of the United Nations work still focuses on preventing and ending conflict. But the danger posed by war to all of humanity and to our planet is at least matched by the climate crisis and global warming.” More recently, in defense of his position after Climategate, he [emphasized](#), “Climate change is happening much, much faster than we realized and we human beings are the primary cause.”

Now Mr. Ban is using natural resource depletion, specifically water, as a motive to reach a global accord to cut carbon dioxide emissions. At a speech to the Organization for Security and Cooperation (OSCE) he [said](#) of the Aral Sea, “where once there was water, sea, I saw endless sand and a graveyard of ships, [and](#) “As waters recede, tensions will rise. We need to work together, with full political engagement, to bring the various parties to the negotiating table, before tensions grow worse.”

Ban also addressed disarmament and non-proliferation issues in the speech. In some respects, Ban’s simply throwing things at the wall and hoping something sticks so he can claim a scalp.

But the remarks are also clearly intended to provide new justification for why the UN led climate negotiations should proceed [despite a series of embarrassing scandals](#) over the past few months that have led many to challenge the UN’s leadership role in negotiations on climate change.

Recent by the UN to agree on a plan to reduce greenhouse gas emissions and protect developing countries have failed; in fact, most considered Copenhagen a downright embarrassment. Natural resource depletion should not be used as an excuse for the UN to try again.

While access to water is a legitimate issue, it is generally not an issue that is global in scope that requires UN intervention. For instance, tensions between Egypt, Ethiopia, and Sudan over the Nile River are long standing. Various sources of the Nile extend further into central Africa, so it is a regional issue, but it is hardly global.

The Aral Sea Ban mentions is split between Khazakstan and Uzbekistan. Their countries’ leaders, (as well as some neighboring countries) obviously would share concerns in how that water is used. If they want to bring in the UN to help resolve any disputes (most likely the International Court of Justice) or to provide advice on water management, then that is their call. But there is no natural nexus for UN involvement.

Further, the idea that global warming is somehow responsible for the emptying of the Aral Sea is ridiculous. Yes, the Aral Sea [was once](#) the world’s fourth largest inland body of water, but its shrinkage isn’t a new phenomenon. The sea has been [shrinking since the 1960s](#) because the primary inflows to the sea, the Syr Darya and Amu Darya Rivers, are diverted for agricultural

irrigation. That's not to say there aren't environmental consequences, but is the UN really the body best equipped to solve this problem let alone climate change?

By linking the Aral Sea to global warming, Ban is trying to use water scarcity to rebuild the credibility of the global warming effort. But his claims that global warming would aggravate water scarcity, like many he's made before, are baseless and not supported by sound, incontrovertible evidence. The credibility of climate modeling has come under [heavy attack](#), not just because of errors reported in data sets, but simply because of their accuracy in forecasting.

As Ban attempts to build momentum for this year's climate summit in Cancun, Mexico, it's important to remember the debacle that was Copenhagen. This is nothing more than a Ban trying to stay relevant.

Brett Shaefer co-authored this post

ENERGY

Clean Energy in United States Not Nearly Trashy Enough (*TreeHugger*)

by Brian Merchant, Brooklyn, New York on 04.13.10

It turns out that Europe has way trashier renewable energy than the United States. Elisabeth Rosenthal has an [illuminating piece in the Times](#) today that takes stock of Europe's many waste-to-energy plants, which efficiently turn garbage into energy. The plants employ advanced pollution reduction techniques, and the result is surprisingly clean energy. There are over 400 such plants across Europe, with especially high concentrations in Denmark, Germany, and the Netherlands. And the US? A scant 87 plants--almost all of which are over 15 years old.

We've written a lot about the potential of [waste-to-energy](#) here at TreeHugger, and it's good to see the issue raised on the front page of the Times.

Just soak in this description of one such waste-to-energy plant: it's "a vast energy plant that burns thousands of tons of household garbage and industrial waste, round the clock. The Vestforbraending plant in Copenhagen, the largest of the 29 waste-to-energy plants in Denmark."

According to Rosenthal, their use has not only reduced energy costs, but has been a major boon environmentally as well:

Far cleaner than conventional incinerators, this new type of plant converts local trash into heat and electricity. Dozens of filters catch pollutants, from mercury to dioxin, that would have emerged from its smokestack only a decade ago.

The use of such plants has drastically reduced the use of landfills and has slashed carbon emissions: these plants "run so cleanly that many times more dioxin is now released from home fireplaces and backyard barbecues than from incineration." Impressive indeed.

Now, let's look at the state of affairs in the good ol' US of A:

By contrast, no new waste-to-energy plants are being planned or built in the United States, the Environmental Protection Agency says -- even though the federal government and 24 states now classify waste that is burned this way for energy as a renewable fuel, in many cases eligible for subsidies ... Instead, distant landfills remain the end point for most of the nation's trash. New York City alone sends 10,500 tons of residential waste each day to landfills in places like Ohio and South Carolina.

Clearly, especially considering that waste-to-energy is largely eligible for subsidies, there's a distinct opportunity for larger scale deployment in the US. And some projects are indeed on the way. In other words, the United States could really get a little trashier with its clean energy.

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Lisa Jackson

Stand with youth against dirty coal [@lisapjackson!](#) Watch @CNN's coverage of today's hearing:

Posted by: [energyaction](#): 4:40 pm Full post: <http://bit.ly/d7a2x3>

FrontPageMag Lisa Jackson's increasingly radical [#EPA](#) launches new scheme 2 damage [#economy](#)

Posted by: [politicsiswar](#) 2:40 pm Full post: <http://is.gd/bsyFB>

Note: Re new stormwater regulations – “But, having never met a regulatory program that went far enough for her tastes, EPA head Lisa Jackson took one look at a report prepared the [National Research Council](#) that reviewed the Agency's stormwater management programs and fell in love”)

Administrator Jackson to Deliver Opening Remarks at EPA Conference on Improving Our Waters (HQ)

Posted by: [billbarnes04](#): 2:40 pm Full post: <http://bit.ly/cv5Ukk>

Earth Day

WH releases VID encouraging ppl 2get involved in local community to celebrate 40th Anniversary of [#EarthDay](#), April 22

Posted by: [LisaMaatz](#) 7:19 am Full post: <http://bit.ly/cJZloM>

Only 8 days until Earth Day! Celebrate with the EPA Tip of the Day: Don't let pet waste run off! You can help...

Posted by: [ecoNEW](#): 10:19 am Full post: <http://fb.me/w7iQ300v>

Energy Star Program Changes

On almost-eve of Fla appliance rebate program: RT [@consumerreports](#) Energy Dpt., EPA look to restore Energy Star luster

Posted by: [NirviShah](#): 7:20 pm Full post: <http://bit.ly/dnXnh1>

Consumer Reports: Energy Department, EPA look to restore Energy Star's luster: Energy Department...

Posted by: [Moguling](#): 6:19 pm Full post: <http://bit.ly/9wWU8z>

AP: Govt tightens requirements for Energy Star program: WASHINGTON — The Obama administration is taking steps to stren...

Posted by: [sherychang](#): 4:12 pm Full post: <http://bit.ly/c5aHX3>

GHG Regulation & Climate Change

Reuters: Climate change could raise cost of U.S. allergies -

Posted by: [StrawberriNewz](#) 7:12 pm Full post: <http://tinyurl.com/yvr6vvp>

(Note: Climate change could push the cost of U.S. allergies and asthma beyond the current \$32 billion annual price tag. A warming planet makes for longer growing seasons that would produce more allergy-provoking pollen in much of the heavily populated eastern US, the National Wildlife Federation and the Asthma and Allergy Foundation of America said in report)

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Global Warming, Melting Glaciers and Prohibition (*The Heritage Foundation*)

Posted April 14th, 2010 at 10:27am in [Energy and Environment](#)

From the [Monthly Weather Review](#):

The Arctic seems to be warming up. Reports from fishermen, seal hunters, and explorers who sail the seas about Svalbard and the eastern Arctic, all point to a radical change in climatic conditions, and hitherto unheard-of high temperatures in that part of the earth's surface.

The oceanographic observations have, however, been even more interesting. Ice conditions were exceptional. In fact, so little ice has never before been noted. The expedition all but established a record, sailing as far north as 81 degrees 29' in ice-free water. This is the farthest north ever reached with modern oceanographic apparatus.

[I]t is of interest to note the unusually warm summer in Arctic Norway and the observations of Capt. Martin Ingebrigsten, who has sailed the eastern Arctic for 54 years past. He says that he first noted warmer conditions [...] that since that time it has steadily gotten warmer, and that today the Arctic of that region is not recognizable as the same region [...] Many old landmarks are so changed as to be unrecognizable. Where formerly great masses of ice were found there are now often moraines, accumulations of earth and stones. At many points where glaciers formerly extended far into the sea they have entirely disappeared.

The change in temperature, says Captain Ingebrigsten, has also brought about great change in the flora and fauna of the Arctic. This summer he sought for white fish in Svalbard waters. Formerly great shoals of them were found there. This year he saw none, although he visited all the old fishing grounds.”

These stories are among the common battle cries for climate change legislation. Warming, changing landscapes, vanishing ice and changes to animal or marine life. Here's the kicker. The [article](#) is from November...1922! Over 87 years ago. It must have been due to all of those [Cadillac five-passenger coups and Page seven-passenger touring cars](#) on the road.

The *Monthly Weather Review* should reinforce two important points. When it comes to climate change, it seems the more we find out, the less we know. There are countless studies offering different empirical data on how the climate is changing, why the climate is changing and how fast the climate is changing. The warming and cooling debate is [well over a century old](#) with new evidence and new anecdotes suggesting one or the other. A Business & Media Institute [report](#) references a 1975 *New York Times* article with the headline: "A Major Cooling Widely Considered to Be Inevitable."

Secondly, policies put in place to address climate change and reduce carbon dioxide are not only costly but difficult to repeal. Ethanol has [turned out to be a bust](#) (both economically and environmentally) but is nowhere close to being repealed. Billions of dollars have been spent by our federal government in the name of fighting global warming. This problem becomes [much more costly](#) when you consider the economic effects of cap and trade and Environmental Protection Agency regulations to cap carbon dioxide emissions. Even if we had implemented policies to cool the planet in the 1970s, we would most likely be coping with warming and cooling policies.

Inslee: 'Mine Safety Is As Silly As Global Warming' (*The Wonk Room*)

By [Brad Johnson](#) on Apr 14th, 2010 at 3:58 pm

At a hearing with top US coal executives, Rep. Jay Inslee (D-WA) agreed with a statement made by another coal CEO, Massey coal baron Don Blankenship. Last year — a few months before his [Upper Big Branch mine](#) in Montcoal, WV, exploded, killing 29 miners in the worst US coal disaster in 40 years — Blankenship said that the efforts by officials to get Massey Energy to improve mine safety are as "[silly as global warming.](#)" Inslee replied that "[it's actually very true](#)":

In his [full opening remarks](#), Inslee noted that several headlines tell the story of the deadly dangers of our dependence on coal — a [killer tsunami in Peru](#) caused by a glacier breaking apart, the [disappearance of yet more glaciers](#) from Glacier National Park, and the Montcoal mine disaster. "If you decide to join with us to try to find a way to have a policy that will allow coal to be burned in a way that does not put massive amounts of CO₂, that does not treat the atmosphere

as a garbage dump, that in fact buries it underground,” Inslee said, “coal can have a future. If you don’t, it won’t.”

The House Committee on Energy Independence and Global Warming hearing was later [interrupted by youth climate activists](#), who confronted the CEOs of Peabody Energy, Arch Coal, and Rio Tinto with lumps of dirty coal.

Weather Channel Promotes ‘Global Warming Hoax’ Conspiracy Theory (*The Wonk Room*)

By [Brad Johnson](#) on Apr 14th, 2010 at 10:45 am

Ah, the power of Drudge Report-influenced headline writers. “[Global warming hoax or man made?](#)” asks the Weather Channel’s Forecast Earth, its website on climate change and sustainability. “University investigation reveals hidden skepticism,” the subhead blares:



If you click on the link, you reach an Associated Press article on Penn State climate scientist Michael Mann. Mann has been a long-time target of polluter smear campaigns because of his groundbreaking research and effective communication on the threat of man-made global warming. The article, with only the mildly deceptive title “[Pennsylvania global warming researcher calls self ‘skeptic’](#),” describes Mann’s reaction to the latest smear campaign, based on hacked email correspondence that involve Mann and other climate scientists:

Mann also said some people who challenge global warming **are not real skeptics** “because their skepticism is one-sided.” “I would call them contrarians or, frankly in some cases, climate change deniers,” he said. **“I’m a skeptic. When I see a scientific claim being made, I want to see it subject to scrutiny and validation.”**

Mann is trying to explain to the irresponsible journalists and copy editors that climate conspiracy theorists are not “skeptics” — they’re liars and loons.

The Weather Channel’s outrageous headline, and even the poorly framed Associated Press article, is typical of the whole “[Climategate](#)” swift-boating campaign — organizations whose job is purportedly to increase public knowledge and understand of the world around them, such as the Associated Press and the Weather Channel, write articles and headlines that lend credence to the fantastical notion that the world’s governments and scientific organizations are engaging in a corrupt conspiracy. And so an ever-increasing proportion of the body politic, hammered by disinformation sources that make explicit the accusation of such a global hoax, loses touch with the harsh scientific reality of man-made global warming.

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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April 16, 2010**

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

The Fog of Climate ‘Science’ (*The Heritage Foundation*)

Posted April 16th, 2010 at 1:00pm

In 2009, environmentalists were sure global warming was the reason California’s Bay Area fog was increasing. Now they’re saying global warming is making the fog go away—indicating that the science may not be as “settled” as some seem to think.

[Gateway Pundit](#) noted that in 2009, [The San Francisco Chronicle](#) claimed that “The Bay Area just had its foggiest May in 50 years. And thanks to global warming, it’s about to get even foggier.” Yet, in 2010, [The Telegraph](#) has asserted that “the sight of Golden Gate Bridge towering above the fog will become increasing [sic] rare as climate change warms San Francisco bay.”

The first article was written in May of 2009; the second, February of 2010. When scientists start trying to explain how global warming is affecting our everyday life, their findings conflict drastically. Both papers and claims are under a year old. Which one do we trust?

The issue isn’t whether or not global warming is happening: the issue is how much scientists really can know about how new climates will effect us. There are far more variables involved with climate change than any scientist in today’s world could hope to understand. Given the constantly evolving stances of climate scientists, we ought to be more careful when it comes to what we believe about climate change.

As Heritage expert Dr. James Carafano [explained](#) in his 2009 testimony before the Environment and Public Works Committee, the global warming theory suffers the “folly of simplicity,” pointing out that in Jared Diamond’s study *Collapse: How Societies Choose to Fail or Succeed*, “Diamond lists a daunting 12 factors that historically contributed to the collapse of a society—and these are only the factors directly controlled by humans. It is worth noting,” Dr. Carafano went on, “that Diamond is able to detail how this myriad of forces and choices interacted with one another only through the hindsight gained through hundreds of years of historical and archeological research.”

In other words, the complexity of human-environment causal relationships is such that it typically takes many years—centuries, even—to fully understand what causes what when it comes to humans interacting with the environment:

History is in fact littered with case studies that suggest straight-line mapping of human-environment interaction is problematic,” Dr. Carafano testified. “Anticipating with certainty how climate change will affect human progress is a march of folly.

His points are only validated by the assumptions regarding the Bay Area’s fog today. We cannot anticipate anything regarding climate change with certainty—and the “new” research is proving it.

Allie Winegar Duzett currently is a member of the Young Leaders Program at the Heritage Foundation. For more information on interning at Heritage, please visit:

<http://www.heritage.org/About/Internships-Young-Leaders/The-Heritage-Foundation-Internship-Program>

"Climategate" Was Overblown (*The New Republic*)

- *Bradford Plumer*
- April 15, 2010 | 5:23 pm

You know, anyone who feels strongly about those e-mails that leaked out of East Anglia last November probably isn't going to change their mind about "Climategate" no matter what various outside investigations conclude. But for the record, a committee of independent experts commissioned by the UK Royal Society [has just concluded](#) that there's no scandal here. Some of the key conclusions:

--We saw no evidence of any deliberate scientific malpractice in any of the work of the Climatic Research Unit and had it been there we believe that it is likely that we would have detected it. Rather we found a small group of dedicated if slightly disorganized researchers who were ill-prepared for being the focus of public attention. As with many small research groups their internal procedures were rather informal. ...

--After reading publications and interviewing the senior staff of CRU [Climatic Research Unit] in depth, we are satisfied that the CRU tree-ring work has been carried out with integrity, and that allegations of deliberate misrepresentation and unjustified selection of data are not valid.

--We believe that CRU did a public service of great value by carrying out much time-consuming meticulous work on temperature records at a time when it was unfashionable and attracted the

interest of a rather small section of the scientific community. CRU has been among the leaders in international efforts to determining the overall uncertainty in the derived temperature records and where work is best focused to improve them.

Andy Revkin has some [additional commentary](#) at *The New York Times*. I would've also pointed out, as I [have before](#), that even if the East Anglia scientists *had* been behaving as shabbily as their critics imagined, that still wouldn't put a dent in the vast array of evidence showing that humans are warming the planet at a rapid clip. This is a well-developed scientific field and it simply doesn't hinge on the integrity of a handful of researchers.

That said, the committee did lob a few criticisms at the climate community. First: "It is regrettable that so few professional statisticians have been involved in this work because it is fundamentally statistical." Fair enough, and I believe Penn State's Michael Mann was dinged on this very point for his "hockey stick" work (although, in the end, his conclusions [still held up](#)). Secondly, as Kate McKenzie [highlights](#), the UK has pioneered the practice of restricting access to data sets collected by government agencies—and that practice has since spread around the world. More openness here could certainly go a long way.

ENERGY

Earth Day Recommendations for President Obama (*The Work Room*)

Our guest bloggers are [Daniel J. Weiss](#) and [Kari Manlove](#), members of the Center for American Progress Energy Opportunity team.

By [Guest Blogger](#) on Apr 16th, 2010 at 6:30 pm

President Obama has seized the clean energy opportunity by adopting many policies to boost investments in energy efficiency and renewable energy. He is also working with the Senate to pass legislation that would reduce foreign oil use, and limit carbon pollution and establishes a price on this waste. This price signal would drive even more investments toward clean energy technologies and services.

President Obama has rightly [challenged Americans to take action](#) together to protect our air, water and planet for future generations on the occasion the 40th Earth Day, April 22, 2010. He too can celebrate Earth Day and build on his record of success by [taking additional executive actions](#) to fight the threat of global warming pollution, reduce oil use, increase security, save the

government money, provide incentives and assistance to manufacturers and other businesses who want to create clean energy jobs, and otherwise speed the transition to a clean energy economy. This would be a fitting way to honor the first Earth Day, and it would speed the clean energy transformation in time for the 50th observance.

Below are some of the [38 executive actions](#) recommended by CAP:

— Reduce oil use and increase national security by establishing new fuel efficiency standards for 2017-2021 vehicles, and by accelerating the use of natural gas, hybrid and electric vehicles

– Reclaim and retrofit foreclosed homes for efficiency

– Increase the Defense Department’s deployment of efficiency, renewable energy, and clean alternative fuels such as natural gas

– Reward energy efficiency at U.S. manufacturing facilities

– Use government procurement to create jobs and increase clean energy

– Use cloud computers by the federal government to save energy and money

– Create a “virtual” Clean Energy Deployment Administration to identify and encourage investors in new clean energy technologies

– Invest in clean energy jobs in rural areas

– Create clean energy jobs through trade expansion of clean technologies

– Direct the Small Business Administration to provide loans to small businesses with energy efficiency projects

– Direct the Federal Emergency Management Agency to assist community efforts to increase their resilience to global warming impacts

– Establish a national goal for building efficiency retrofits

– Add a clean energy program to YouthBuild U.S.A.

– Set a national recycling target to create jobs and save energy

– Achieve international pollution reductions

Greenhouse gas pollution is altering weather patterns across the globe. NASA reports that the [past decade was the hottest on record](#), beating out the 1990s, which were hotter than the 1980s. [Glaciers are melting away](#) in Glacier National Park, Montana, and [New Moore Island](#) in the

Indian Ocean, fought over by India and Pakistan, is no longer in dispute because it is underwater due to sea level rise.

Brown Dog Democrats Call For Green Economy Bill To Rebuild American Manufacturing (*The Work Room*)

By [Brad Johnson](#) on Apr 17th, 2010 at 11:12 am

As the Senate trio of Kerry, Graham, and Lieberman announced that comprehensive green economy legislation will be unveiled April 26, ten Rust Belt Democratic senators outlined their principles for manufacturing-related provisions. Led by Sen. Sherrod Brown (D-OH), the senators say that “[leadership in the new clean energy economy](#)” is a “contest that America cannot afford to lose”:

A strong manufacturing base is crucial if the United States is to build the clean energy technologies of the future and achieve energy independence. It is essential that any clean energy legislation include a package of provisions that strengthens American manufacturing competitiveness, creates new opportunities for clean energy jobs, and defends against the threat of carbon leakage by maintaining a level playing field for domestic manufacturers.

These “Brown Dog” senators — Brown, Debbie Stabenow (D-MI), Carl Levin (D-MI), Robert Casey Jr. (D-PA), Arlen Specter (D-PA), Mark Warner (D-VA), Claire McCaskill (D-MO), Evan Bayh (D-IN), Kay Hagan (D-NC), Robert Byrd (D-WV) — have been among the most skeptical of Democrats about climate legislation, raising spurious concerns that limits on coal and oil pollution would harm their states’ economies. They finally appear to have turned the corner, recognizing that being shackled to the dirty fuels of the past is the true threat to the future of American manufacturing jobs.

Their list of policy prescriptions for “how to bolster manufacturing jobs and ensure the global competitiveness of American industry” falls into three broad categories — investment, economic protection, and harmonization with existing law — including total preemption of existing state and federal law. In many cases, the language is sufficiently vague (the word “should” appears 17 times) to allow for some flexibility. Here’s a summary of their “plan to address the challenges that face manufacturing”:

– **Investment:** The Brown Dogs call for a comprehensive suite of clean-energy “financial assistance mechanisms” including a “manufacturing revolving loan fund” and “tax incentives to encourage capital investments in efficiency and clean energy technology.” They also request “substantial federal support” for “low-carbon industrial technologies,” which is not defined. All

such programs should “recognize and prioritize the use of domestically produced products and materials.”

– **Economic Protection:** The Brown Dogs want legislation that will “contain costs for manufacturers while ensuring emissions reductions and incentives for clean energy investments, by including a firm price collar, sufficient offsets, a regionally equitable distribution of allowances, reasonable emissions targets and timetables, and a pathway for the development, demonstration, and deployment of carbon capture and sequestration technologies.” They also request a “phase-in” for industrial pollution, presumably before being subject to mandatory pollution reductions, and “allowance rebates” directed to “efficiency and low-carbon energy investments” for energy-intensive, trade-exposed industries. Finally, the Brown Dogs call for border tariffs on products from countries that do not limit their global warming pollution, and economic support and training for workers and communities.

– **Harmonization and Preemption:** Putting themselves at odds with other Democratic senators and with states-rights advocates, the Brown Dogs say that new “federal laws should prevail” over “existing state laws and initiatives” and “supersede existing federal law and avoid overlapping regulations.” Any international agreement should “preserve our nation’s ability to take unilateral border actions to prevent carbon leakage, and “all major economies should adopt ambitious, quantified, measurable, reportable and verifiable national actions.”

These senators misguidedly believe that preempting state efforts and existing Clean Air Act permitting provisions would help industry instead of providing the regional and jurisdictional flexibility necessary for our complex economy. This request puts them in [direct conflict](#) with the states who have taken the lead on clean energy policies, who have no interest in being forced to dismantle successful programs to build a green economy. Hopefully they will learn that there is a better path that respects states’ rights and the predictable, existing framework of the Clean Air Act.

It will also be a challenge for legislators to devise green industrial policy that meets the economic protection conditions laid out without providing windfalls to legacy polluters. The purpose of clean energy policy should be to reset the terms of competition to reward efficiency, innovation, and job creation — not to give taxpayer subsidies to corporate polluters who refuse to invest in the future.

That said, these ten senators represent a significant portion of the [conservative Democratic energy bloc](#), their embrace of green economic policy is a major transformation. Their knowledge and passion for rebuilding American industry can result in stronger policy — and the necessary votes to block a partisan, polluter-driven filibuster.

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on April 20, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

[@LisaPJackson](#) stands up for the environmental movement against Breakthrough-esque concern trolling. Just awesome.

Posted by: [drgrist](#): 7:52 pm Full post:

Funny American Idol joke from [@LisaPJackson](#)! Lord I love this woman.

Posted by: [drgrist](#) 7:45 pm Full post:

Message to [#Obama](#), [@whitehouse](#): put [@lisapjackson](#) on road (with Stephen Chu as opening act) and you will win ...

Posted by: [jisham](#): 7:50 pm Full post:

[@LisaPJackson](#) wants to bring more people into the conversation of climate - I like it!

Posted by: [angelaishere](#): 7:33 pm Full post:

[@LisaPJackson](#): When I look out at an audience of young people, I know this is coming.

Posted by: [Consequence09](#) 7:30 pm Full post:

[@LisaPJackson](#): "I think we're looking at a future where we'll be sued. That's not unusual for the EPA"

Posted by: [climatebrad](#): 7:25 pm Full post:

Q: You prepared to shut down coal? [@LisaPJackson](#) "I'm prepared to do my job. I'm prepared to enforce the law"

Posted by: [Consequence09](#) 7:20 pm Full post:

NYC - Join us in Harlem on Earth Day w/ actor Anthony Mackie, EPA's Lisa Jackson, for a community garden planting!

Posted by: [greenforall](#): 7:15 pm Full post: <http://bit.ly/bAZY7d>

Earth Day

Earth Day, April 22, 2010 | US EPA

Posted by: [ekologica](#) 7:30 pm Full post: <http://bit.ly/aa5p8t>

USA earth day. More relevant with Icelandic ash causing chaos.

Posted by: [singlemumsmoney](#): 6:15 pm Full post: <http://www.epa.gov/earthday/>

Watch Earth Day Live on 4/21 at 3:30 p.m. EDT and ask YOUR questions to a team of EPA experts at

Posted by: [EuropeTechCom](#): 4:25 pm Full post: <http://fbcdn.net/energystar>

The 40th anniversary of earth day is this Thursday, April 22nd. To find out how little things can mean a lot, go to www.epa.gov/earthday.

Posted by: [SuziQZ](#): 4:25 pm Full post: <http://www.epa.gov/earthday>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

How Much Compromise Would Make the Climate Bill Worthless? (*TreeHugger*)

by Brian Merchant, Brooklyn, New York

04.20.10

know that everyone's trying to keep their judgment reigned in before the climate bill is officially unveiled next week, but I can't help saying something: it just keeps looking worse and worse for the thing. Reuters just reported that Johny Kerry (D-MA), one of the bill's chief architects, is now saying there's not going to be any kind of motor fuel tax, or any kind of 'linked tax' on the oil industry--but that there will indeed be expanded domestic drilling and more nuclear entitlements. Which gets me thinking--how low will this thing have to go before it's not even worth doing from an environmental standpoint?

It's certainly hard to say for sure before the details roll out, but ditching the gas tax is a pretty hefty blow to the bill's potential environmental benefit. Remember, what we know so far about the Kerry-Graham-Lieberman is that it eschews the economy-wide cap and trade system, opting instead for what was originally a 3-tiered approach. It was going to tackle each of the major polluting sectors separately--putting a kind of mini-carbon caps on energy producers, another one on the manufacturing sector (to be phased in at a later date), and a gas tax to tackle the oil industry.

And then there's this, via Reuters: "In an attempt to lure some additional Republican support for a climate bill, Kerry, Graham and Lieberman have been talking about expanding the nuclear power industry and offering new incentives for oil drilling off some U.S. coasts." Which would go beyond the expansions in both arenas that the Obama administration itself already enacted.

So now, Kerry says there's no gas tax--essentially one third of the general effort to curb greenhouse gas emissions. Coal is still the biggest source of greenhouse gas emissions, so the cap on the energy sector will matter most, but still, I'm not sure how K-G-L, or Keggles, could

possibly plan on tackling the oil industry without either a cap on its emissions or a tax. And then there's that talk of further incentivizing oil production--it almost sounds like this bill is going to encourage oil use, not restrict it.

By the end of all these compromises, I worry that this "climate" bill will be little more than show, a politely worded memo to industry. And if green groups like Greenpeace and Friends of the Earth weren't happy with the last bill--the one that passed the House of Reps last summer and that's looking pretty incredible now by comparison--they're going to hate this one.

Of course, we're going to have to wait and see--but at this point, it will be an amazing tightrope act to have pulled off if K-G-L can produce something that will legitimately put a dent in carbon emissions, while living up to all the compromises reported so far to have been made in order to draw conservative support.

Can Carbon Offsets Save the Planet? Don't Bet on It (*Huffington Post*)

[John Yemma](#)

Editor, Christian Science Monitor

Posted: April 20, 2010 12:20 PM

It is no surprise that carbon offsets were concocted during the era of irrational exuberance. They are a low-cost, free-market way of assuaging guilt about global warming. Need to pump hydrocarbons into the air? No problem. You can buy a piece of a green project somewhere else in the world to offset the damage. Happy Earth Day.

Businesses, governments, and individuals buy carbon offsets every day. It's a \$700 million global business. At San Francisco International Airport, travelers can walk up to an ATM-like kiosk and purchase an offset for the emissions from their flights.

But many carbon offsets are [empty promises and some are outright scams](#), according to the findings of a six-month investigation by reporters for [The Christian Science Monitor](#) and the [New England Center for Investigative Reporting](#). Like the financial derivatives they are cousin to, there's little oversight of carbon offsets. What you are buying may help you feel good, but they may do little to compensate for global warming.

"I think you are looking at 75 percent of them as garbage, at least," Rolf Skar, a forest conservationist and senior investigator for Greenpeace in San Francisco, told our lead reporter, Doug Struck.

Until someone investigates, there's no way of knowing where the money is going. A [wind-generation project in India](#), for instance, has produced much less electricity than expected while displacing a lot of local people. [In Panama](#), at what was promised as the nation's largest reforestation project, reporters saw few plantings. At least trees were going into the ground in Israel, but this 60-year-old arboricultural project is now simply marketing some of its saplings as carbon offsets.

With the once-popular concept of "cap and trade" now facing stiff opposition in Washington, the dubious nature of carbon offsets raises new questions about the use of market mechanisms to regulate pollution. Under cap and trade, a government limits the amount of pollution, then allows utilities and other hydrocarbon emitters to buy and sell pollution permits. Carbon offsets, by comparison, are voluntary ways of compensating for pollution. Both try to turn pollution into a swappable commodity.

Like Moody's in the credit world, there are certification agencies in the carbon offset world. But certification is voluntary, and much of the oversight is only on paper, not via physical inspection. If you take a look for yourself, as our reporters did, you encounter more smoke and mirrors than green and growing things.

In short, reducing greenhouse gases isn't going to happen via the "free-to-choose" route. You may feel better when you buy a piece of paper that claims you are helping an earth-friendly project somewhere. But in most cases, all you have is the piece of paper.

It's Time for President Obama to Set the Record Straight on Climate Change (*Huffington Post*)

[James J. McCarthy, Ph.D. and Timothy Wirth](#)

Posted: April 20, 2010 02:50 PM

In recent months, climate change skeptics have ramped up their efforts in the media and Congress to misrepresent the scientific consensus on global warming. They have questioned the integrity of climate researchers and claimed that reducing carbon emissions would wreck our national economy. Such tactics are meant to sow confusion and lull the public into a dangerous complacency.

In response, scientists must communicate their research methods and findings more broadly and more effectively. More than 2,000 economists and scientists recently called on "our nation's leaders to swiftly establish and implement policies to bring about deep reductions in heat-trapping emissions." That is a step in the right direction.

But scientists do not have a bully pulpit. President Obama does -- and the public desperately needs him to use it.

The president clearly understands the urgency to act on global warming. Shortly after the election in November 2008, he said his administration would chart a course to reducing U.S. emissions of heat-trapping gases 80 percent by 2050 -- the amount that climate scientists say is necessary to avoid catastrophe. "The science is beyond dispute and the facts are clear," he stated. "Delay is no longer an option."

Since taking office, the president has spoken frequently about the role of clean energy technologies in creating millions of new jobs and revitalizing the economy. His fiscal stimulus bill put tens of billions of dollars into strategic investments in these technologies, and his administration has taken other important steps, including a rule that will make the new car and light truck fleet 40 percent more fuel efficient by 2016. He has brought members of Congress, business leaders, and others to the White House to build support for comprehensive climate and energy legislation.

These are all important steps and represent a complete reversal from the policies of the previous administration. An increased commitment to energy efficiency, renewable energy and other clean energy technologies is essential to U.S. leadership in the clean energy economy of the 21st century. But there is one issue on which the president can, and should, say much more: the strong scientific evidence on human-induced climate change and its impacts on the United States, and the rapidly closing window for action.

Last year, on behalf of the U.S. Global Change Research Program, an expert team of scientists summarized the science of climate change and the impacts of climate change on the United States, now and in the future, and called the evidence of a warming climate "unequivocal," primarily due to the use of fossil fuels - coal, oil, and gas - and the loss of forests. The report emphasized that "sizable early cuts in emissions would significantly reduce the pace and the overall amount of climate change. Earlier cuts in emissions would have a greater effect in reducing climate change than comparable reductions made later."

As the president travels around the country, he should alert citizens to these mounting costs of inaction. As temperatures rise, so do their consequences, and so does the importance of reducing emissions. Midwestern farmers could face more frequent days of extreme heat, heavier spring rains, and wider-ranging crop-damaging pests. California faces temperature increases that will affect agriculture, worsen the risk of large wildfires, and reduce the winter snowpack that is so important to year-round water supply.

The president should bring together scientists and others with relevant expertise for a White House summit on climate science, the urgency of action, and the opportunity for timely

solutions. The headliners of this event should include the president and the government's own experts -- people like White House science adviser John Holdren, Energy Secretary Steven Chu, and NOAA Administrator Jane Lubchenco -- each of them superb scientists in their own right.

In addition, the president's secretaries of defense and homeland security should communicate to the public that climate change has the potential to produce serious threats to national security. It could endanger global water and food supplies and flood coasts with rising seas; these impacts, in turn, could trigger mass migrations and violent conflicts. The bottom line: Climate change is likely to exacerbate the conditions that foster violent extremism, with weakened and failed states being especially vulnerable.

President Obama just brokered a new treaty limiting nuclear weapons with Russia, moving another step toward his long-term goal of ridding the world of nuclear weapons. Now it is time for him to step up his efforts on another major threat to the future of the planet. The president should deliver a major speech on climate change to the American public, using all the props and charts he can muster to bring the message home. The public interest requires it.

The scientific community has long known that emissions from burning fossil fuels are changing Earth's climate. President Obama is uniquely qualified to cut through the fog created by misleading and manufactured controversies by telling the American public the truth. As he leads, our country will respond.

James J. McCarthy, the Alexander Agassiz professor of biological oceanography at Harvard University, is the immediate past president of the American Association for the Advancement of Science and chairman of the board of the Union of Concerned Scientists. Timothy E. Wirth, president of the United Nations Foundation, represented Colorado in the U.S. House and Senate from 1974 to 1992 and has served as undersecretary of state for global affairs.

Three Energy-Hawk Democrats Oppose Offshore Drilling Pork-Barrel Politics (*The Wonk Room*)

By [Brad Johnson](#) on Apr 20th, 2010 at 1:31 pm

In a letter to Senate colleagues, energy committee chairman Sen. Jeff Bingaman (D-NM), Sen. Jay Rockefeller (D-WV), and Sen. Byron Dorgan (D-ND) said they “[strongly oppose](#)” efforts to shift offshore oil and natural gas royalties from the federal government to coastal states. President Obama’s sweeping [new offshore drilling policy](#) did not specify where revenues from newly opened federal lands should go, but drilling advocates such as Sen. Mary Landrieu (D-LA), Sen. Mark Begich (D-AK), and Sen. Mark Warner (D-VA) want a portion of the proceeds to go to their states, even as [ten coastal-state Democrats](#) oppose the expansion. The letter from

Bingaman and his fellow energy hawks explains why they believe “revenue sharing” would amount to dirty pork-barrel politics:

We are writing to express our serious concern about proposals to shift Outer Continental Shelf (OCS) revenues from the federal Treasury to coastal states. This issue may arise in the context of the Senate’s upcoming work on the budget for fiscal year 2011 as well as during debates on other measures including climate and energy legislation.

We strongly oppose diversion of this important source of federal revenue, and we strongly urge you to resist its inclusion in any legislative vehicle. As you may recall, a state “revenue sharing” amendment was offered to the budget resolution for FY 2010 in April 2009, and it was defeated by a vote of 60-37. A similar effort was defeated by a vote of 13-10 during markup of S. 1462 in the Senate Energy and Natural Resources Committee in June 2009.

The OCS receipts are one of the most significant sources of revenue to the U.S., amounting to billions of dollars each year. These revenues will total about \$6 billion in 2010 and are estimated by the Minerals Management Service (MMS) to total over \$40 billion over the next five years.

Bingaman, Dorgan, and Rockefeller have been critics of the efforts of their more liberal colleagues to enact comprehensive green economy legislation. These energy hawks should recognize their opposition to dirty drilling pork is just the first step. The time is overdue for them to support ending the biggest dirty subsidy of all — the free global warming pollution that is putting civilization at risk.

Full text of [the letter](#):

Dear Colleague:

We are writing to express our serious concern about proposals to shift Outer Continental Shelf (OCS) revenues from the federal Treasury to coastal states. This issue may arise in the context of the Senate’s upcoming work on the budget for fiscal year 2011 as well as during debates on other measures including climate and energy legislation.

We strongly oppose diversion of this important source of federal revenue, and we strongly urge you to resist its inclusion in any legislative vehicle. As you may recall, a state “revenue sharing” amendment was offered to the budget resolution for FY 2010 in April 2009, and it was defeated by a vote of 60-38. A similar effort was defeated by a vote of 13-10 during markup of S. 1462 in the Senate Energy and Natural Resources Committee in June 2009.

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Revenue sharing proposals that have been offered by some Senators would allocate 37.5 percent of OCS revenues to state and local governments. If this formula were applied to all oil and gas resources in the OCS, the federal treasury would lose hundreds of billions of dollars over the life of these offshore resources as compared to what will be received under existing law.

The fiscal consequences of such a loss would be devastating, particularly given the enormous demands on the federal Treasury and our need to reduce the deficit. There is no justification for using these significant national resources to provide benefits only for a few coastal states and their citizens. Rather, they must be available for the important public needs of all Americans.

In addition to the vital issue of fiscal responsibility, there are other important policy reasons for retaining the current law. The resources of the OCS belong to the entire nation, not any one state. In 1947, the Supreme Court clearly ruled that the offshore areas are owned by the United States as an important feature of national sovereignty. In contrast to federal lands onshore, the offshore resources do not lie within the border of any state and do not affect the property tax base of the states.

In addition, our coastal states already receive significant revenue as a consequence of associated offshore production. Under existing law, coastal states can claim a seaward boundary of up to three miles from their coastline (nine miles for Gulf Coast States), and these States receive 100 percent of the revenue from development of offshore minerals in these waters. Further, coastal states receive 27 percent of all bonuses and royalties for mineral production in the three miles seaward of the states' waters to compensate for any drainage that could occur as a result of production in Federal waters. In 2010, six coastal states will receive an estimated \$79.4 million under this so-called "8(g)" provision, and these payments are estimated to total about \$590 million over the next five years. More than \$3 billion has been paid to these states under this provision since it was enacted.

Again, we urge you to oppose the inclusion in any legislation of provisions directing federal OCS receipts to the states. We should not divert these important revenues from the federal Treasury and the benefit of all Americans.

Sincerely,

Jeff Bingaman Byron Dorgan Jay Rockefeller

ENERGY

An Easy Way To Retire Coal Plants? (*The New Republic*)

- *Bradford Plumer*
- April 20, 2010 |

Coal generates nearly 50 percent of our electricity in the United States (and more than one-fourth of the country's carbon emissions), and it's central to nearly all climate-policy discussions. But would the black stuff really be so hard to phase out, if we wanted to? Maybe not. Sheila McNulty [takes note](#) of a new report from consulting firm PFC Energy, which suggests that gas-fired power plants could, in theory, replace nearly all coal-fired capacity in the United States without much hassle. That's because most gas plants only run at about 25 percent of capacity, compared with around 70 percent for coal. If utilities operated their existing gas plants at about 70 percent, they could offset nearly all coal use—and cut emissions from the power sector in half.

It's not a totally outlandish idea—in fact, Colorado [just passed](#) a law which will phase out the state's older coal plants and replace them, in part, with natural gas. But doing so it won't necessarily be simple. For one, even though huge pockets of shale gas have recently been discovered across the United States, natural gas prices have had a habit of fluctuating pretty wildly in the past ([here's](#) a pithy graph from *Depleted Cranium* making that point).

And, of course, drilling for shale gas is a remarkably dirty affair—the hydro-fracking process uses an enormous amount of water, produces thick ozone pollution, and there's always the small chance that the chemicals used will contaminate nearby drinking water. Alex Halperin has a [great piece](#) in *The American Prospect* this month about the growing opposition to shale drilling projects in upstate New York. True, in the grand scheme of things, natural gas still looks preferable to coal—as we've seen with the mining accident in West Virginia, coal has all sorts of horrific downsides unrelated to climate change—but that doesn't mean gas is an easy, cost-free solution, either.

P.S. Also in the *Prospect* is [this smart piece](#) by Sarah Laskow about the new natural-gas lobby that's ramping up in Washington. Gas companies mostly abstained from wading into the House climate bill debate, and they're not planning on making the same mistake in the coming Senate discussions.

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on April 21, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

Tomorrow is earth day! Send your ideas to epa head [@lisapjackson](#) and eat something local!

Posted by: [dosomething](#): 5:10 pm Full post:

Check out our wordle image of our tweet conversation from last night! [#pf420](#)
[@mojobluemarble](#) [@climatebrad](#) [@lisapjackson](#)

Posted by: [planet forward](#): 5:10 pm Full post: <http://bit.ly/cvIzSu>

(Note: Almost 700 people tuned into our live stream at some point over the night, there were over 500 tweets about the event, and on average, there were about 70 people watching at any given time. We had 112 votes on 21 questions from 24 people on our google moderator page. Thanks to all who participated! Here's a [wordle](#) image of our tweet conversation from last night.)

Congrats to [@lisapjackson](#) EPA Administrator of the EPA for being Most Powerful Green [#workmom](#)

Posted by: [workingmother](#) : 4:40 pm Full post: <http://bit.ly/amqc1G>

Earth Day

[#EPA](#) Administrator Lisa Jackson Plans Earth Day Celebrations. Lots of ways to help the environment on www.epa.gov/EarthDay

Posted by: [AliceKrause](#) 6:10 pm Full post: www.epa.gov/EarthDay

NYC - Join us in Harlem on Earth Day w/ actor Anthony Mackie, EPA's Lisa Jackson, for a community garden planting! [#fb](#)

Posted by: [greenforall](#): 5:10 pm Full post: <http://bit.ly/bAZY7d>

Tomorrow is the 40th anniversary of Earth Day. You can find events in your community here: <http://www.epa.gov/earthday/events.htm>

Posted by: [FollansbeeSteel](#): 6:10 pm Full post:
<http://www.epa.gov/earthday/events.htm>

With Earth Day just around the corner, I've found some fun tips to help our environment!

Posted by: [SarahCabbara](#): 4:30 pm Full post:

<http://www.epa.gov/earthday/podcasts/index.html>

yes I do like it! Also like the earth day events in your area map (I always like those)

<http://www.epa.gov/earthday/events.htm>

Posted by: [theeieeioo](#) 2:38 pm Full post:

New Stormwater Permit

AP: New stormwater permit puts DC on pollution diet: The EPA says the tougher permit issued Wednesday puts Washington ...

Posted by: [NicoleCummings1](#) 7:00 pm Full post: <http://bit.ly/aonRn7>

(Note: The EPA says the tougher permit issued Wednesday puts Washington on a "pollution diet" that will require it to take steps such as green roofs and tree planting to meet new discharge limits and cut down on polluted runoff. The EPA says it is accepting comment until June 4 on the permit)

New Lead Paint Rule Effective April 22

New EPA rule requires more care around lead paint

Posted by: [euronews24](#): 6:55 pm Full post: <http://bit.ly/bJjmAe>

**EPA ad out this week: "Lead poisoning affects more than one million children in the US" -
- Global problem is 120 million according to WHO**

Posted by: [occupknowledge](#): 6:45 pm Full post:

AP: New EPA rule requires more care around lead paint (AP)

Posted by: [GoodDay999](#): 6:00 pm Full post: <http://bit.ly/d1JrNo>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Lugar And Voinovich Float Alternative To Comprehensive Climate Reform (*The Wonk Room*)

By [Brad Johnson](#) on Apr 21st, 2010 at 7:48 pm

Senators John Kerry, Joe Lieberman, and Lindsey Graham are working with the White House, environmentalists, and industry to craft [comprehensive climate and clean energy legislation](#), which they plan to unveil on Monday. But Sen. Dick Lugar (R-IN) and Sen. George Voinovich (R-OH), both of whom have admitted the threat of global warming, today announced “a [narrower competing bill](#)” that resembles the weak legislation passed out of the Senate energy committee last year:

George V. Voinovich of Ohio and Richard G. Lugar of Indiana are developing **an energy-only bill that would mandate new renewable and nuclear power production without imposing cuts on carbon emissions.**

This approach, which has also been floated by energy committee members Sen. Byron Dorgan (D-ND), Sen. Jeff Bingaman (D-NM), and Sen. Lisa Murkowski (R-AK), has been described by Graham as “[half-assed](#).” Voinovich believes that [subsidy-based legislation that fails to reduce global warming](#) pollution is more “doable” than comprehensive reform that pays its own way by putting a price on carbon pollution:

I’d like to get something done. But I’m not sure it would meet the standards of the environmental groups or what Sen. Kerry would like to get done. **I’d like to do the doable — move it down the field while I can.**

More problematically, Voinovich also announced today that climate legislation “must include a [comprehensive preemption provision](#) that goes well beyond language included in previous climate bills” to get his support, a poison-pill stance that would derail the progress made by states across the nation to build a green economy.

Sen. Maria Cantwell (D-WA) and Sen. Susan Collins (R-ME) have been jockeying for attention with a bill that addresses the other half of energy reform, a [climate-only package](#) with weak targets known as the CLEAR Act.

These senators are participating in a complex dance — if President Obama and the public throw their weight behind real action, then these senators can take credit when elements of their bills appear in the Kerry-Graham-Lieberman legislation. However, if momentum stalls under the weight of polluter lobbying and Beltway indifference to the climate crisis, they can instead say they offered a “pragmatic” alternative.

Unfortunately, such political insurance only covers elected politicians, not people living in the real world.

EARTH DAY

A Response to the President Obama’s Earth Day Message (*The Heritage Foundation*)

Posted April 21st, 2010 at 3:46pm in [Energy and Environment](#)

For Earth Day’s 40th anniversary, President Obama and the White House [released a video](#) praising Americans for our environmental awareness, and urging us to get personally involved with improving our local environments. The president’s message of individual responsibility is commendable but his message that we’ll spend and regulate our way to a clean energy economy is troubling.

“It’s clear change won’t come from Washington alone,” [the president said](#) in his message. The reality is that most productive change comes from outside Washington. The government is good at obstructing that progress or creating regulations that lag behind the improvements made organically. For instance, President Obama praised the Clean Air Act, and the Clean Water Act but air and water quality [were improving before the passage](#) of these bills. While the right

government regulations certainly play a role, often they are prohibitively expensive and even counterproductive. Take the Endangered Species Act, for instance, which creates perverse incentives for landowners to destroy their land if endangered species become an economic liability. Jonathan Adler, law professor at Case Western, [explains](#),

“Landowners have been known to destroy or degrade potential habitat on their land preemptively in order to prevent the imposition of the act’s requirements. It is not illegal to modify land that might become endangered species habitat some day in the future, nor are landowners required to take affirmative steps to maintain endangered species habitat beyond refraining from actions that “harm” endangered species.”

Yet government is fighting to put in place more environmental regulations that will make it exceedingly difficult for businesses and individuals to develop economically while also protecting the environment. His vehicle for this change is to transition to a clean energy economy saying, “We have rejected the notion that we have to choose between creating jobs and a healthy environment.” The problem is that the President wants to force this transition through subsidies, mandates and set-asides.

Unfortunately, the President’s plan is critically flawed in two regards. First, he assumes that money grows on trees. In other words, he does not consider the economic harm caused by taking money from one, more efficient part of the economy and giving it to some other, less efficient sector. This mistake demonstrates the second flaw, which is that government knows how to spend money better than the private sector.

Together, these assumptions will inhibit our economic growth and our ability to protect the environment. These policies will lead us to less prosperity, more unemployment and higher energy costs—and fewer resources to commit to the environment. Further, it will stifle the technological advancements that have allowed Americans to grow economically without destroying the environment, and in many cases, those advancements improve our environmental well-being. The President’s attempt to pick energy winners and losers in tandem with a growing regulatory burden will significantly impact this ability. The reality is enterprise and innovation are the basis [for why we don’t have to choose between the economy and the environment](#). These processes allow us to save money and be more efficient.

President Obama’s video message was certainly not all bad. He is right to congratulate Americans for environmental strides our nation has made, but he needs to remember how we got here. It stems from policies that create wealth and prosperity that allow us to care for the environment and the establishment of private property rights that give individuals the proper incentives to look after what they own.

Instead of forcing individuals to change their behaviors through top down, federal regulations, environmental improvements can happen on a local level; President Obama seemed to agree. He [said](#), “I want you to take action in your home or your community, at your school or your business, to improve our environment.” This is praiseworthy advice from the president. It is an attitude respecting the role of personal responsibility in the care and beautification of our personal environments. It is an ultimately capitalistic attitude, recognizing both the value and

necessity of individual, local, and entrepreneurial action when it comes to improving our environment. It is an attitude that Heritage can get behind.

Allie Winegar Duzett, a member of the Young Leaders Program at the Heritage Foundation, co-authored this post.

GENERAL

Vegetarian Interns Causing Havoc (*The New Republic*)

Bradford Plumer

April 21, 2010 | 5:49 pm

Former TNR intern Eric Zimmerman has an [amusing post](#) over at *The Hill* about an EPA intern who inadvertently caused a stir after writing a [post](#) promoting vegetarianism:

The author, Nicole Reising, cites the "environmental effects of meat production" and urges readers to stop eating meat. "Regulations can be made to help prevent the effects of meat production, but the easiest way to lessen the environmental impacts is to become a vegetarian or vegan," Reising writes.

The American Farm Bureau Federation issued a statement today decrying the post as disrespectful to ranchers. "While this is a position taken by an intern of the agency, EPA should control its blog space," said AFBP President Bob Stallman. "What is written on its blog comes across as its official position toward farmers and ranchers that it regulates and shows a terrible disregard for them and the agriculture industry."

So there's a fierce anti-vegan lobby out there. Who knew? Although I'd quibble with Reising and argue that if you're trying to tamp down on the consequences of meat production, the "easiest" approach may be to start small and just convince people to eat *less* meat, rather than swearing off it altogether. (Most Americans eat [way more meat](#) than is healthy anyway.) Though I sort of doubt the Farm Bureau folks would be any happier with that message...

TOXICS

Great Opportunity to Protect American Families from Toxic Chemicals (*The Huffington Post*)

[Frances Beinecke](#)

President, Natural Resources Defense Council

Posted: April 21, 2010 01:29 PM

Last week brought welcome news to anyone concerned about the prevalence of toxic chemicals in our everyday lives. Senator Frank Lautenberg introduced [legislation](#) and Congressmen Bobby Rush and Henry Waxman unveiled draft legislation to reform the grossly inadequate Toxic Substances Control Act.

It doesn't require an advanced degree in chemistry to realize [what is wrong with the current law](#).

If you have ever stood in a store trying to figure out if the baby shampoo you are buying includes chemicals linked to altered genital development and low sperm count -- then you already know.

Or if you have ever wondered if your loved one's Alzheimer's, Parkinson's or other forms of cognitive decline may be associated with previous exposure to toxic chemicals, as some [researchers](#) are beginning to discover, then you already know.

Or, if like me, you are a breast cancer survivor, and you have asked your oncologist if bisphenol-A -- one of the 50 most produced chemicals in the world and found in plastic water jugs, canned food liners, take-out food containers, and many other plastics -- really does [ramp up cell growth](#) in breast tissue, then you already know.

You already know that the current law places the burden on ordinary citizens -- and not the manufacturers -- to detect dangerous toxins and keep them out of our homes.

We like to assume that someone is carefully regulating the levels of toxins in daily products, but that simply isn't the case:

- Of the 62,000 chemicals that existed when the Toxic Substance Control Act (TSCA) was passed in 1976 were simply grandfathered in without additional testing or review.
- Of the 22,000 chemicals that have come into use since then, industry has provided the EPA with health data for only 15 percent.

TSCA hasn't even been able to ban asbestos!

If the law designed to safeguard us from toxic chemicals can only manage a small handful out of 84,000 over the course of 35 years, then it is obviously broken.

Now we have an opportunity to fix it. The Obama Administration supports reforming TSCA, and Environmental Protection Agency Administrator Lisa Jackson has already asked Congress to provide her agency with better tools for managing chemicals. Last week, lawmakers in the House and Senate responded by introducing new bills.

Each bill will go a long way toward strengthening our chemical policies. They will:

- Expand the public's right to know about the health and safety effects of most chemicals
- Require chemicals to meet a safety standard that protects children and other vulnerable populations
- Put the burden on the chemical industry to prove that its products are safe

This is the best opportunity we have had in thirty-five years to fortify the shield that protects our families from dangerous chemicals.

Yet real reform will occur only if Americans make their voices heard. The Obama administration has a crowded domestic agenda, and in order for chemical reform to rise to the top, we must unleash public demand for it. And we must sustain that demand, because the chemical industry has very, very deep pockets with which to finance its opposition to progress.

Still, I believe that if enough people push our lawmakers to do the right thing, we can help keep our families safer. Please join me in spreading the word about this opportunity.

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING



With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on April 22, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

Serve.Gov: We've gone green for Earth Day's 40th Anniversary - (and check out @lisapjackson #earthday video)

Posted by: [ServeDotGov](#): 7:0 pm Full post: <http://serve.gov>

EPA Head Celebrates Earth Day In Harlem | Congressman Charles B Rangel...

Posted by: [wdorband](#): 7:00 pm Full post: <http://bit.ly/ctEIyF>

Who's your Earth Day eco-hero? Finalists are Dorothy Stang, Pablo Fajardo & Lisa Jackson. Vote for your favorite.

Posted by: [ThinGreenLine](#): 6:25 pm Full post: <http://bit.ly/dssEpK>

@lisapjackson will be watching tonight!

Posted by: [JParker](#): 5:25 pm Full post:

TreeHugger: EPA Admin. Lisa Jackson Discusses How Relevant Earth Day Really Is

Posted by: [do_ecoliving](#): 2:05 pm Full post: <http://bit.ly/bfiMBU>

HuffPost: Lisa Jackson in @huffpo "Our economy and our environment are inextricably linked."|Wise words on Earth Day!

Posted by: [AndreaLearned](#): 1:05 pm Full post: <http://3bl.me/58pdth>

BTW I know @lisapjackson & #epa are making strides when my mom knows who lisa jackson is & kinda knows abt climate change!

Posted by: [anc7c04](#): 12:45 pm Full post:

In NYC with the amazing Lisa Jackson at the riverside valley community garden. No better way to celebrate earth day #fb

Posted by: [PhaedraEL](#): 12:30 pm Full post:

EPA@40

Happy Birthday EPA, Happy Birthday Earth Day: ExecutiveGov - Senator Gaylord Nelson created Earth Da... - Keep Watching!

Posted by: <http://www.executivegov.com> 7:30 pm Full post: <http://bit.ly/9jajHA>

Earth Day and the EPA turn 40 this year! Click to read a little about the history
<http://www.epa.gov/earthday/history.htm>

Posted by: [DEEBRealty](#): 5:30 pm Full post:

EPA is also turning 40; Click here for a great "Environmental Timeline" since 1970; and extensive Earthday info: <http://www.epa.gov/40th/>

Posted by: [novakmj](#): 2:30 pm Full post:

Earth Day

Fun Earth Day Activities: If you're limited to a classroom for your Earth Day fun, check out the EPA website for...

Posted by: [kimberlyjones1](#) 5:50 pm Full post: <http://bit.ly/9bS9eG>

WH: EPA's Pick 5 <http://epa.gov/pick5> & "It's My Environment" video project
<http://epa.gov/EarthDay> Lisa Jackson on Letterman

Posted by: [whitehouse](#): 4:49 pm

It's Earth Day ... what better time to "Pick 5" for a healthier planet? Check out the EPA's site.

Posted by: [neefusa](#) 4:46 pm Full post: <http://fb.me/vBwXDcra>

Happy Earth Day! Celebrate doing good in the environment and make a change!
<http://www.epa.gov/earthday/>

Posted by: [AnnaBernat](#): 4:40 pm Full post

EPA celebrates the 40th Anniversary of Earth Day by asking everyone to protect our planet! Learn more at: <http://www.epa.gov/earthday/>

Posted by: [GCSPubLibrary](#): 1:40 pm Full post

Check out EPA Admin [@lisapjackson](#) [#EarthDay](#) message learn how u can b [#green](#) every day:

Posted by: [change](#): 1:30 pm Full post: <http://bit.ly/aaZUV5>

It's Earth Day! Are you doing your part to help the environment? Get some ideas at
<http://www.epa.gov/pick5/>

Posted by: [cityofdanville](#): 11:05 am Full post

Happy Earth Day! You own the environment. Visit [@EPAgov](#) Earth Day site
<http://www.epa.gov/earthday/>

Posted by: [HillsboroughMPO](#): 10:53 am Full post:

Happy Earth Day!! Join the fun on the Mall this weekend:

<http://www.epa.gov/earthday/dc.html>

Posted by: [greenthecapitol](#) 10:50 am Full post:

How will YOU participate in Earth Day? <http://www.epa.gov/earthday/>

Posted by: [ISMLive](#): 10:45 am Full post: <http://bit.ly/dwtm8h> (FB link to IME video)

ROUND-UP OF MAJOR BLOGS

ADMINISTRATOR JACKSON

It's the Sustainable Economy (*The Huffington Post*)

[Lisa P. Jackson](#)

Administrator of The EPA

Posted: April 22, 2010 08:50 AM

Today we celebrate the 40th anniversary of Earth Day, and later this year we will mark the 40th birthday of the U.S. Environmental Protection Agency and 40 years of the remarkably successful Clean Air Act. The suite of environmental protections that took shape in 1970, along with a sweeping Clean Water Act in 1972, remain some of the most effective policies in our history.

What is sometimes less noticed is that those actions were about more than environmental protection. They also represented an economic philosophy, a belief that American industries could continue to expand and innovate without jeopardizing our health and welfare. And it worked. Despite the overheated rhetoric we often hear today about runaway environmental regulations killing jobs, our history is one of healthier families, cleaner communities -- and, yes, job-creating innovation and a stronger America.

Forty years of environmental action have meant cleaner air in our cities and safe water in our homes. These changes have made our communities healthier, reducing exposure to pollution that causes cancer, heart disease and respiratory illness -- three of the top four deadliest conditions in our country. And they've made our economy stronger by giving cities and towns what they need to attract new residents and new jobs.

What also took place during those same four decades of environmental progress was the rise of a world-leading environmental technology industry. In 2007 environmental firms and small businesses in the US generated \$282 billion in revenues and \$40 billion in exports, and supported 1.6 million American jobs. That number doesn't include all the engineers and professional services firms that support those businesses.

This industry has also created cutting-edge innovations and technologies to meet new environmental and health standards. One powerful example is the catalytic converter. When EPA used the Clean Air Act to phase in unleaded gas and catalytic converters in the early seventies, major automakers fought it. The Chamber of Commerce claimed "entire industries might collapse" as a result. But today, lead pollution in our air is 92 percent lower than it was in 1980. Emissions of dangerous air pollutants that cause smog, acid rain, and more have been cut by more than half. And in the same period, our gross domestic product grew by 126 percent. Rather than hurting the economy, American innovators and entrepreneurs found ways to produce and sell more cars without increasing pollution that threatened our cities and caused costly and often deadly health problems for Americans.

At a time of historic economic difficulty, the Obama administration has sought out similar opportunities to improve our economy by protecting our environment. In a groundbreaking step in our work against climate change, President Obama formed an alliance with American automakers to set aggressive emissions standards for American cars and light trucks. The next generation of clean cars will protect our health and environment and keep almost a billion tons of carbon pollution out of our skies. At the same time, they will benefit American drivers and reduce our dependence on foreign oil by billions of dollars.

Notwithstanding periods of difficulty, the last 40 years have seen steady improvements in the health of both our environment and our economy. Progress on both fronts has been driven by smart environmental policies that keep us healthy, strengthen our communities, and foster industry innovation. Looking ahead to the next 40 years, it is clear we must continue on the same path. Sustainability and planetary stewardship must be part of the economic growth that is reaching more and more people around the world every day. Without protections for the water, air and land that communities depend on, our economic horizons are limited. Without innovations like clean energy and energy efficiency, the global economy will be running on empty within our lifetimes.

Our economy and our environment are inextricably linked. If we want forty more years of American leadership in the global marketplace, then there is no choosing one or the other. The first generation of Earth Day leaders understood that truth. Our generation can set in motion four more decades of prosperity by insisting today that our economic and environmental interests work hand in hand.

CLIMATE CHANGE/GLOBAL WARMING

Climategate Investigation Only Fuels Controversy (*The Heritage Foundation*)

Posted April 22nd, 2010 at 5:00pm in [Energy and Environment](#) with

If the University of East Anglia report set up to investigate the University of East Anglia's Climate Research Unit (CRU) was meant to put the Climategate controversy to rest in time for Earth Day, [it failed](#) spectacularly.

The panel was led by [Ernest Oxburg](#), who happens to be the honorary president of the Carbon Capture and Storage Association. Carbon capture and storage is an industry that definitely wouldn't suffer should CO2 limits be imposed. Also, Oxburg's involvement with the wind-energy industry raises further conflict of interest questions. With this in mind, the lack of depth into which the investigation went and the complete acquittal the panel gave the CRU, is not at all surprising.

The supposed investigation lasted a mere three weeks and was only five pages in length. Steve McIntyre, a leading critic of the IPCC report and editor of the Climate Audit blog, [pointed out](#) that the panel thought it only regrettable—and in no way acknowledged any sort of cover-up—that key facts and figures were tucked away in obscure scientific journals and omitted from the IPCC report. This is significant because, as he put it, IPCC presentations—and not the journals—“are how the climate science community speaks to the world.” Apparently, these scientists did not want the world to understand that their data did not support their theory. At least according to the well-known “climate-gate” emails which show that the scientists involved saw that these facts would “dilute the message.”

McIntyre isn't the only one who is not sold by this so-called investigation. The Director of Energy and Global Warming Policy at the Competitive Enterprise Institute, [Myron Ebel, said](#), “They don't even make a minimal effort to rebut the obvious appearance of widespread data manipulation, suppression of dissenting research through improper means and intentional avoidance of complying with Freedom of Information requests.” In the scientific community, where transparency and the ability to replicate results are everything, these charges are severe. And unfortunately, the Obama administration is calling for harmful regulations based upon this faulty science.

The same week the panel gave the CRU a free pass, President Obama [made the claim](#) to his Economic Recovery Advisory Board that pending climate legislation from the left is good for business. The board would have been good to tell him otherwise. [Spain](#) and other European countries that have tried regulating CO2 emissions have suffered drastic economic results. Heritage experts have done the [number-crunching](#) and their results show Obama's statement to be blatantly false. While the figures for the final bill would be slightly different than those calculated by Heritage experts for the Boxer-Kerry legislation, if CO2 emissions or renewable fuel standards legislation was enacted, you could count on trillions of dollars of losses in U.S. GDP, job losses in excess of a million, and trillions of dollars worth of higher energy costs.

If the American people are going to have to bear the consequences of this bill in a time of economic hardship, we should continue to demand a true investigation into the—shoddy at best, deceptive at worst—findings of the CRU. Allowing those that stand to profit from CO2 regulation to be the ones to investigate the science is like having a polar bear guard the seals.

EARTH DAY

The 40-Day Pledge on the 40th Anniversary of Earth Day (*The Huffington Post*)

[Rep. Ed Markey](#)

Rep. Ed Markey (D-MA), Chairman, Select Committee on Energy Independence

Posted: April 22, 2010 04:34 PM

Today, on the 40th anniversary of Earth Day, we celebrate the millions of actions, taken around the world, that help make the planet we all share a better place.

The spirit of Earth Day -- leaving the planet in a better state than when we entered it -- is an hourly, daily, weekly, monthly and yearly effort.

So today I am asking you to take **three steps**:

ONE: Watch these quick videos. The [Vanity Fair Earth Day video](#) features people like Tony Hawk, Julia Louis-Dreyfus, and, yes, even me, giving their wish for the 40th anniversary of Earth Day. The other, by [Earth Day Revolution](#), shows the amazing progress we have all made towards passing a clean energy and climate bill, and the next steps we must take to solve our energy and climate challenges.

TWO: For the last 40 days, Earth Day Revolution has called on all Americans to take 40 days of action. Let's keep that going. Today, and for the next 40 days, take 5 minutes a day and make your voice heard. Talk to friends. See if you can get 40 people to send a message to Congress,

urging immediate action. Because in the next 40 days, we will create the momentum to finally complete the planetary imperative to protect the climate and create clean energy jobs.

THREE: If you can get to Washington DC this weekend, come out to the National Mall on Sunday and join the thousands taking part in [Earth Day Networks](#) Climate Rally.

Don't let the naysayers and pundits dissuade you from taking action. For forty years, we have fought against the polluters to create a safer, healthier planet. For the next forty days, we must continue the fight.

Because we passed the Clean Air Act, we now breathe cleaner air.

Because we forced power plants to stop acid rain, we now enjoy healthier forests.

And because we pushed for an increase fuel economy and global warming pollution limits on our cars and trucks, we will now drive cleaner cars and someday be able to tell the OPEC barons that we don't need their oil any more than we need their sand.

And because we voted for clean energy, stronger national security and a safer climate passing the [Waxman-Markey](#) bill last June in the House of Representatives, America, for the first time in history, said that we will no longer use the atmosphere as a dumping ground for the pollution that is heating our planet.

And when Senate acts and we vote to send a bill to the president that creates clean energy jobs and cuts dangerous pollution, then in 2050, when we celebrate the 80th anniversary of Earth Day, the world will say this is when we turned the tide of planetary peril and create a clean energy future for generations to come.

And it will be because of you.

Follow Rep. Ed Markey on Twitter: www.twitter.com/markeymemo

For the First Time This Earth Day (*The Huffington Post*)

[Joe Biden](#)

Vice President of the United States of America

Posted: April 22, 2010 11:27 AM

We've been celebrating Earth Day for 40 years now, but the truth is that today may be the first one where we are truly able to say that we have started down the road to a real clean energy economy -- and a better world for our kids.

Since the beginning of the environmental movement, we've been trying to transform the way we use energy and reduce our dependence on foreign oil and fossil fuels to tap into our vast, untapped, renewable energy sources and to use energy more efficiently. The fact is we've been trying for 40 years, and we've made some progress. But we're now poised to make significantly greater strides than ever before because of the unprecedented investment contained in the Recovery Act and the leadership of the President and the Secretary of Energy.

In December, I wrote a progress report for the President, laying out in detail how the actions he had taken had reshaped both our energy future and our economic future. I wrote that the investments in the Recovery Act "are jumpstarting a major transformation of our energy system including unprecedented growth in the generation of renewable sources of energy, enhanced manufacturing capacity for clean energy technology, advanced vehicle and fuel technologies, and a bigger, better, smarter electric grid." Over at WhiteHouse.gov you can read [the entire memo](#), including an interactive timeline of how this clean energy economy will unfold, or read a [new report](#) out from the Council of Economic Advisers, released just this morning.

In January of 2009, there were two advanced battery factories in America. By 2015, there will be 30. The smart grid, \$3.4 billion in government investment, led to \$4.7 billion in private investment to help get us to a stronger, more efficient, more reliable energy grid; \$2.3 billion, which is likely to leverage \$5.4 billion in private capital to put us back on track to double our capacity to manufacture the components of a new, green economy in America from wind turbines to solar panels to create energy that's renewable. Renewable resources to batteries and smart grid systems to store that -- and transmit that energy, to technologies like advanced lighting that help conserve energy.

But the clean energy economy is not some abstract or macroeconomic concept -- it affects towns and neighborhoods across America. Yesterday at the White House, Secretary of Energy Steven Chu and I kicked off the Administration's celebration of Earth Day by announcing \$452 million in [Recovery Act "Retrofit Ramp-Up" awards](#). These grants went to 25 remarkable communities nationwide, which can serve as innovative models that can be expanded throughout the country. Ultimately, these grants will help make energy efficiency affordable for hundreds of thousands of homeowners and businesses, and are expected to create tens of thousands of jobs in the process. Retrofitting existing homes has the potential to cut more than \$21 billion a year annually in our energy cost, and we have been [working steadily](#) to make it as easy as possible for homeowners to take advantage of these programs.

And this is just a tiny sliver of what we've done. As the President's point man on the Recovery Act, which included America's biggest investment ever in clean energy, I've visited countless communities that have seen jobs come back through these kinds of initiatives.

Of course Earth Day is about more than just government action to protect our air, water and environment. Since the first Earth Day 40 years ago countless Americans have taken action to make their local communities cleaner and healthier and to have a positive impact on our planet.

This year, President Obama is calling on all of us to pitch in and participate in the Earth Day of Service. On Serve.gov/EarthDay, it's not too late to find thousands of Earth Day Service events in communities across the country.

Whether you pick up trash at a local park, plant trees, or clean up the river or stream in your hometown, there are plenty of ways to get involved. I hope you'll join President Obama and me in celebrating the 40th anniversary of Earth Day. Making the world itself better -- the air we breathe, the water we drink, the mountains our children will climb, the lakes they'll swim in -- that's why Earth Day was started 40 years ago, and it's as important today as it was then.

Protecting Our Oceans for Earth Day (*The Huffington Post*)

[Sigourney Weaver](#)

Academy Award nominated actress

Posted: April 22, 2010 09:08 AM

On the 40th anniversary of Earth Day, at a time when our country's attention will be focused on what we need to do to protect our planet, I am honored to be in our nation's Capital to testify before Congress on an emerging environmental threat. I will be testifying before the Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Senate Committee on Commerce, Science and Transportation Committee on the topic of ocean acidification.

Scientists have known for decades that when carbon dioxide mixes with ocean water it creates an acid; this is textbook chemistry. But only recently did they begin to realize what this growing quantity of acid would mean for ocean life. This new understanding has some of the world's leading ocean scientists deeply concerned.

What they say is this: the oceans are 30 percent more acidic today than they were during pre-industrial times and, if we continue burning fossil fuels as we are now, we will double the

ocean's acidity by the end of the century. Scientists fear many organisms may not survive so radical a shift in chemistry. And some of those organisms form the foundation of ocean food webs. If they perish, what happens to the tens of thousands of species further up the chain? What happens to our shellfish -- our oysters, clams, mussels -- that appear particularly vulnerable to ocean acidification?

I first had the opportunity to address this issue in the Senate last fall, when I screened a short documentary I narrated on this phenomenon called *Acid Test*, made by my friends at the Natural Resources Defense Council. And after my Senate testimony this Earth Day, I am thrilled to show it to our nation's policymakers once again -- this time for a group in the House of Representatives.

Like that other film I was in this year, *Acid Test* has had an amazing run of its own. It aired on the Discovery Channel, has been shown in film festivals nationwide, and was selected by the National Oceanic and Atmospheric Association to run in kiosks in major aquariums and museums across the country. If you haven't seen it yet, [catch it online here](#).

More and more people -- at home and in the halls of Congress -- are learning about ocean acidification and what we can do to stop it. Thankfully, we have solutions that will not only fight ocean acidification, but climate change at the same time.

Our policymakers have the power to add to the legacy of Earth Day by taking action that will protect people and the planet. Along with millions of other Americans, I will be urging them to put aside their differences and begin America's transition to a clean energy economy that will increase our energy efficiency and invest in renewable power, while cutting carbon pollution. By passing strong clean energy and climate legislation, Congress has the power to move us toward clean energy, tackle climate change and protect our seas from acidification.

I hope you will join me in calling on our leaders in the Senate to act.

The Power of Earth Day in America (*The Huffington Post*)

[John Kerry](#)

U.S. Senator from Massachusetts

Posted: April 22, 2010 07:34 AM

I'm strategizing and planning with the environmental community this morning, but wanted to emphasize something -- and I thought of it this morning listening to my morning radio:

If you've ever gotten caught up in the conventional wisdom of Washington that says no big change can happen, and politicians will always find the easy way out, please know that today is a reminder of how people power can turn that spin upside down overnight - and I know it because I was there and I saw it happen, and I saw it happen long before I had a vote in the Senate or an office in Washington, and it's why I still believe.

Forty years ago today, twenty million Americans -- fully one-tenth of our country's population at the time -- came together to express the wakeup call that was Earth Day 1970.

What'd it do? What'd it change?

Think about where we were that April: you had no EPA, no laws preventing lead paint from being used in people's homes or on babies' cribs, no one to safeguard our public drinking water -- polluters were even dumping medical waste into oceans. DDT and other pesticides were driving the bald eagle toward extinction. And by 1970, rivers were so dirty and polluted that some actually went up in flames.

I had just returned from Vietnam and I was first getting involved as an activist, and my brother Cam turned me on to the early organizing for Earth Day events in Massachusetts.

It's motivated me ever since -- knowing that the movement that exploded that day would force President Nixon himself -- a President who spied on me a year later -- to sign into law the EPA and the Clean Water Act and the first wave of legislation that changed the face of the environment. Trust me, I of all people know he didn't do those things because it was a nice thing to do, he did it because people -- not the elected or the connected, just the American people -- gave him no other choice.

All of the fights and all of the progress we've made since, really can be traced back to the energy generated on that first Earth Day. I know full well I couldn't have stopped the drilling in the Arctic National Wildlife Refuge or beat back (Orwellian!) "reg reform" if politicians of my generation didn't feel -- or fear -- the force of that movement. It's called accountability.

And that's just the my story -- there are many, many other people who could also talk about what Earth Day meant to them, how they took the energy of that day forward in fighting for our environment.

So what, you might ask. But I'm not just waxing nostalgic -- I'm telling you this is why I believe all the naysayers and nervous Nellies can be proven wrong and this can and must be the year -- our last and best shot -- to force Congress to pass climate and energy legislation; the comprehensive stuff, not the weak tea.

I've gone to I think almost every international environmental summit over the years, from Rio with Sen. Al Gore to Kyoto right through Copenhagen. At all of these meetings I've heard again and again: the world is ready to act on climate change -- but America must lead.

And I still think we're ready to lead. But it will only happen if you force Washington to feel your frustration and your exasperation and your urgency.

And what's most important, I believe we can get to 60 votes -- not easily, not without struggle -- but we can get there this year. Day in and day out, this is what I'm working to do with Lindsey Graham -- a Republican -- and colleagues who have to vote on it -- to button up legislation that will make it through the Senate, really reduce carbon pollution, and build a new energy economy that makes good on President Obama's Copenhagen pledge to cut U.S. greenhouse gas emissions by 17 percent by 2020. This matches the aim set out in the Waxman-Markey bill passed by the House of Representatives last June, and this emissions reduction will help combat the worst of global climate change.

And here's what I'm saying and what we need you to demand: this is the way to transform our energy economy and put Americans back in control of our energy production, instead of sending so much of our money to oil-rich regimes around the world (yes, \$100 million every day to Iran!) and create millions -- millions -- of the clean energy jobs that can power our economy in the next century.

So, please, keep the pressure on -- make it clear you think this is the most important thing we can do this year -- and let's go win another one.

Forty Years After Earth Day: Straight Up (*The Work Room*)

By [Brad Johnson](#) on Apr 22nd, 2010 at 4:53 pm

When “[millions of environmental activists](#) gathered on college campuses and in major cities 40 years ago for the first Earth Day, the rallies, teach-ins and organizing helped galvanize action on a historic scale — including passage of the Clean Air and Clean Water acts and creation of the Environmental Protection Agency.” Acid rain pollution, ozone-depleting chemicals, and neurological toxins are down because of these strong rules, as the chemical, auto and coal industries now like to trumpet. But the buildup of greenhouse gas pollution, which some climate physicists were worrying about forty years ago, has become a global existential crisis that has [mobilized the world's scientific community](#).

Center of American Progress Senior Fellow Joseph Romm, PhD, has just published a stiff drink of a book based on his work as the voice of the [Climate Progress](#) blog. In *[Straight Up: America's Fiercest Climate Blogger Takes on the Status Quo Media, Politicians, and Clean Energy Solutions](#)*, Romm distills his best work from the blog and honestly describes the catastrophic path humanity is on — and the clean energy solutions that offer hope for survival.

Here are just a few insights from this wide-ranging book, which clearly separates political and media delusions from physical reality:

— “If those who are counseling inaction and delay succeed, [billions of humans will suffer unimaginable misery](#) and chaos, while most other species will simply go extinct.”

“If the U.S. media [refuse to make the connection](#) between record-breaking wildfire, drought, and heat waves and human-caused global warming, why would anyone be surprised if the U.S. public doesn't put it as a higher priority or make the connection itself?”

“[America is the Saudi Arabia of energy waste.](#)”

“The two key questions are, first, will we voluntarily give up fossil fuels in the next couple of decades, rather than being forced to do so helter-skelter after it is too late to stop the catastrophe? Second, when we do give them up, will the United States be a global leader in creating jobs and exports in clean technologies, or will we be importing them from Europe, Japan, and the likely clean energy leader in our absence, China?”

“If every day is Earth Day, then April 22 definitely needs a new name. . . . So [let's call it Triage Day](#). And if worse comes to worst — yes, if worse comes to worst — at least future generations won't have to change the name again.”

What makes [Straight Up](#) work is what has made Romm such an effective blogger — these pithy quotes are backed up with sweeping policy knowledge and a mastery of the facts, from climate science to clean energy. Although I would have preferred a more deeply edited work that took the collected blog posts and refined their energy and intelligence, *Straight Up* is a unique resource. If you know anyone who's ever wondered what “blogs” are all about or is confused why there are people who think global warming is such a big deal, it's a safe bet this book will help set them straight.

Bill McKibben: Today Is Eearth Day (*The Wonk Room*)

Our guest blogger is Bill McKibben, co-founder of [350.org](#) and the author of [EAARTH: Making A Life in a Tough New World](#).

By [Brad Johnson](#) on Apr 22nd, 2010 at 12:58 pm

We have [created a new planet](#). Not entirely new. It looks more or less like the one we were born into; the same physical laws operate it. But the changes that have already happened are large enough that if you were visiting our planet in a spaceship, this place would look really different from the outside than it did just decades ago — call it “Eaarth.”

I wrote the preface to my new book *EAARTH* on a gorgeous spring afternoon in 2009, perched on the bank of a brook high along the spine of the Green Mountains, a mile or so from my home in the Vermont mountain town of Ripton. The creek bubbles along, the picture of a placid mountain stream, but a few feet away there’s a scene of real violence a deep gash through the woods where a flood in the summer of 2008 ripped away many cubic feet of tree and rock and soil and drove it downstream through the center of the village. Before the afternoon was out, the [only paved road into town had been demolished by the rushing water](#), a string of bridges lay in ruins, and the governor was trying to reach the area by helicopter.

Twenty-one years ago, in 1989, I wrote the first book for a general audience about global warming, which in those days we called the “greenhouse effect.” That book, [The End of Nature](#), was mainly a philosophical argument. It was too early to see the practical effects of climate change but not too early to feel them; in the most widely excerpted passage of the book, I described walking down a different river, near my then-home sixty miles away, in New York’s Adirondack Mountains. Merely knowing that we’d begun to alter the climate meant that the water flowing in that creek had a different, lesser meaning. “Instead of a world where rain had an independent and mysterious existence, the rain had become a subset of human activity,” I wrote. “The rain bore a brand; it was a steer, not a deer.”

Now, that sadness has turned into a sharper-edged fear. Walking along this river today, **you don’t need to imagine a damned thing** — the evidence of destruction is all too obvious. Much more quickly than we would have guessed in the late 1980s, global warming has dramatically altered, among many other things, hydrological cycles. One of the key facts of the twenty-first century turns out to be that warm air holds more water vapor than cold: in arid areas this means increased evaporation and hence drought. And once that water is in the atmosphere, it will come down, which in moist areas like Vermont means [increased deluge and flood](#).

In our Vermont town, in the summer of 2008, we had what may have been [the two largest rainstorms in our history](#) about six weeks apart. The second and worse storm, on the morning of August 6, dropped at least six inches of rain in three hours up on the steep slopes of the mountains. Those forests are mostly intact, with only light logging to disturb them but that was far too much water for the woods to absorb. One of my neighbors, Amy Sheldon, is a river researcher, and she was walking through the mountains with me one recent day, imagining the floods on that August morning. “You would have seen streams changing violently like that,” she said, snapping her fingers. “A matter of minutes.” A year later the signs persisted: streambeds gouged down to bedrock, culverts obliterated, groves of trees laid to jackstraws. . . .

Global warming is no longer a philosophical threat, no longer a future threat, no longer a threat at all. It’s our reality. We’ve changed the planet, changed it in large and fundamental ways. And these changes are far, far more evident in the toughest parts of the globe, where climate change is already wrecking thousands of lives daily. In July 2009, Oxfam released an epic report,

“[Suffering the Science](#),” which concluded that even if we now adapted “the smartest possible curbs” on carbon emissions, “[the prospects are very bleak](#) for hundreds of millions of people, most of them among the world’s poorest.”

And so *EAARTH* is, by necessity, less philosophical than its predecessor. We need now to understand the world we’ve created, and consider urgently how to live in it. We can’t simply keep stacking boulders against the change that’s coming on every front; we’ll need to figure out what parts of our lives and our ideologies we must abandon so that we can protect the core of our societies and civilizations. There’s nothing airy or speculative about this conversation; it’s got to be uncomfortable, staccato, direct.

Which doesn’t mean that the change we must make or the world on the other side will be without its comforts or beauties. Reality always comes with beauty, sometimes more than fantasy. But hope has to be real. It can’t be a hope that the scientists will turn out to be wrong, or that President Barack Obama can somehow fix everything. Obama can help but precisely to the degree he’s willing to embrace reality, to understand that we live on the world we live on, not the one we might wish for. Maturity is not the opposite of hope; it’s what makes hope possible.

From the Book [EAARTH](#): Making a Life on a Tough New Planet by Bill McKibben. Copyright (c) 2010 by Bill McKibben. Reprinted by arrangement with Henry Holt and Company, LLC. All rights reserved.

Van Jones On Earth Day: The New Environmentalists Wear Hard Hats (*The Wonk Room*)

Our guest blogger is [Van Jones](#), a Senior Fellow at the Center for American Progress focusing on green-collar jobs.

By [Guest Blogger](#) on Apr 22nd, 2010 at 11:20 am

Forty years after the first Earth Day, we’re now embarking on [Earth Day 2.0](#), with a different kind of environmentalism. Sleeves rolled up, hard hat, lunch bucket — that’s going to become the image of the environmentalist rather than just our beloved tree huggers.

We’re going to see a [tug of war](#) now between the interests that want to keep things in the old way and people that want to do things in a new way. Why is it important for ordinary voices to be heard? Because, frankly, if we had a clean energy economy, we would have more work, more wealth, and better health for regular people. That’s what’s not getting through. There are [way](#)

[more jobs](#) putting up solar panels, building smart batteries, making wind turbines, putting them up, than we will ever have again in America in the coal lines. Period.

We need to be moving toward a [technology-based job agenda](#) rather than continuing to pull down on our natural resources that we are now beginning to see dwindle here in America. You'll have more wealth. There are [way more entrepreneurial opportunities](#) for new businesses and new products and new services in the clean energy space. Not many people are going to go out and start an oil company tomorrow. But people can go start a solar company tomorrow.

So Earth Day 2.0 now just means straight-up common sense. There's [more wealth to be had for ordinary people](#) in a new economy. And also from a health point of view, the green agenda is about [cleaner air](#), cleaner water, healthier food. And so the stuff that ordinary people are dealing with—the questions around work, wealth, and health—we have much better answers, those of us who are champions for the green economy, than the people who are the champions of the dirty energy economy.

[Listen to the podcast](#) with Van Jones.

Earth Day 2010: On Lenin and Liberty (*The Heritage Foundation*)

Posted April 22nd, 2010 at 5:30pm in [Energy and Environment](#)

President Obama told a romanticized version of Earth Day's founding in his video for Earth Day 2010, but there is more to the story than a grossly polluted river and a noble hero rising up to champion the defenseless Earth.

It was April 22, 1970, that Senator Gaylord Nelson, a Democrat from Wisconsin, declared a national day of support for the Earth. He claimed to have thought up the idea in 1969, after seeing a devastating oil spill in Santa Barbara, California. Inspired by the Vietnam “teach-ins,” he thought to have a nationwide environmental “teach-in” to involve Americans in environmental issues. He sent letters to every state governor and many state institutions in 1969, trying to rally support for his radical idea. And in the end, he won: the first Earth Day was celebrated in 1970. On Vladimir Lenin's 100th birthday.

While Lenin was alive, he often ordered Earth Day-like “subbotniks,” or days of mandatory ‘service’ in the community. This would typically focus on environmental improvement, including garbage removal and the collection of recyclables. At the height of the Soviet Union, a

nationally mandated yearly subbotnik—called “Lenin’s Subbotnik”—was selected to fall around or on Lenin’s birthday. The date otherwise known as April 22.

While dictator, Lenin [spoke glowingly](#) of the efficacy of his subbotniks:

“We have shifted a huge mountain, a huge mass of conservatism, ignorance, stubborn adherence to the habits of “freedom of trade” and of the “free” buying and selling of human labour-power like any other commodity. We have begun to undermine and destroy the most deep-rooted prejudices, the firmest, age-long and ingrained habits. In a single year our subbotniks have made an immense stride forward.”

Maybe it’s just a bizarre coincidence that both Lenin’s Subbotnik and Earth Day fall on the same day. Kathleen Rogers [of Earth Day Network](#) “scoff[ed] at the rumored communist connection” in 2009, claiming that the *real* reason April 22nd was chosen [was](#) “because it fell on a Wednesday, the best part of the week to encourage a large turnout for the environmental rallies held across the country.” Ah, yes. It is common knowledge that Wednesdays are the best days for protest turnout.

Senator Nelson argued in the past that Lenin’s birthday was merely a coincidence, and that April 22 was picked because it wouldn’t conflict with college finals or religious holidays. The senator argued that any day he picked would have been the birthday of somebody bad or other—“On any given day, a lot of both good and bad people were born,” he said.

In a way, Lenin’s views on liberty mirror that of radical environmentalists. It is a paternalistic attitude that reduces freedom. Lenin once said, “It is true that liberty is precious; so precious that it must be carefully rationed.”

Environmentalists believe we need to ration liberty because they believe that is the only way we can preserve the environment for the future. They tell us we need to buy smaller cars, buy different light bulbs, ban certain products, eat less meat, pay higher energy prices and reduce economic growth to cap carbon dioxide emissions – to name a few. Czech President Vaclav Klaus [said](#), “It becomes evident that while discussing climate we are not witnessing a clash of views about the environment, but a clash of views about human freedom.”

Economist Walter Block explains it as switching horses on the same wagon, saying, “Instead of formal socialism, these people adopted environmentalism as a better means toward their unchanged ends.”

A [recent Rasmussen survey](#) “shows that only 17% of adults believe most Americans would be willing to make major cutbacks in their lifestyle in order to help save the environment.” People do not want to trade in their freedom, especially when it does very little, if anything, to improve the nation’s environmental status.

That’s not to say we can’t or shouldn’t protect and improve the environment for ourselves and future generations. Americans are doing this every day. The real question is whether Americans should be forced to submit to major restrictions in their freedoms and to abandon stewardship of

their own resources and possessions to the government. That such sacrifices would achieve little or no environmental gains should not be a surprise.

Allie Winegar Duzett, a member of the Young Leaders Program at the Heritage Foundation, co-authored this post. For more information on interning at Heritage, please visit:

<http://www.heritage.org/About/Internships-Young-Leaders/The-Heritage-Foundation-Internship-Program>

May Your Earth Day Glow Brightly (*The Heritage Foundation*)

Posted April 22nd, 2010 at 11:00am in [Energy and Environment](#) with

According to Earth Day founder, the late-Senator Gaylord Nelson, the commemoration rose out of “concern about what was happening to the land, rivers, lakes and air.” These are important concerns, indeed. In fact, conserving the nation’s environmental beauty and natural resources is something that most America’s can agree on. Perhaps that is why there is growing public and political support for nuclear power.

More than any other source of energy, nuclear technology makes the production of massive amounts of reliable, affordable, and environmentally friendly power possible. Of course the notion of “environmentally friendly” can be subjective. But based on Senator Nelson’s concerns, nuclear seems to fit the bill better than anything.

Conserving land. A traditional nuclear power plant takes up a few hundred acres. And the power produced there is often enough to keep the lights on for millions of people. Wind and solar on the other hand can take thousands or tens of thousands of acres to produce the same amounts of energy. New reactor technologies could be even less land intensive.

But it’s not just about the plant’s footprint. It’s about the technology itself. Despite being mined, the uranium fuel for reactors is also a good choice from a land use perspective. First, mining techniques like in situ mining leave the earth’s surface mostly undisturbed. Secondly, uranium fuel can be recycled and used multiple times. And lastly, uranium mined for other purposes can now be used to fuel power reactors. Indeed, half of America’s nuclear energy (or 10 percent of all of our electricity) is produced from uranium that [was converted from Russian warheads](#).

Keeping our water ways clean. Despite anti-nuclear arguments routinely criticizing nuclear energy on water issues, the truth is that [nuclear power is very water friendly. While it does use massive amounts of water, up to million’s of gallons daily, to cool the equipment within the plant, it consumes very little of that water](#). Depending on the cooling system, it either returns the water, untouched by anything radioactive, to its source or releases about half of it through

condensation before returning the rest to its source. This approach has had virtually no measurable impact on local aquatic life levels.

Some nuclear power plants, such as the Palo Verde Nuclear Generation Station, do not even use fresh water for cooling. Instead, it uses waste water from nearby cities for cooling. New nuclear plants, such as one being considered in Florida, are [also looking to use waste water](#) to minimize fresh water usage.

Other energy sources have much more impact on water resources. Take offshore wind, for example, which to produce similar amounts of energy would occupy tremendous amounts of space. For instance, the Cape Wind project in the Nantucket Sound would consist of [130 wind turbines, spread across 25 square miles](#). Due to [the intermittency of wind](#), it would take approximately 24 of these projects to produce the same amount of energy as one average sized new nuclear plant.

Then there is the issue of [leaking oil](#) that is almost never considered. There are already numerous examples of wind mills leaking oil into the environment. Now people want to line our shore lines with them under the auspices of environmental cleanliness. Here [is a list of over 700 wind mill related accidents](#), including oil spills.

Breathable air. Nuclear power emits virtually nothing into the atmosphere. That's because nuclear fission, which produces the heat that is used to run the generators, requires no burning. Even the towers of billowing white clouds often associated with nuclear power plants are only emitting water vapor into the atmosphere. So whether one cares about pollutants such as particulates, sulfur dioxide and nitrogen oxides or emissions like CO₂, nuclear energy should be attractive.

Senator Nelson cited the need to clean our land, water and air as the reason for Earth Day. Nothing has contributed as much to this objective while meeting America's energy needs as nuclear power, and no source has the potential to ensure the preservation of our environment for the future.

Morning Bell: Economic Freedom Will Save the Earth (*The Heritage Foundation*)

Posted April 22nd, 2010 at 9:38am in [Energy and Environment](#)

The New York City sightseeing company Gray Line is promoting an "Earth Week" package of day trips that includes visits to "green spots" like the botanical gardens and flower shopping at

Chelsea Market. The fact that these tours will be taken on buses running on fossil fuels does not sit well with the first Earth Day national coordinator Denis Hayes who tells [The New York Times](#) what he thinks of such green consumerism: “This ridiculous perverted marketing has cheapened the concept of what is really green. It is tragic.”

The left in this country has always considered it “tragic” when people make money in this country, and the plight of the earth is just one of many justifications they have used over the years to demonize free markets. Back in the 70s, [President Barack Obama’s Director for Science and Technology Policy John Holdren](#) even came up with a formula to measure capitalism’s evil impact on the environment: [I=PAT, which means that environmental impact is equal to population multiplied by affluence multiplied by technology](#). Thus according to the left, protecting the planet requires fewer people, less wealth and simpler technology. But this is just flat wrong. In fact, studies clearly show that [important indicators of environmental quality actually improve as incomes and levels of consumption go up](#).

But this begs the question: what are the best policies that promote economic growth? Economic freedom. New research from the [National Bureau of Economic Research](#) shows — over the last 40 years — a strong connection between the worldwide march toward greater economic freedom and the massive reduction in poverty. And our own [Index of Economic Freedom demonstrates empirically](#) that today’s successful economies are not necessarily geographically large or richly blessed with natural resources. Instead, the proven path to stimulating economic growth is to advance economic freedom by promoting policies that generate a virtuous cycle of innovation, vibrant economic expansion, and more opportunities for people.

Specifically, the expansion of trade and the protection of property rights are fundamental to ensuring economic growth and environmental improvement. A recent [study from the World Bank](#) reports that freer trade is “a key factor in helping developing countries reduce their greenhouse gas emissions and adapt to climate change.” And [assigning clear property rights for natural resources like the world’s fisheries have proven environmental gain](#).

But while the government is essential in opening up trade and protecting property rights, further regulations are unnecessary and often prove harmful. For example, our air and water [were already improving before the passage](#) of the Clean Air and Clean Water Acts. Meanwhile the [Endangered Species Act has actually created perverse incentives for land owners](#) to destroy or degrade their own land before a government-protected animal moves in and renders it economically useless.

And then there is the left’s push for economy-killing energy taxes. The Heritage Foundation’s Center for Data Analysis has [found](#) that cap-and-tax legislation pending in Congress would cost the average family-of-four almost \$3,000 per year, cause 2.5 million net job losses by 2035, and produce a cumulative gross domestic product (GDP) loss of \$9.4 trillion between 2012 and 2035. Losing that \$9.4 trillion to appease the fragile sensibilities of the enviro-left – now that would be tragic.

Quick Hits:

- Despite [studies](#) showing the state’s teacher pension system is underfunded by almost \$100 billion, the California School Employees Assn. [says](#), “It is our opinion that pension systems are not in dire straits.”
- According to [a new CNN poll](#), while a majority of Americans expect President Obama to appoint a liberal to the Supreme Court, only one in four want that to happen.
- President Barack Obama [confirmed Wednesday](#) that he considers a new value-added tax on Americans an acceptable option to pay for runaway government spending.
- United Auto Worker-owned Chrysler reported it [lost \\$3.8 billion](#) through the end of last year.
- [The amount of money spent on lobbying by the “alternative” energy sector](#) has increased by a factor of 12 since 1998.

ENERGY

The Cost of Al Gore’s Renewable Energy Plan (*The Heritage Foundation*)

Posted April 22nd, 2010 at 12:00pm in [Energy and Environment](#)

Earth Day is a great day for politicians to push their clean energy agenda and President Barack Obama made this clear when he reiterated in his Earth Day video message that we need to transition to a clean energy economy. Politicians say that we should use the earth’s renewable resources, most notably the wind and the sun, to power our country. Some Members of Congress are even pushing for a federal mandate that requires a predetermined percentage of our nation’s electricity come from certain energy sources. The champion of ideas, as always, is Al Gore, who believes we can supply all our energy with renewable energy. But the reality is if we pursued Al Gore’s renewable energy dream, it would be American electricity consumers’ worst nightmare.

Former vice president Al Gore has a man-on-the-moon type mission for America’s energy future. In July of 2008 he called for the United States to commit to having 100 percent renewable energy power our nation – in just 10 years. That means all of the country’s electricity would be supplied by renewable energy by 2018. (Excluding hydro, renewables [generated 3 percent](#) in 2008) In his speech Gore [said](#):

I challenge our nation to commit to producing 100 percent of our electricity from renewable energy and truly clean carbon-free sources within 10 years. To those who say 10 years is not

enough time, I respectfully ask them to consider what the world's scientists are telling us about the risks we face if we don't act in 10 years. The leading experts predict that we have less than 10 years to make dramatic changes in our global warming pollution lest we lose our ability to ever recover from this environmental crisis.

Leaving the point about the environmental crisis alone for now, what would Al Gore's plan cost Americans? Heritage Research Fellow David Kreutzer crunched the numbers and found that to meet Al Gore's plan, with the cheapest renewable energy source, onshore wind, a family of four's electricity bill would be almost double than if it were supplied by all coal – up from \$189 a month to \$340 a month. He assured Americans that we can use wind, solar and geothermal to power America. But the price only increases. Offshore wind: \$404 a month. Solar thermal: \$504 a month and worst of all, solar panels: \$718 a month. That's only \$8,600 per family per year to cover our earth with solar panels. These calculations use data from the U.S. Energy Information Agency and while few policymakers suggest we pursue Al Gore's 100 percent dream, it should serve as a wake-up call that the wind and the sun aren't free sources of energy.

Wind Sells...But Who's Buying?

Last year, President Obama allocated \$3.4 billion in stimulus funds for smart grid investments before a crowd at a solar power plant in Florida on an ironically cloudy day. This raises the question: Who's getting our taxpayer dollars? Silver Spring Networks for one – a company that makes hardware and software to improve efficiency in the nation's electricity grid that Al Gore's venture capital firm just so happened to invest in. The *New York Times*' John Broder [reports](#), “Of the total, more than \$560 million went to utilities with which Silver Spring has contracts. Kleiner Perkins and its partners, including Mr. Gore, could recoup their investment many times over in coming years.” Broder [calls](#) Silver Spring “a foot soldier in the global green energy revolution Mr. Gore hopes to lead.”

The problem with Al Gore's twisted version of capitalism is that he and other green investors get rich only when regulations cause consumers' energy bills to skyrocket. If Al Gore wants to invest his money in green technology, he can do as he pleases. The taxpayer does not have such autonomy. Along with Gore's investments, the government is taking other people's money to invest in these projects who do not have a say in the matter – what economist Frederic Bastiat calls legalized theft: “See if the law takes from some persons what belongs to them, and gives it to other persons to whom it does not belong. See if the law benefits one citizen at the expense of another by doing what the citizen himself cannot do without committing a crime.” Of course the reason renewable energy needs a government crutch is because they can't compete in the market otherwise.

With cap and trade, a mandated renewable electricity standard, and billions of dollars in taxpayer-funded green energy investments, [it's no surprise](#) “few have put as much money behind their advocacy as Mr. Gore and are as well positioned to profit from this green transformation, if and when it comes.” But it's not just Gore. Large energy companies are hedging their bets on political policies designed to make renewable energy more competitive with taxpayer support. The name of the game is special interest politicking in Washington. Few win at the expense of many.

Gore likened his mission to Kennedy's call to put a man on the moon in a decade, but it's Gore who needs to come down to earth.

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Are Global Warming, Volcanoes and Earthquakes Linked? (*Huffington Post*)

[DK Matai](#)

Chairman: mi2g, ATCA, The Philanthropia

Posted: April 25, 2010 05:38 AM

A thaw of ice caps caused by global warming may trigger more volcanic eruptions in coming decades by removing a vast weight and freeing magma from deep below ground, research suggests. Eventually there will be either somewhat larger eruptions or more frequent eruptions in coming decades. The end of the Ice Age 10,000 years ago coincided with a surge in volcanic activity in Iceland, apparently because huge ice caps thinned and the land rose. Climate chaos could also trigger volcanic eruptions or earthquakes in places such as Mount Erebus in Antarctica, the Aleutian islands of Alaska or Patagonia in South America.

Scientists at NASA and United States Geological Survey (USGS) are using satellite and global positioning system receivers, as well as computer models, to study movements of Earth's plates and shrinking glaciers in southern Alaska. Glaciers are very sensitive to climate chaos. Higher temperatures and changes in precipitation over the last century appear to be contributing to an increase in glacier melting. Southern Alaska is also prone to earthquakes because a tectonic plate under the Pacific Ocean is pushing into its coast, building up significant pressure at critical points.

Ice is heavy and exerts enormous pressure on whatever lies beneath it. Under the ice's weight, the Earth's crust bends and as the ice melts the crust bounces up again. Imagine a floating cork, topped with a piece of lead. Will it not pop upwards when the lead is taken off? Similarly, a shrinking ice cap reduces the pressure on the earth's mantle, causing it to melt and creating

magma. Also, this frees tectonic plates up to move against each other and cause the friction needed to initiate earthquakes. This tallies with mathematical models that suggest such processes may potentially lead to more earthquakes, tsunamis and volcanic eruptions.

Research published in the scientific journal, *Geophysical Research Letters*, by the volcanologist Freysteinn Sigmundsson at the University of Iceland and the geophysicist Carolina Pagli at the University of Leeds in England, suggests that:

- . About 10 percent of Iceland's biggest ice cap, Vatnajökull, has melted since 1890 and the land nearby has been rising about 25 millimetres (0.98 inches) a year, bringing shifts in geological stresses.

- . Melting ice appears to be the main way in which global warming could have knock-on effects on geology.

- . At high pressures, such as under an ice cap, rocks cannot expand to turn into liquid magma even if they are hot enough. As the ice melts the rock can melt because the pressure decreases.

- . The effects would be biggest with ice-capped volcanoes. If the load of ice removed is big enough, this will have an effect at depths on magma production.

- . As a result, there will be either somewhat larger eruptions or more frequent eruptions in Iceland in coming decades.

However, there is no sign yet that the current eruption from below the Eyjafjallajökull glacier in Iceland that paralysed flights over northern Europe for nearly a week was linked to global warming. The glacier is too small and light to affect local geology.

Rapid Cooling

The volcanic eruptions could cool the planet. The sulphur dioxide that they fling into the stratosphere transforms into sulphuric acid droplets. This aerosol reflects sunlight so temperatures can drop. A far bigger explosion than the recent one in Iceland, at Mt Pinatubo in the Philippines in 1991, caused an average cooling of between 0.5 and 0.6 degrees centigrade in the Northern Hemisphere over the following year. Mexico's Mount Chichon eruption in 1982 also had a demonstrable cooling effect. As carbon dioxide and other green house gas emissions continued to build up in the atmosphere, the thermometer rose to compensate once the initial effects wore off. At this point, scientists think Iceland's eruption is too small to cause cooling although the massive disruption it caused to air travel in northern Europe may have significantly reduced aviation-linked carbon dioxide emissions.

False Solutions

Advocates of geoengineering, or manipulating climatic elements in order to slow climate chaos, have suggested mimicking the cooling effect of volcanoes by artificially spewing sulphur dioxide into Earth's atmosphere. However, one of the flaws in their argument, in addition to the need for

an extremely long vertical hose, is that sulphur dioxide is not benign. The gas also causes acid rain and wears away the ozone layer, a key barrier to the sun's harmful rays.

Conclusion

Ecological and geological matters are tightly interlinked and affect all types of life on this planet: from single-cell organisms to the vast expanse of humanity distributed across the world. Slight interruption in the Earth's fragile balance can mean particular damage to the very mechanisms that embrace the lives of so many interdependent species. The recent Icelandic volcano eruption shows us just how fragile our modern, technologically dependent, systems really are. When was the last time a volcano on a small island brought a vast swathe of the modern world to a halt for nearly a week? The poet Robert Frost famously wrote, "Some say the world will end in fire; some say in ice." Volcanoes, earthquakes and glaciers are entangled in an elaborate web. We have to ask ourselves what type of contingency plans need to be put in place should similar events occur in the future. Survival depends on our civilisation's resilience in the face of adversity.

Whisper Campaign Derails Climate Bill Rollout (*Wonk Room*)

By [Brad Johnson](#) on Apr 25th, 2010 at 10:47 am

The unveiling of green economy legislation by Sen. John Kerry (D-MA), Sen. Joe Lieberman (I-CT), and Sen. Lindsey Graham (R-SC) Monday has been [indefinitely postponed](#), following a whisper campaign that Senate leadership preferred tackling immigration reform instead. Below is the timeline of the last four days, in which political reporters quote anonymous "Democratic officials" and "Senate Democratic aides" to promote the rumor:

Wednesday, April 21: Senate Majority Leader Harry Reid (D-NV) and House Speaker Nancy Pelosi (D-CA) meet. Based entirely on comments from anonymous "**Senate Democratic aides**," Roll Call's John Stanton claims that "Democratic leaders are pushing ahead with plans to move comprehensive immigration reform legislation this year — even if it means [punting on energy legislation](#) until next Congress." The Hill's Ben Geman cites "**a Democratic aide**" to claim Pelosi said she is "fine" with "the Senate taking up immigration reform [before climate change legislation](#)." The Wall Street Journal's Laura Meckler cites "**three Democratic officials**" to claim "both leaders said they would [put immigration ahead of energy](#) on their priority list."

Thursday, April 22, Earth Day: The Associated Press's Laurie Kellerman and Matthew Day cite "**two Democratic officials**" to [repeat the immigration-first rumor](#).

Pelosi [holds a press conference](#), and is asked about the rumor. Pelosi responds that "energy security and addressing the climate crisis is the flagship issue of my speakership," notes that the

House has “already passed our energy bill,” and “if the Senate is ready with an immigration bill, we don’t want anybody holding it up for any reason, and we would be pleased to welcome it to the House.” Fox News’ Chad Pergram interprets her remarks to claim “[Pelosi Okay On Delaying Climate Bill](#) in Lieu of Immigration.”

Graham tells reporters that “If immigration comes up then that’s the [ultimate CYA politics](#),” and “It destroys the ability to do something like energy and climate” to jump to immigration reform legislation, because “We haven’t done anything to prepare the body or the country for immigration” and “business and labor are not together on a temporary worker bill.”

In a story by Politico’s Marin Cogan about Graham’s comments, Sen. **Barbara Boxer** (D-CA) “[declined to say which bill](#) she’d prefer be taken up first.”

House Majority Leader **Steny Hoyer** (D-MD) tells the Christian Science Monitor’s Linda Feldmann, “I don’t know that [anybody made a determination](#) in the discussions I have had with leadership that immigration is more important than energy,” and agrees with Graham’s assessment, “I am not sure the Senate can move an immigration bill.”

Friday, April 23: A “**Democratic aide**” tells Politico’s Kasie Hunt: “Immigration is gaining steam; [climate change may suffer](#).”

“I think [these are separate issues](#) on separate legislative tracks,” **Lieberman** says in a conference call. “One will not adversely affect the other.” Hartford Courant’s Daniela Altimari reports “Lieberman said Senate Majority Leader Harry Reid assured him that he will bring the climate and energy bill to the floor, likely in late May or early June, barring any obstacles.”

Saturday, April 24: **Graham** sends a letter to business, religious and conservation leaders that “[I will be unable to move forward](#) on energy independence legislation at this time” because of “what appears to be a decision by the Obama Administration and Senate Democratic leadership to move immigration instead of energy,” unless “their plan substantially changes this weekend.”

Reid, the Washington Post’s Juliet Eilperin writes, “[declined to assure Graham](#) on Saturday that he would put immigration behind energy in the legislative lineup,” responding in a statement instead: “I will not allow him to play one issue off of another, and neither will the American people.” The Hill’s Eric Zimmerman interprets Reid’s statement to claim he “said today that [Democrats might push climate legislation](#) before immigration reform.” Reid’s statement blames Republicans, specifically “the tremendous pressure he is under from members of his own party not to work with us on either measure.”

The White House “also declined to indicate whether it would address Graham’s concerns,” issuing a statement by climate advisor **Carol Browner** saying, “We believe the only way to make progress on these priorities is to [continue working as we have thus far](#) in a bipartisan manner to build more support for both comprehensive energy independence and immigration reform legislation.” Talking Points Memo’s Christina Bellantoni notes Browner says about climate reform, “We’re determined to see it [happen this year](#).”

In the evening, **Kerry** releases a statement that “[regrettably external issues](#) have arisen that force us to postpone only temporarily” the Monday unveiling because Graham “feels immigration politics have gotten in the way and for now prevent him from being engaged in the way he intended.” “Joe and I will continue to work together and are hopeful that Lindsey will rejoin us once the politics of immigration are resolved.”

In summary: although Lieberman and Hoyer attempted to debunk the rumor, Senate leadership and the White House refused to address the rumor of timing spread by anonymous Democratic staffers and officials. Graham, who has also been the lead Republican working on immigration with Sen. Chuck Schumer (D-NY), announced Saturday he would not participate in a bill rollout with its fate on the Senate calendar placed in competition with unwritten immigration legislation.

Industry Groups Love The Senate Climate Bill. But Why? (*The New Republic*)

Bradford Plumer

April 23, 2010 | 1:25 pm

[According](#) to Kate Sheppard, John Kerry has been telling people that he's lined up some serious industry support for his climate bill, which will be released on Monday. The Edison Electric Institute, which represents private electric utilities, will reportedly back the legislation, and the American Petroleum Institute will at least refrain from attacking it too bitterly. Meanwhile, the *Post* [reports](#) that Shell, BP, and ConocoPhillips will likely back the bill, too. (For reference, EEI was on board with the House climate bill while API and other oil companies savaged it to high heaven.)

So does this news make it more realistic that the Kerry-Graham-Lieberman climate bill could actually pass this year? Maybe. But that leaves the bigger question: Is a bill with this much enthusiastic industry support going to be effective at cutting emissions? That's... still not clear. Here's the *Post's* bullet-point summary of what's likely to be in the bill, with a few comments from me interspersed:

1. The bill would take effect in 2013 and by 2020 would cut U.S. greenhouse gas emissions 17 percent compared to 2005 levels, and 80 percent by 2050.

That 2020 target is what Obama pledged at Copenhagen, but it's still remarkably weak if we're trying to help avert a 2°C rise in temperature. And there's no reason we couldn't go even further, quicker. After all, the recession has *already* knocked U.S. emissions [8.5 percent below 2005](#)

[levels](#). What's more, a McKinsey study from 2009 [estimated](#) that the United States could make that 17 percent cut by 2020 through efficiency measures alone—and save the country \$700 billion in energy costs.

2. Trade-sensitive and energy-intensive industries would get a four-year delay before they would be subject to greenhouse gas limits.

3. Two-thirds of the revenues generated by auctioning off pollution allowances for utilities would be returned to consumers through local distribution companies.

This latter bit is pretty similar to [what was done](#) in the House bill—essentially, it's a way to even out the geographical disparities in energy use. This way, for instance, electricity customers in coal-heavy Indiana, say, get a bigger refund than those in hydropower-heavy Washington (so as to compensate for the fact that Indiana's utilities will get hit harder by the carbon price). Is it fair? Maybe not. But how else do you squeak something through the Senate?

4. Oil companies will be subject to pollution allowances that will be retired over time, rather than a linked fee. In an effort to counter criticism that any sort of carbon limits on fuel sales constitutes a gas tax, the Congressional Budget Office will issue a document stating this provision will not constitute a tax. All diesel oil fuel revenues will be set aside and directed to the Highway Trust Fund.

Er, it's difficult to figure out what this actually means, but it seems like oil companies will be included in the big cap-and-trade system after all. Except Kerry et. al. are going through convoluted lengths not to call it a cap-and-trade system.

5. The bill will preempt both the states' and EPA's ability to regulate greenhouse gases under the Clean Air Act, as long as emitters comply with the standards outlined in the measure. The EPA will monitor and enforce compliance with the law.

This is what the House bill did, too. A lot of environmental groups, plus MoveOn, will fight hard against this provision. They argue—maybe rightly—that the cap-and-trade system designed by Congress will be too weak and loophole-ridden to shut down the country's dirty coal plants, and that the EPA's greenhouse-gas authority is needed as a backstop. I wrote about this in more detail [here](#).

6. The bill will contain a nuclear title providing loan guarantees and liability protections for the construction of up to 12 plants.

7. The measure will provide \$10 billion to the coal industry for "clean coal technology" that will capture emissions from coal-fired power plants, and it will provide an accelerated bonus for early deployment of this technology.

8. It will provide financial incentives for natural gas and electric vehicles.

Buying off the opposition. The main changes from the House bill are the new nuclear subsidies and the incentives for natural gas (the natural-gas lobby was absent from the House debate; they didn't make the same mistake in the Senate).

9. The proposal will provide a hard price collar for the price of carbon, with both a ceiling and a floor.

Having a price floor is a good idea: that way prices can't collapse like they did in Europe back in 2005, allowing companies to sit back and not make any reductions at all. A price ceiling is, potentially, a fine idea, too—after all, you don't want the price of carbon to shoot through the roof and cause chaos—but it all depends on the details. Will the government just start selling extra allowances if prices get too high? That would undermine the whole point of having a cap.

10. It will also include the entire energy bill passed last year by the Senate Energy and Natural Resources Committee.

This is possibly the most heinous aspect of the Senate climate bill. The energy title passed by the ENR committee is horrendously weak. Its renewable mandates for utilities would likely lead to [no more](#) additional renewable generation than if we passed nothing at all. And its efficiency standards are [much, much weaker](#) than what the House climate bill contains. Given that energy efficiency is the cheapest and easiest way to cut emissions in the near-term, this might be the most fruitful place for environmentalists to focus their attention.

Anyway, I suppose we'll see Monday what this sucker actually looks like—and presumably we'll get a better sense of whether this bill has a chance of passing or not.

No Reconciliation For The Climate Bill (*The New Republic*)

Bradford Plumer

April 23, 2010 | 11:25 am

A few days ago, Jon Chait [noted](#) that Senate Democrats were preparing yet another budget reconciliation bill this year. That, in turn, raised the possibility that energy legislation could pass the Senate with only 50 votes (rather than the 60 that's now the de facto standard to overcome the inevitable GOP filibuster). Well, so much for that: Kent Conrad's Senate budget committee [closed off that option](#) yesterday:

The committee easily approved, 16-6, an amendment from ranking member Judd Gregg (R-N.H.) that would establish a point of order against using reconciliation for any new program

whose spending exceeds 20 percent of the amount of the reconciliation instruction to the committee. In essence, that would mean that any far-reaching legislative program – including climate legislation – would likely violate the provision.

“One would hope that you’re not going to put energy in reconciliation, but if you are it would definitely trip this point of order,” Gregg said. The point of order could be waved but that would require the support of 60 senators, negating the procedural advantage of moving a bill through the filibuster-proof reconciliation process.

A number of Democrats, including Conrad, had said even before yesterday’s action that there appeared to be little interest in the Senate in moving climate legislation through reconciliation. Indeed, Conrad and five other committee Democrats voted with the Republicans on Gregg’s amendment.

This isn't all that surprising—pretty much everyone has expected that, if climate/energy legislation is ever going to pass, it's going to need 60 senators supporting it—but now it's official.

ENERGY

Your Energy Mind Tricks Won't Work On Me... (*The New Republic*)

Bradford Plumer

April 23, 2010 | 12:41 pm

For some time now, a few electric utilities have been experimenting with [a clever ploy](#) to get their customers to save energy. The idea is simple: The power company just sends people reports showing how much electricity they're using compared with their neighbors. After Sacramento's municipal utility [tried this](#) last year, energy use dropped 2.8 percent. The reports really do seem to motivate people to switch off their lights, install CFLs, shut down their computers at night, or even take bigger steps like insulating their windows. Anything to keep up with the neighbors.

But it turns out there's a twist. Only some people try to compete with the folks next door. A [new study](#) by UCLA economists Dora Costa and Matthew Kahn has found that these programs mainly only work on Democrats, liberals, and environmentalists, who tend to lower their energy consumption in the quest to feel more virtuous than the neighbors. By contrast, many conservatives and Republicans actually *increased* their energy usage. Ray Fisman [explains](#):

Why would some energy-conscious Republicans all of a sudden become power hogs? One explanation is that many conservatives don't believe that burning energy harms the planet, so when they learn that they're better than average, they become less vigilant about turning the lights off. That is, they're simply moving closer to what they now know is the norm (what psychologists call the boomerang effect).

Costa and Kahn also look for guidance from the patron saint of right-wing fundamentalists, Rush Limbaugh, who encouraged his listeners to turn on all their lights during Earth Hour. Costa and Kahn suggest that ardently right-wing electricity customers might respond to paternalistic nudges by burning more energy, just to thumb their noses at Big Brother.

Granted, Fisman argues that this doesn't mean these programs are doomed. Maybe all it means is that a conservation program that might work in, say, liberal San Francisco won't work down in Orange County. Psychology is tricky. Nudging people into saving energy isn't as straightforward as it might seem. And this reminds me to link to an [old-but-important post](#) by Dave Roberts about how, in the grand scheme of things to spend money on in order to reduce carbon emissions, funding research into behavioral science (and study's like the one by Costa and Kahn) may turn out to be one of the smarter investments around.

The Deadly Toll Of The 'Safe' And 'Clean' Coal And Oil Industry (*Wonk Room*)

By [Brad Johnson](#) on Apr 23rd, 2010 at 1:24 pm

The oil rig which exploded off the Louisiana coast on Wednesday, a tragic reminder of why the movement that mobilized forty years ago for Earth Day is still so necessary, has now [sunk below the waves in a fiery grave](#), potentially spilling thousands of gallons of oil underwater. Hope for the eleven men left missing in the explosion has now grown slim. Grist's Jonathan Hiskes notes that this [comes within weeks of](#):

- The awful [coal-mine explosion](#) that killed 29 men under the criminal safety record of Massey Energy CEO [Don Blankenship](#).
- The [crash of a coal freighter](#) into the fragile Great Barrier Reef as it tried to take a shortcut from Australian mines to Chinese furnaces.
- The Tesoro [oil refinery explosion](#) that killed five workers in Washington state.
- The [spillage of 18,000 gallons of crude oil](#) from a Chevron into a canal in the Delta National Wildlife Refuge, also in Louisiana.

The cold reality is that fossil fuel production, just like its combustion, is neither clean nor safe, despite the endless propaganda from the mouthpieces of Big Oil and King Coal:

[Heritage Foundation](#): Since gas prices have fallen from record levels in the summer, drilling has taken a backseat to concerns over the economy. Allowing and expanding safe domestic energy production will not only help in keeping prices low but it will also help stimulate the economy.

[Consumer Energy Alliance](#): The federal government must recognize the tremendous economic opportunity that safe and responsible offshore energy exploration presents to the citizens of coastal Atlantic states and the nation at large.

[Heritage Foundation](#): Thanks to technological advances, offshore energy production has become very safe, as is witnessed by the excellent record of recent years.

[Dow Energy](#): Congress should not re-impose the moratoria on offshore drilling, but create a statutory construct under which drilling can go forward in a safe and effective manner.

[Energy Tomorrow](#): The oil and natural gas industry has a proven track record of safe oil and natural gas development and the majority of the American people recognize this by supporting greater development for the benefit of their communities, their states and their nation.

[Institute for Energy Research](#): Offshore energy exploration and production in the United States is safe and environmentally sound. Over the past 50 years, the U.S. oil and gas industry has developed innovative, 21st century technologies and exploration techniques that are efficient, pose little threat to the environment, and ensure worker safety.

Rep. [Eric Cantor](#) (R-VA): I am committed to continue working with Secretary Salazar as well as our state and federal partners to ensure the safe and responsible production of American made energy and the creation of much needed jobs in the Commonwealth.

Sen. [Jim Inhofe](#) (R-OK): Offshore drilling is environmentally safe. Major spills from platforms are nearly non-existent.

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on April 26, 2010:**

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

@lisapjackson looking forward to it! (Daily Show with Jon Stewart)

Posted by: [stevekunzman](#): 6:00 pm Full post:

EPA's Lisa Jackson Speaks at Climate Change Rally on the Mall ...: Earth Day 2010 was celebrated into the weekend...

Posted by: [honorthysowbug](#) 12:43 pm Full post: <http://bit.ly/cExqby>

Watch The Daily Show, Episode Lisa P. Jackson online stream

Posted by: [emaxalive](#): 2:43 pm Full post: <http://bit.ly/8YEJBp>

Lisa Jackson Jokes With David Letterman (VIDEO)

Posted by: [huffingtonpost](#) 1:58 pm Full post: <http://huff.to/cFFCr8>

NASA Administrator Charles Bolden and U.S. Environmental Protection Agency Administrator Lisa P. Jackson signed a ...

Posted by: [DLOSWAS](#): 2:15 pm Full post: <http://bit.ly/aLw7Ct>

Earth Day 2010: Video message from EPA Administrator Lisa P. Jackson

Posted by: [TSBrass](#): 2:00 pm Full post: <http://shar.es/muOxT>

On top of that, Congressman Ed Markey, EPA Administrator Lisa Jackson, James Cameron and Jesse Jackson all made appearances. Amazing.

Posted by: [kelsibrowning](#): 2:00 am Full post:

EPA@40/ Earth Day Celebration

Over 2,500 smiling faces at National Mall last weekend learning about hydrogen fuel cell cars. Thanks for stopping by the EPA@40 celebration

Posted by: [koshlandscience](#) 1:54 pm Full post:

GHG Regulation & Climate Change

NYT: Troubled Senate [#Climate](#) Bill to Undergo EPA Analysis -

Posted by: [sarahterrycobo](#): 6:50 pm Full post: <http://nyti.ms/bC98Wm>

EPA Sustainable Design Awards

Team from Humboldt State U wins [#EPA](#) sustainability award for its smart outlet energy project:

Posted by: [matt weiser](#): 6:50 pm Full post: <http://ow.ly/1Do4A>

News: EPA Awards More Than \$1 Million to College Teams for Environmental Innovation Students...

Posted by: [soilscience](#): 5:05 pm Full post: <http://goo.gl/fb/10Mv9>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

White House: Immigration Is ‘Important’ And Energy Is ‘Critical,’ But Reid ‘Sets The Agenda’ (*Wonk Room*)

By [Brad Johnson](#) on Apr 26th, 2010 at 5:39 pm

Although both immigration and climate reform are top priorities for the Obama administration, White House domestic policy adviser Melody Barnes said, it is Senate Majority Leader Harry Reid (D-NV) who “sets the agenda.” MSNBC’s Chuck Todd questioned Barnes this morning over the conflict between Reid and Sen. Lindsey Graham (R-SC) that [derailed the expected unveiling](#) of comprehensive climate legislation Monday. Barnes said that energy reform — what President Obama has called one of his “[foundational priorities](#)” — is “critical to this country,” while immigration reform is “important.” However, she repeatedly indicated that the responsibility for moving forward lies with Reid:

MELODY BARNES: What the president and administration want is to work with Congress, Republicans and Democrats in Congress to address these big issues. The Senate Majority Leader will make a decision how to go forward. Immigration reform is important. We also know that comprehensive energy reform is critical to this country. We have to get away from reliance on foreign oil. We know we can create clean energy jobs. **So both of these are top priorities for this president.** We’re going to be working with the Senate.

CHUCK TODD: Can either be signed this year?

BARNES: **We’re hoping to move forward with the majority leader as he sets the agenda.**

Reid's staff had [leaked to reporters](#) that the majority leader wanted the Senate to consider an immigration bill before climate legislation, a statement that made little sense other than a [response to local political pressures](#). As Graham, who has been [the lead Republican on both issues](#), voiced his displeasure, it seems neither Reid nor the White House reached out to quell his anger. Graham and Sen. John Kerry's (D-MA) [American Power Act](#) is ready to be unveiled for direct floor consideration, but immigration reform requires "[significant committee work](#) that has not yet begun" — as Reid said. President Obama has been keeping his pledge to immigration reform advocates to raise the issue with Republicans like Sen. [Scott Brown](#) (D-MA) to get on board with Graham and Sen. Chuck Schumer's (D-NY) immigration effort, but the two bills aren't on the same timetable.

In addition to the fealty of most Republicans to [killer fossil industries](#), Democrats have competing camps on the best pathway to energy action, with senators like Sen. [Byron Dorgan](#) (D-ND) and Sen. [Maria Cantwell](#) (D-WA) pushing for alternate strategies to President Obama's comprehensive climate reform. Reid has waffled on whether he would be willing to risk conflict with Democratic committee chairs by [taking climate reform straight to the floor](#). This potential conflict with senators like agriculture chair [Blanche Lincoln](#) (D-AR) and finance chair [Max Baucus](#) (D-MT) would likely have to be mediated by the President, even as Graham would have the responsibility of locking down Republican votes other than himself.

When it comes to setting the national agenda and leading the Democratic Party, the buck stops at the President's desk, not at Harry Reid's. The [real people](#) who need [real action](#) on immigration and climate reform need the White House to assert leadership.

Transcript:

TODD: I understand that there's this idea that everybody here wants to walk and chew gum at the same time but we will know Washington sort of can handle one big issue at a time. Financial reform at some point feels like it's going to wrap interrupt next couple weeks. It sounds like energy, immigration, can you really expect this town to handle both at the same time or is there going to have to be one over the other?

BARNES: When we walked in the door we inherited big problems. I think what this president has shown is he can handle a number of challenges at the same time.

TODD: Maybe he can but Congress is a different story. We know they have their priorities. I guess what I'm asking, would the White House accept immigration going before energy?

BARNES: What the president and administration want is to work with Congress, Republicans and Democrats in Congress to address these big issues. The Senate Majority Leader will make a decision how to go forward. immigration reform is important. We also know that comprehensive energy reform is critical to this country. We have to get away from reliance on foreign oil. We know we can create clean energy jobs. So both of these are top priorities for this president. We're going to be working with the Senate.

TODD: Can either be signed this year?

BARNES: We're hoping to move forward with the majority leader as he sets the agenda.

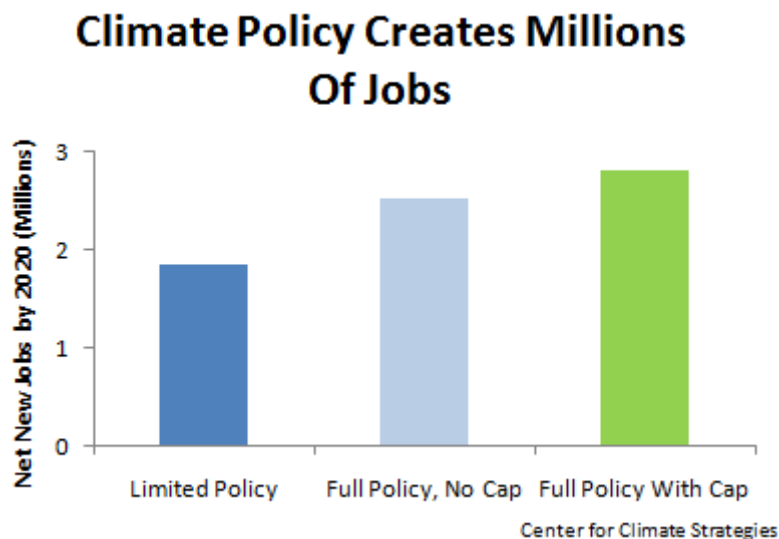
TODD: If he's picking immigration, he's setting the agenda.

BARNES: He's the majority leader.

REPORT: Smart Cap And Trade Will Boost Growth, Create 2.8 Million Jobs, And Cut Carbon Pollution (Work Room)

By [Brad Johnson](#) on Apr 26th, 2010 at 11:39 am

A new macroeconomic analysis of green economic policies finds that cutting global warming pollution will make the economy grow faster. The [Center for Climate Strategies](#) (CCS), building upon analysis they did of state-level climate plans for the National Governors Association, analyzed the economic and environmental impact of legislation in line with the planned Kerry-Graham-Lieberman framework. As long as [state-level policies are boosted instead of pre-empted](#), CCS found that previous [economic analyses by federal agencies and industry groups are wrong](#). This CCS analysis finds that instead of slowing the economy, **household wealth and jobs will grow faster** in a green economy. Carbon limits and efficiency-focused policies would have a net positive employment impact of 2.8 million jobs and expand the economy by \$154.7 billion by 2020, while US emissions are cut to 27 percent below 1990 levels — if strong standards are set:



The modeled job creation is consistent with the findings of Political Economy Research Institute at the University of Massachusetts, which used an input-output model to find that a green

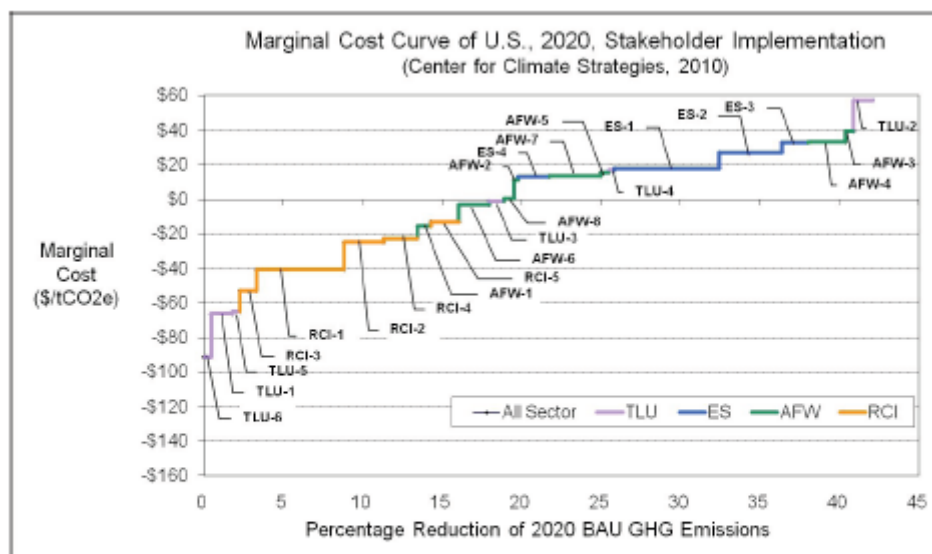
economy would [create 1.7 million new jobs](#). The center looked at three different policy scenarios, using the industry-standard REMI Policy Insight PI+ macroeconomic model:

- Strong local, state and federal implementation of green economic policies like green building codes and smart growth
- These strong policies combined with a federal cap-and-trade system and coupled fuel fee to guarantee emissions reductions of 27 percent below 1990 levels by 2010
- Scaled-back implementation of the policies and cap-and-trade system in line with President Obama’s goal of six percent below 1990 levels, similar to the Kerry-Graham-Lieberman bill soon to be considered

The cap-and-trade system modeled uses full auction of permits and 75 percent of proceeds going directly back to consumers and 25 percent going to technology investments. No proceeds are dedicated to deficit reduction, as none is needed — a faster-growing economy will increase other tax receipts.

In every single scenario, policies that cut waste and save money by eliminating market failures predominate, making the U.S. economy a more efficient free market and accelerating job growth and household wealth. The report finds that stronger environmental targets and standards deliver greater economic benefits — even if the tremendous benefits of reducing pollution have for health and environmental costs are ignored.

The [23 recommended climate strategies](#) range the gamut from agriculture, energy supply, electricity use, to transportation. These strategies — most of which save money — combined can achieve major carbon pollution reductions:



MMtCO₂e = million metric tons carbon dioxide equivalent; GHG = greenhouse gases; BAU = business as usual (no action to reduce emissions) Table 2, below, lists the sector options TLU = Transportation & Land Use; ES= energy supply; AFW = agriculture, forestry and wastes mgt.; RCI = residential, commercial and industrial [buildings and energy/fuel use]

This is what true all-of-the-above energy policy looks like. The [suite of recommended policies](#) coming from the consultants to the Center for Climate Strategies report — the stakeholders in local and state governments, businesses, and energy users — must be taken as a top priority, even if they don't have an army of lobbyists to promote this green economic agenda. The current level of ambition in Washington is not only insufficient to mitigate the damages of global warming, it is leaving hundreds of thousands of jobs on the table.

On Climate, Should Congress Override The States? (*The New Republic*)

Bradford Plumer

April 26, 2010 | 4:34 pm

So... anyone who's fretting about the fate of the climate bill will just have to wait and see whether John Kerry and Joe Lieberman can drag Lindsey Graham back into negotiations—they're all meeting this afternoon. But if anyone needs a wonky way to pass the time, Harvard economist Robert Stavins has a [nice post](#) on an issue that's likely to be particularly contentious if/when the climate bill ever hits. Namely, state preemption. (Try to contain your excitement, people.)

Here's some background: As I've [written before](#), plenty of states are taking their own actions to reduce greenhouse-gas emissions. Some of them are requiring electric utilities to buy up renewable power. Others are banding together and creating their own regional cap-and-trade systems. Some of these state programs are pretty ambitious: California's global-warming law, AB32, goes further in cutting emissions than anything that's likely to emerge from Congress this year. (Of course, California's law [could also get scuttled](#) by a state ballot initiative this fall—or delayed if a Republican like Meg Whitman becomes governor—so we'll have to see how that pans out.)

Anyway, the House climate bill that passed last June would override most of these state efforts. That legislation would set up a nationwide cap-and-trade system for greenhouse gases and, essentially, make state-level carbon-trading programs obsolete. Individual states would no longer be able to race ahead of what Congress is doing. (See [here](#) for a detailed breakdown of what Waxman-Markey does and doesn't do on this front.) And the Senate bill, according to all the rumors, would likely go at least as far.

Now, polluters like preemption because they don't want to deal with a patchwork system of different rules in different states. But many liberals/environmentalists have criticized this aspect of the climate bill because it would undermine, say, California's remarkably far-reaching law. And, in fact, government officials in California, New York, and New England are currently lobbying Congress to preserve their state-level systems. Yet, as Stavins argues, preemption really does make sense for carbon pricing:

This is because of the nature of the climate change problem. Greenhouse gases, including carbon dioxide, uniformly mix in the atmosphere – a unit of carbon dioxide emitted in California contributes just as much to the problem as carbon dioxide emitted in Tennessee. The overall magnitude of damages—and their location—are completely unaffected by the location of emissions. This means that for any individual jurisdiction, the benefits of action will inevitably be less than the costs.

If federal climate policy comes into force, the more stringent California policy will accomplish no additional reductions in greenhouse gases, but simply increase the state’s costs and subsidize other parts of the country. This is because under a nationwide cap-and-trade system, any additional emission reductions achieved in California will be offset by fewer reductions in other states.

Right. If there's a federal cap-and-trade system, then it doesn't make a ton of sense to let some states set up stricter targets—all that does is allow slacker states to slack off even more, and overall pollution levels will remain the same. On the other hand, there *are* some areas where it makes sense to let states forge ahead of Congress. If an individual state wants to tighten its building codes, or build more renewable power over and beyond whatever the federal standard calls for, or tackle emissions not covered by the cap-and-trade program (like agriculture), then those states should be able to do so, since those things aren't really zero-sum games.

Kerry, Lieberman Try To Salvage The Climate Bill (*The New Republic*)

- *Bradford Plumer*
- April 26, 2010 | 10:48 am

As Jon Chait [noted](#) over the weekend, the fate of the Senate climate bill has suddenly been thrown in doubt. Lindsey Graham is pissed off that Harry Reid wants to do immigration next instead of energy, and he's threatened to pull out of negotiations. Without Graham's support, the climate bill isn't going anywhere.

So everything's up in the air right now. *The Hill* [reports](#) that John Kerry and Joe Lieberman—the other two main authors—are trying to salvage the bill, and it even sounds like Reid's softening a bit:

“We need [Graham] to come back. Our hope is something can be worked out where he's comfortable about the separation of these two issues and the primacy of energy and climate legislation in Sen. Reid's scheduling,” Lieberman told the *Journal*.

Lieberman, according to the *Journal*, also said Reid told him Sunday that the majority leader is “ready to do energy and climate legislation as soon as it's ready and that he assumes it will be ready sooner than immigration reform.”

Reid has not commented specifically on sequencing of the measures, but hinted in a statement Saturday that a climate and energy package is further along than an immigration bill.

“I am committed to trying to enact comprehensive clean energy legislation this session of Congress. Doing so will require strong bipartisan support and energy could be next if it's ready,” Reid said. “I have also said we will try to pass comprehensive immigration reform. This too will require bipartisan support and significant committee work that has not yet begun.”

Update: Lieberman's [sounding](#) more optimistic:

Sen. Joe Lieberman (I-Conn.) said Monday that he'd been told that an energy bill would be brought to the Senate floor this year, even possibly before immigration. ...

Lieberman said he had spoken with Senate Majority Leader Harry Reid (D-Nev.) about the upcoming legislative calendar, and that the leader said he would be willing to bring up whichever bill is ready first, which an energy and climate bill appears to be.

"He said to me as explicitly as anyone could: he's going to give the energy bill floor time this year," Lieberman said during an appearance on MSNBC. "Harry Reid said to me yesterday that he will take up whichever of these two bills is ready first am he knows our bill is ready and the immigration reform bill is not."

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on April 2, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

Newsweek: Can EPA Chief Lisa Jackson Force a Climate Deal? EPA chief Lisa Jackson is takin...

Posted by: [rNewsPolitics](#): 4:00 pm Full post: <http://bit.ly/cj5z97>
(Note: New Newsweek article: "Regulate, Baby, Regulate" EPA chief Lisa Jackson is taking on the president's next big challenge: climate change. Will her hardball tactics persuade Congress to play along?)

President [@BarackObama](#) and EPA Administrator [@LisaPJackson](#) are trying to end the W.Va. coal industry.

Posted by: [wvared](#): 2:40 pm Full post: <http://bit.ly/aHqgvU>

EPA Wasted \$13,000 on Low-MPG Car Rentals in Copenhagen — Were Offered Free Zero Emission Cars [@lisapjackson](#)

Posted by: [irishspy](#) 11:50 am Full post: <http://ow.ly/1u4KJ>

Mountain Top Removal Mining Announcement

EPA announces set of actions to protect Appalachian watersheds from mining

Posted by: [WaterTechOnline](#) 4:30 pm Full post: http://www.watertechonline.com/news.asp?N_ID=73806

EPA outlaws mountaintop removal such a great victory for all Appalachians

Posted by: [MikeElk](#): 3:50 pm Full post: <http://bit.ly/c5wC0X>
(ILoveMountains organization)

Tennessee Republican Sen. Lamar Alexander Calls for Eliminating, Not Just Restricting, Mountaintop Mining

Posted by: [JesseJenkins](#): 3:20 pm Full post: <http://ow.ly/1u9fV>

FACES of Coal says EPA Intent on Destroying Appalachian Economy: CHARLESTON, W.Va., April 2 /PRN...

Posted by: [commoditylive](#): 3:40 pm Full post: <http://bit.ly/aHqgvU>

EPA and DOT Enact New Auto Fuel Efficiency Standards

New mpg regulations to increase 40% by 2016 (EPA says it's the same as taking 42 mil. cars off American roads)

Posted by: [TranstarAuto](#) 2:50 pm Full post: <http://bit.ly/cSPBtI>

Help Me Demand Less Regulations: EPA Chief Says New Pollution Rules for Cars Only the Beginning of GHG Regulations

Posted by: [STOVALL WITTE](#): 3:40 pm Full post: <http://shar.es/m2bkD>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

110 Countries Now Support Copenhagen Accord To Achieve Climate Safety (*The Wonk Room*)

By [Guest Blogger](#) on Apr 4th, 2010 at 2:08 pm

Our guest bloggers are Senior Fellow [Andrew Light](#) and Special Assistant [Sean Pool](#) for the Energy Policy Team at the Center for American Progress.

The agreement that emerged from December's U.N. [climate summit in Copenhagen](#) continues to attract support from a growing number of nations despite naysayers who still insist that the meeting ended in failure. A recent Reuters article shows that there are [now 110 countries on board](#), including the world's major carbon emitters, representing more than 80 percent of the world's greenhouse gas emissions:

These countries' collective commitments will not yet achieve the accord's stated goal of holding temperature rise over pre-industrial levels at 2 degrees Celsius, but achieving these commitments could hold us to a 3-degree increase rather than the 4.8 degree rise we would see by 2100 under a business as usual scenario. These commitments also represent a vital first step toward achieving the 2-degree goal. These commitments bring us a bit less than 5 gigatons of carbon dioxide equivalent shy of the reductions needed to stabilize temperature increase at 2 degrees Celsius over pre-industrial levels assuming that countries succeed in meeting the high end of the goals they have set for themselves and also that commitments tied to other countries' comparable efforts go forward.

So how do we achieve the remaining reductions needed to achieve climate safety? The first step in this process is to make the Copenhagen accord binding in order to lock in the reduction commitments, and the second is to increase the ambition of those parties that have signed onto the accord:

Make The Copenhagen Accord Binding. U.N. Secretary General Ban Ki-moon previously pledged to [shift the Copenhagen Accord](#) from a political agreement to a legally binding agreement by the next U.N. climate summit in Cancun, Mexico this December. U.S. Climate Envoy Todd Stern has agreed that [we should be moving toward a legal agreement](#) this year. Most participants in the process believe that the 2010 meeting in Cancun should at least include a discussion of how to make the accord legally binding by the 2011 meeting in South Africa if it cannot be made legally binding before then.

Increase The Ambition. The easiest way to increase the ambitions of countries signing onto the accord is to fix one of the biggest holes in the agreement: the lack of any emission reduction targets for those parties signing on. This gap is in sharp contrast to the Kyoto Protocol, which did include such targets. Reduction targets for developed and developing countries, starting with the 17 to 20 largest emitters responsible for almost 80 percent of emissions globally, should be the first priority. This would bring us closer to the overall temperature goal of the accord than simply increasing the number of parties signing onto it since the countries that have not yet made commitments collectively represent a tiny fraction of global emissions.

Any emission reduction targets added to the Copenhagen Accord will have to conform to the 2 degree Celsius temperature target that is part of the accord. As such, additional emission targets would need to aim to close the 5-gigaton gap from the current Copenhagen pledges if this figure does, in fact, represent the reductions needed to achieve the 2 degree Celsius target for climate safety. If it turns out that we need to achieve greater additional reductions than 5 gigatons, then we should do so.

The United States can make the needed reductions, but it would be a big help if Congress were to pass legislation like the [American Clean Energy and Security Act](#), which would achieve overall emissions reductions greater than the current U.S. pledge of 17 percent cuts below 2005 levels by 2020. The direct set aside in ACES for international forestry programs—which is separate from the allowable forestry offsets in the bill—could alone achieve 750 megatons of reductions annually by 2020. But if emissions reduction programs like this are eliminated in a Senate bill, then these additional reductions would be difficult to achieve, even if the bill is ultimately successful. Those interested in a global agreement on achieving climate safety will therefore have to work hard to make sure that Senate legislation is structured so that it generates revenue to pay for such programs.

One good outcome of Copenhagen is that the accord is still a work in progress. Our calculations of what can be achieved by current pledges under the accord are not final. They can still be improved. It doesn't make sense to worry that the commitments made so far put us on a disastrous pathway to a world 3, 4, or more degrees warmer. That would only be a legitimate worry if the Copenhagen Accord had been finalized last December as a legally binding document at the current level of commitments. Instead, we still have time to use the accord to get us to a safer world.

Abandoning Congress Is Not A Winning Strategy For Climate Activists (*Wonk Room*)

By [Brad Johnson](#) on Apr 3rd, 2010 at 9:49 am

Senators drafting comprehensive climate and clean energy legislation are [negotiating with polluters](#), and talking about [combining a cap on carbon with public incentives](#) for nuclear plants, “clean coal,” and [offshore drilling](#). Should supporters of strong, progressive action to solve the climate crisis give up on Congress and work within the existing legal framework of the Clean Air Act, Endangered Species Act, and other environmental legislation?

We would then rely entirely on the Environmental Protection Agency’s existing authority to set rules for greenhouse gas pollution. However, the EPA is [subject to the same outside political pressures](#) as lawmakers, who control the EPA’s purse-strings. Single members of Congress or single committee chairmen can interfere quite effectively with agency activities if they put their mind to it.

In addition, polluters have all kinds of legal tools they can — and already are starting to — use to tie up, slow down and otherwise impede the implementation of EPA rules. Without a Congressional mandate behind it, the EPA will not have the political power it needs to implement rules with the kind of strength activists want and the science demands. The success of EPA rules absent Congressional action would depend on the politics of whatever administration is in power.

By abandoning legislative reform, climate advocates could instead spend their resources on [litigating against sources of global warming pollution](#). But it also takes a lot of money and time to litigate against a coal plant, and even more to win at it. Even if we could knock out all the new coal plants through litigation, that isn’t going to be a workable strategy for dealing with the ones that are already chugging away, not to mention the refineries, chemical plants, and the rest of the industrial sector, or the transportation sector.

If climate legislation reaches President Obama’s desk with a robust framework, and gets core elements in place, we will come back to it and keep making it better over time. We couldn’t get Congress to get the Clean Air Act right the first time. So the original 1967 law was amended — in 1970, then again in 1977, then again in 1990. This is why strong — and rapid — scientific review provisions are an important element.

It is a travesty that political reality makes it is incredibly difficult to get even a watered-down climate bill even into the ballpark of passage. To change that situation, we need to [mobilize](#)

[grassroots activism](#) to change the political calculus for key states like Arkansas, Missouri, the Dakotas, Indiana, West Virginia, and so on.

At the same time, the federal legislative push shouldn't be the basket where all the eggs are placed either; policymaking at the [local, state, and regional levels](#) have always led the federal level, and the traditional Clean Air Act framework is well-designed and understood. New climate legislation should integrate with existing policy through amendment, not blanket preemption.

Anyone who wants to see a stronger bill can help make it happen by putting [meaningful pressure](#) on the [senators who are sitting on the fence or near it](#) to support strong climate legislation, and [being descriptive](#) in naming what you'd like to see legislation do.

That's the only way to reduce the number of unappetizing deals that are going to get made. Telling people that the vehicle that's moving right now is [hopeless and worthless](#) makes the sponsors' jobs that much harder – which means they'll just cut *more* deals in order to get the bill done.

What's critical for activists — including professional environmentalists — to remember is that the *goal* of climate activism isn't comprehensive climate legislation, or strong EPA enforcement of the Clean Air Act. Our shared, common goal is a green economy that rewards work, not pollution, and saves the natural gifts of the world without which we all perish.

FUEL

EPA's Fuel Efficiency Standards: Bad News for the Consumer (*The Heritage Foundation*)

Posted April 2nd, 2010 at 10:58am in [Energy and Environment](#)

Government policies are typically sold as intuitively good ideas. We can give everyone access to health care and cut the deficit. We can inject money into the economy to create jobs and beat the recession. We'll set up a "Consumer Protection Financial Agency" to do what? Protect the consumer, of course. Government mandates and regulations will help Americans save money on electric bills and at gas stations. The "government knows best" mentality spreads through all sectors of the economy. Yesterday, the Environmental Protection Agency (EPA) delivered that very message [when it announced](#) new fuel efficiency standards and tailpipe emission limits that

will allegedly save consumers money at the pump. This is just the beginning of a long, regulatory path to regulate carbon dioxide emissions:

The Obama administration unveiled a landmark regulation setting fuel efficiency standards and tailpipe emissions limits — a move that will save 1.8 billion barrels of oil and reshape what Americans drive. The 1,469-page joint final regulation from the National Highway Traffic Safety Administration and Environmental Protection Agency sets estimated average fleet-wide fuel economy requirements at 34.1 mpg by 2016. The reason it isn't 35 mpg is because automakers can use air conditioning improvement credits to meet part of the requirements for the 2012-2016 model years.

The regulation predicts the higher requirements will cost automakers \$51.5 billion over five years and add \$985 to the price of an average vehicle in 2016. EPA Administrator Lisa Jackson called it a “victory for automakers” and for drivers. Automakers will get certainty as they plan to meet new tough requirements and will meet just one standard for all states. But the government says the total value to society in reduced gasoline use and lower emissions will be about \$240 billion, so the net benefit is about \$190 billion.”

We're lucky to have the government looking out for us. But what they forgot to mention were some of the unintended consequences of fuel efficiency standards. Mandating more miles-per-gallon increases the cost of buying a new car and makes them less safe. While the administration acknowledged higher sticker prices for vehicles, they may have underestimated those increases. Last year, President Obama [said](#) consumers would be better off paying \$1,300 more for a new car because they will save \$2,800 through better gas mileage. Jim Kliesch of Union of Concerned Scientists calls these estimates “completely realistic” [in an Autoweek.com article](#), but other estimates place the price hikes at \$1,800 for small cars and \$8,000 for large pickups. Sandra Stojkovski of See More Systems, which [specializes in systems engineering](#), “projects the sticker of a compact car will go up \$1,800 to \$2,000. The price of a mid-sized car is likely to increase \$4,500 to \$6,000, she says. Outfitting a full-sized pickup with a diesel, rather than a gasoline-powered V-8, and other new equipment could cost \$9,000.”

Megan McArdle [adds](#), “It will reduce our carbon emissions, but not by as much as advertised, because more fuel efficient cars make driving cheaper, so people will do more of it. This “rebound” effect robs about 25% of gains, and also means more congestion, and more wear-and-tear on roads.”

Consumers have a wide variety of choices when it comes to purchasing a vehicle; clearly, a number of smaller, fuel-efficient cars exist on the market today – including a growing number of hybrid vehicles. But Americans also need larger, safer vehicles for practical reasons: to take their kids to soccer practice, to tow their boat to the shore, or on small farms to haul equipment or produce. At first glance, more miles-per-gallon may sound like a good thing, but not when it obligates consumers to make sacrifices elsewhere. It'll be fun for soccer moms to explain to their kids why they have to pile into a clown car and hold their bags on their lap while an 18-wheeler rumbles by next to them.

WATER

Great Pacific Garbage Patch, Meet Great Lakes Garbage Patch: Don't Plant Plastic in the Lakes (*TreeHugger*)

by Jeff Kart, Bay City, Michigan on 04. 3.10

TRAVEL & NATURE

It's spring planting season in the Midwest. And with planting sometimes comes waste, as in those plastic flats, pots and other items that can end up in a pile after you've finished getting your thumbs green. Some communities are establishing special programs to make sure the plastic leftovers are recycled. The alternative is that they'll end up in a landfill, or be stacked for disposal or storage and blow away into lakes and rivers. Apparently, plant trays and related plastics often aren't accepted at major recycling stations.

We've all heard of the Great Pacific Garbage Patch of floating trash in the ocean. It turns out the five Great Lakes also have garbage patches of their own, fed by plastic debris from waste like discarded planting supplies.

Garden plastic recycling efforts have been launched in northwest Ohio via drop-off sites at greenhouses to keep plastic from being planted in the lakes. Master Gardeners in the state are working with Purpose Green, a post-consumer recycling company that remakes plastic into products for the U.S. market.

NOAA, the National Oceanic and Atmospheric Administration, actually considers marine debris to include the ocean patch AND the Great Lakes, one of which, Lake Erie, borders Ohio to the north.

To remind everyone, the Great Lakes are the largest freshwater system on Earth.

Lake Erie is considered to be the most valuable fishery in the world, but also has the most populated coastline, which makes recycling all the more important, NOAA officials say. The Ohio State University Extension is encouraging other communities to launch similar garden item recycling programs. A larger effort to push manufacturers to use easier-to-recycle or biodegradable plastic wouldn't hurt either.

Happy digging.

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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April 7, 2010**

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on April 6, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

RT [@lisapjackson](#): 15 days left till the 40th Earth Day. Celebrating EPA's 40th anniversary. I want to know what you're doing to celebrate.

Posted by: [Consequence09](#): 6:05 pm Full post:

Urge EPA Admin Lisa Jackson to stand up for real reform! (of TSCA)

Posted by: [MomsRising](#): 4:30 pm Full post: <http://bit.ly/bXiljv>

(Note: Since 2006, MomsRising has been working to bring together millions of people who share a common concern about the need to build a more family-friendly America.)

Lots of RTs

GHG Regulation & Climate Change

Washington Examiner: Democrats Consider Big Gamble on Global Warming plan

[redostoneage](#): 6:39 pm Full post: <http://bit.ly/9Vfkti>

(Note: Sens. John Kerry, D-Mass., Lindsey Graham, R-S.C., and Joe Lieberman, I-Conn., are expected to unveil their bill the week of April 19 in order to coincide with the 40th anniversary of Earth Day, and Senate Majority Leader Harry Reid, D-Nev., has suggested he'll try to tackle it this year.)

Migratory Birds' New Climate Change Strategy: Stay Home: Climate change is throwing migratory birds into

[BaliArtSpace](#): 6:30 pm Full post: <http://url4.eu/2Qxeo>

EPA Proposes Adding More Chemicals to TRI

EPA Proposes Adding More Chemicals to Toxics Release Inventory List 1st program chemical expansion in more than 10 yrs

Posted by: [smtaber](#): 6:20 pm Full post: <http://bit.ly/9iOPra>

More on the new EPA TRI chemicals - brominated flame retardants included

Posted by: [HBNTom](#): 6:00 pm Full post: <http://bit.ly/aS9dUo>

EPA adds 16 new chemicals to TRI list: -all "reasonably anticipated" to be human carcinogens.

Posted by: [beyondbenign](#) 3:15 pm Full post: <http://bit.ly/9NVZoi>
(Note: Green chemistry organization)

Environmental News - EPA Proposes to Add More Chemicals to TRI List

Posted by:

[BLR_EHS](#): 3:25 pm Full post: <http://ow.ly/16ZLgK>

Lead Rules Going into Effect April 22

Lead industry argued in court today that protecting all children "too strict" a requirement for EPA rules. Excuse me?

[nolenje](#): 5:30 pm Full post: <http://bit.ly/1JA6y2>

NAHB Petitions EPA to Delay Lead-Paint Work Regulations Until Agency Can Show Capacity

[@NAHBRemodelers](#) 5:25 pm Full post: <http://bit.ly/bmSZee>
(Note: Nat. Association of Home Builders)

ROUND-UP OF MAJOR BLOGS

AIR

It's Time to Terminate California's Cap and Trade System (*The Heritage Foundation*)

Posted April 6th, 2010 at 1:06pm in [Energy and Environment](#)

California legislators passed a statewide cap and trade bill in 2006 that is set to begin in 2012, but a growing opposition is [seeking to include a ballot measure](#) that would postpone a carbon cap until the state's economy recovers:

“The ballot measure would bar the state from implementing the law until its jobless rate stabilized at or below 5.5% for a year, which supporters say would signal the return of a strong economy. The state's jobless rate topped 5.5% in October 2007 and now stands at 12.5%.

Supporters and opponents of the law disagree about its potential economic effects. The California Air Resources Board, the state clean-air agency administering the law, says the cap would help the economy. It would raise the price of a unit of energy, but reduce Californians' total energy bills through greater efficiency, the board says, freeing up money that would lead to more jobs.

But the board has scaled back its optimism. In a 2008 study, it projected the measure would produce a net gain of more than 100,000 California jobs. Economists widely criticized that study as too rosy. A second economic assessment, released by the board in March, projects a net gain of about 10,000 jobs. A June 2009 study by a group of California small businesses, however, predicted the law could raise the average California household's annual housing, transportation, energy and food costs by about \$3,900, or 15%.”

The increased recognition that cap and trade reduces economic activity is encouraging but the ballot measure does not go far enough. Delaying implementation of cap and trade will only delay the economic consequences of higher energy prices. The pill may be easier to swallow but that

doesn't make it good policy. The fact that cap and trade only makes sense if the state is not in a recession is indicative that the policy is an economy killer.

Heritage [analysis](#) of the federal cap and trade bill passed in the House of Representatives found that beginning in 2012, job losses will be 192,773 higher than without a cap-and-trade bill in place. And the number of jobs lost will only go up, increasing to 285,335 by 2035. And the environmental benefit? Climatologist Chip Knappenberger [projected](#) that Waxman-Markey would moderate temperatures by only hundredths of a degree in 2050 and no more than two-tenths of a degree Celsius at the end of the century. If California tries to cap CO2 emissions by itself, the economic costs will come with even smaller environmental benefits – too small to even measure.

Contrary to the claims of an economic boost from green investment and green job creation and “postage stamp” costs, cap and trade does the complete opposite by increasing energy prices—thereby causing a considerable reduction in economic growth, household incomes, and employment. A more prudent ballot measure would be to remove California’s cap and trade plan completely.

CLIMATE CHANGE/GLOBAL WARMING

TV Weather Guy Dan Satterfield Is Not Afraid To Talk About Climate Change (*Wonk Room*)

By [Brad Johnson](#) on Apr 6th, 2010 at 3:05 pm

Television meteorologists and weather forecasters — the primary source for many Americans for science news — are [predominantly skeptical](#) of the science of manmade climate change. In fact, a [recent poll by George Mason University](#) found that a quarter of TV weather guys are outright conspiracy theorists, believing that the scientific consensus is a hoax. However, television meteorologist [Dan Satterfield](#) of WHNT in Huntsville, AL has written why his colleagues [should be explaining science](#), not denying it:

Scientists are taught to be skeptics. Show us the data. Being skeptical is good scientific practice but **ignoring a mountain of evidence while giving credit to claims in political journals instead is not scientific skepticism. It's politics.** This is why I am not afraid to talk about climate change. **I think I'm obligated to do so when there is overwhelming evidence we are**

tampering with the very air conditioner of our planet. I have all the world's major scientific organizations backing me up as well.

Satterfield — a real meteorologist with a background in atmospheric physics — was on the advisory panel for the George Mason poll. He was “absolutely floored” that 26% of the respondents believe global warming is a scam, and recognizes that some resistance to the science of climate change may come from the inability of models to forecast long-term weather:

It is very difficult to forecast the weather for the next 7 days and perhaps the idea of talking about the weather 100 years ahead is the problem. I used to feel exactly the same way. **I've since learned that climate and weather are two very different things.**

The climate science community needs to work hard on explaining this to TV weather people and the public at large. **Weathercasters on the other hand need to take a page from good journalists and learn to set aside political beliefs and really study the science.** Especially if they are going to talk about it on air. They have an obligation to do so.

“Peer review and scientific method have taken us from living in log cabins to exploring the outer planets in two centuries,” Satterfield continues. “The great thing about the way science works is that the knowledge is built upon those that have come before.”

He then demolishes a [series of myths](#) about the science of climate change, noting that peer-reviewed science has dealt with questions such as the [effect of the sun](#), the [unprecedented pattern](#) and [scale of warming](#), [data reliability](#), and the “dozen other [independent climate proxies](#) that all show warming.”

“The world of science is waiting,” Satterfield writes. “All you have to do is write it up and submit it to a peer reviewed journal. That's how science works. Political spin does not, but science does.”

There have been critics of the scientific understanding of global warming for decades, but over that time the consensus has grown. Satterfield rightly recognizes that what's left are not skeptics, but “nutters” who believe in a giant conspiracy:

So we are left with the giant conspiracy to prevent the truth from being published. The claim is thousands of scientists around the world are all working together to prevent the “truth” from being published. The great thing about a conspiracy is this. If someone proves it wrong, you can just claim the proof is part of the conspiracy! Every newsroom gets these conspiracy calls every day. Castro shot Kennedy, Area 51, contrails are really chemical mind control, etc. **News folks just call them nutters.** Twenty people can't keep a secret, much less thousands. **Get real.**

Dan recently finished a Masters degree in Earth Science, is a full member of the American Meteorological Society and has also been elected a member of the International Association of Broadcast Meteorologists. He has held the AMS Seal of approval since 1985, and is an AMS

Certified Meteorologist. His blog is the [Wild Wild Science Journal](#), and he is on Twitter as [@danwhnt](#).

Who's In Charge Of Geoengineering? (*The New Republic*)

Bradford Plumer

April 6, 2010 | 12:50 pm

Last week in Monterey, California, hundreds of scientists, environmental groups, think-tank types, and philosophers attended the [Asilomar International Conference on Climate Intervention Technologies](#). The topic at hand was geoengineering. And a good chunk of the conference was spent talking about what that term even means, since it can refer both to technologies that suck CO₂ out of the air (which are mostly non-problematic, unless you're trying to, oh, create [toxic plankton blooms](#) in the ocean) *and* to technologies that manipulate the Earth's climate by, say, blocking the amount of sunlight that hits the planet (the latter's a bit dodgier).

But once that was out of the way, the conference moved on to more interesting discussions about how geoengineering technologies should be regulated and governed. After all, if our best efforts to curb greenhouse gases fail and we decide to sprinkle sulfates in the sky in order to block sunlight and stop global warming, well, who does the sprinkling? And what if the sulfates mess up global rainfall patterns, as many experts expect—who's responsible for the harm done? What if one country decides to go rogue and do a little geoengineering on its own?

And that's only the start. Jeff Goodell, who a) has written a [fantastic new book](#) on geoengineering and b) attended the conference, [reports](#) on a number of tough questions that were raised—including the question who's going to pay for all this geoengineering research:

It was generally agreed that for CO₂-sucking technologies, private investment was not a problem [*n.b., assuming we have some sort of cap-and-trade system in place*]. Sunlight-reduction technologies, however, are another issue. If some company (or entrepreneur) is able to develop a new way of injecting particles into the stratosphere that becomes indispensable to the survival of the human race, well, that gives that company or person a lot of leverage.

“I’m not interested in selling my soul to some company who is going to control how much sunlight hits the planet,” said Phil Rasch, a climate modeler at the Pacific Northwest National

Laboratory in Washington state. (As one audience member quipped, “Gives new meaning to company town.”) Granger Morgan, the head of the department of engineering and public policy at Carnegie Mellon University, argued that the creation of a profit motive would inevitably lead to a geoengineering lobby: “Lobbying is the *last* thing we need on this.”

Well, there's always government funding, though that can raise its own worries, especially if national militaries want to start funding climate-intervention tech. (Some Pentagon officials are [already mulling](#) the idea.) It sort of sounds like there are so many potential headaches lurking that many of these geoengineering schemes—even they *could* cool the planet—are unlikely to be any simpler or easier than cutting CO2 emissions.

EARTH DAY

Earth Day on Every Block (*The Huffington Post*)

[Phaedra Ellis-Lamkins](#)

CEO, Green For All

Posted: April 6, 2010 06:05 PM

authored with Reverend Lennox Yearwood, Jr, [Hip Hop Caucus](#)

On April 22, 1970, the world recognized the first Earth Day. That same year, Hip Hop was born in the streets of New York City. For four decades, Earth Day and Hip Hop have been seen by many as rebellious; two voices speaking out against injustice, two commitments to principles that make some uncomfortable or angry.

For us, Earth Day 2010 marks a moment to reflect on 40 years of progress, to continue our commitment to addressing problems that have been ignored for too long, and to celebrate the spirit of doing what's right, not what's easy.

Today the Hip Hop Caucus and Green For All announce Earth Day on Every Block. This effort is part of [Green The Block](#)'s monthly calls to action, which engage people across the country in building healthier, stronger, more sustainable communities through local educational events. In celebration of the 40th Anniversary of Earth Day and Hip Hop, Earth Day on Every Block will bring core principles for smarter living to every block in America.

This sounds harder than it is. Making your block greener means doing simple, thoughtful things - for example, turning off electronics that aren't being used, using less water, eating better, recycling whenever possible. These small changes improve our own lives immediately, and have a massive impact on the world when added together. Join us now: Take the [Earth Day on Every Block Pledge](#).

This Earth Day, we'll demonstrate the power that we all have to make a difference. Young people and communities of color can and will be leading the effort to improve our communities - because it is our neighborhoods that are impacted most, because we're the ones who are inheriting the planet. And this pledge won't just have an impact on your block - it's going to have an impact on our leaders in Washington.

Think about that. You can change your own life, in easy but meaningful ways, which can spill over to the rest of your block. If you recycle, you neighbors and parents will be more thoughtful about doing so. If you buy healthier foods, it gives local stores more incentive to stock them. If you and your neighbors, family and friends tell your elected officials that these things are important to you, it can tip the balance and make the House and Senate pass policies for a sustainable America and opportunity in our neighborhoods. All this is possible if you stand up for what you believe in.

It took over a century for us to create the environmental crisis. The economic crisis was a decade in the making. These massive challenges didn't emerge overnight, and solutions are also unlikely to come quickly. But by taking personal action, changing our own lives, and working for change in our neighborhoods, our collective action can change the world.

Make a statement about who you are and what you believe in. Continue making your voice heard. Take the pledge, and [join our cause](#).

Phaedra Ellis-Lamkins and Rev. Lennox Yearwood, Jr.

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on April 7, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

Heading to DC on the 14th for Creating Climate Wealth Summit with Richard Branson and Lisa Jackson the time is NOW!!!

Posted by: [AREDAY](#): 7:00 pm Full post: www.carbonwarroom.com

All green tweeples be advised that [@lisapjackson](#) is now on twitter. hello, EPA!

Posted by: [energyaction](#): 6:00 pm (yesterday) Full post:

Really exciting that [@lisapjackson](#) is engaging on Twitter. Wondering when she will start following people? Makes a huge difference!

Posted by: [energyaction](#): 6:20 pm (yesterday) Full post:

GHG Regulation & Climate Change

US to host major climate meeting in April: Talks designed to advance global negotiation on climate change. 8 Apr 2...

Posted by: [BusinessSpec](#): 7:10 pm Full post: <http://bit.ly/acNQGL>

Washington Examiner: Clean Water Act joins Clean Air Act in EPA toolbag to fight CO2

Posted by: [72jag](#): 6:40 pm Full post: <http://tinyurl.com/yfcffch>

(Note: "Unlike during the Bush/Cheney regime, the EPA under the Obama Administration is actively working to protect the environment; in other words, the EPA is now doing its job.")

News: Green Groups Fight to Keep EPA's Power Over Greenhouse Gas Emissions

Posted by: [MalarkyNews](#): 6:40 pm Full post: <http://bit.ly/c03ZHX>

The Hill E2 Wire: 7 Dem State AGs ask Senate not to preempt state GHG rules like RGGI & AB32.

Posted by: [MalarkyNews](#): 5:50 pm Full post: <http://bit.ly/b4iUtA>

Chesapeake Bay

Daily Press: Despite crab and grass improvements, Chesapeake Bay in "poor" shape, EPA says. - Keep Watching!

Posted by: [America1First](#): 5:10 pm Full post: <http://bit.ly/9xRbfU>

B'More Green blog: Health of Chesapeake Bay shows modest improvement, according to annual EPA report.

Posted by: [baltimoresun](#) 12:05 pm Full post: <http://bit.ly/aRSNb9>

TSCA

Let EPA know you want strong controls on toxic chemicals. Congress drafting bills. Consumers need protection.

Posted by: [BoomerGuide](#): 6:40 pm Full post: <http://seattlepi.com/b200957>

Tell the EPA, the worst toxic chemicals need to go now!

Posted by: [WA_Toxics](#) 6:20 pm Full post: <http://bit.ly/d8Ivvk>

(Note: Washington Toxics Coalition campaign)

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Global Boiling Is Washing Away The Northeast With Wild Wet Weather (*The Wonk Room*)

By [Brad Johnson](#) on Apr 7th, 2010 at 12:20 pm

Catastrophic rainfall is increasing in the northeastern United States, a new climate change report has found. As New England residents [continue the clean up](#) from the latest round of disastrous flooding, researchers at the University of New Hampshire commissioned by Clean Air-Cool Planet found these calamities are part of a long-term trend of extreme precipitation. The region, like the planet in general, is warming, shifting precipitation into more extreme events. As weather patterns are increasingly shaped by manmade pollution, the [climate change impacts](#) in specific regions like the Northeast become more starkly evident:

One of the most obvious examples of these impacts is the increase in extreme precipitation events, which, combined with changes in land use, have led to an increase in freshwater flooding events across the region, exemplified by the “100-year” floods that have occurred in southern New Hampshire in 2005, 2006, 2007. And again in 2010, powerful nor’easters drenched the northeast with 3” to 8” of rain three times (late February, middle of March, and end of March) which resulted in significant flooding across the region.

Examining precipitation data from “[219 weather stations](#) in New England, New Jersey, New York, and Pennsylvania from the years 1948-2007,” including some with long-term data going back to 1900, the researchers found that in “all but 18 of the stations storms which produced at least 1” of rain in 24 hours (or the equivalent in snowfall) are increasing. Furthermore, storms which produce 2” and 4” of rainfall in a 48-hour period also are increasing in frequency.” The report authors note that we must abandon the idea that “100-year storms” will come only once every century, and must completely rethink public and private infrastructure and planning in our future of increasingly rapid climate change:

Requirements for how and where we build our homes, businesses, roads, wastewater treatment plants, power lines and other infrastructure need to be re-evaluated. For example, flood relief structures are constructed to a certain level of performance, in many cases,

built to prevent flood impacts from the 100-year flood threshold (based on an outdated definition of the 100-year flood). **The problem with increasing frequency and intensity of extreme precipitation is that the 100-year flood is now occurring much more frequently.** It may be necessary to alter building codes to withstand even larger events and adopt floodplain ordinances to exclude/restrict construction in high risk areas. Knowing the trends will assist society in becoming more prepared and **possibly help prevent the worst-case scenarios projected for our future**, if current trends in climate change indicators continue.

The United States is under siege from manmade global warming. Increasingly extreme weather is already destroying homes, families, and even entire communities across this nation. As temperature rises increase, we must prepare to meet the coming deluge even as we make every effort to stop spewing climate-destroying greenhouse gases into the air.

FUEL

Could New EPA Requirements Cause Headaches for Automakers? (*The Heritage Foundation*)

Posted April 7th, 2010 at 10:55am in [Energy and Environment](#), [Enterprise and Free Markets](#) with

The taxpayer-funded auto bailout was largely the result of a number of poor decisions made by General Motors and Chrysler. Along with the excessively high labor and legacy costs, Detroit's dependence on big, non-fuel-efficient vehicles was its own doing and at one time, was a very profitable strategy. Detroit struggled to make competitive fuel-efficient vehicles that rivaled its Japanese counterparts. The government stepped in and took a controlling stake in General Motors and, more recently, attempted to provide more regulatory stability by mandating stricter fuel efficiency standards. The Environmental Protection Agency and National Highway Traffic Safety Administration [announced](#) fleet-wide requirements of 34.1 miles per gallon 2016 for all automakers in the U.S.

Automakers are supportive of the ruling since it provides some regulatory stability, but it doesn't come with guaranteed consumer demand. [Setting aside the other problems](#) with the government mandate, the new government regulations become a problem if it forces car manufacturers to produce vehicles no one wants to buy. Gloria Bergquist of the Alliance of Automobile

Manufacturers [said](#), “We have a hill to climb, and it’s steep, so we will need consumers to buy our fuel-efficient technologies in large numbers to meet this new national standard.”

Bob Lutz, Vice Chairman of GM echoed Bergquist’s remarks [saying](#), “We’ll have to force a lot of hybrids, which people may or may not pay for.” Consumers have a wide variety of choices when it comes to purchasing a vehicle; clearly, a number of smaller, fuel-efficient cars exist on the market today – including a growing number of hybrid vehicles. Yet Jake Fisher, senior automotive engineer at Consumer Reports [said](#), “Performance hybrids and mild hybrids haven’t gained any traction in the market.”

So there’s a potential for mass quantities of vehicles sitting on dealerships lots – sounds a lot like the last auto bailout. Maybe this time the government will be able to predict what consumers want down the road. Or maybe the government has backed our nation’s automakers into a corner and the only way out is more taxpayer-funded handouts. Megan McArdle [says that](#) raising the country’s fuel economy standards “will either help the Big Three compete, or seal their doom as the Japanese manufacturers continue to eat into their market share. If I had to bet, I’d wager this means big ongoing subsidies for our favorite three public charities.”

Just what American taxpayers were hoping to hear.

HAZARDOUS WASTES

NRC Trips Obama’s Sprint to Close Yucca Mountain (*The Heritage Foundation*)

Posted April 7th, 2010 at 3:14pm in [Energy and Environment](#)

In a welcome decision, the Nuclear Regulatory Commission yesterday announced that it will not act on the Department of Energy’s motion to withdraw its application to construct the nuclear materials repository at Yucca Mountain until the court system rules on related lawsuits.

Not only will it not consider the motion but it will continue its work on the application review and expects to have a significant portion completed by November. In other words, Yucca is far from dead.

The announcement from the NRC was a pleasantly unexpected one. Just days ago Department of Energy Secretary [said](#), “We are taking steps to end [Yucca Mountain] because... we see no point

in it. It's spending a lot of money. It's very important that we not linger around this decision. It's been made, and we want to go forward and move into the future." The DOE called Yucca an unworkable option. Apparently the NRC wasn't listening.

After the DOE proclaimed that it would withdraw the Yucca application, a dozen parties subsequently filed petitions to intervene, mostly on the grounds that it was unlawful for the DOE to do so. And this was the problem all along for the Administration's policy. They disregarded the process, ignored existing statute, flouted the will of Congress, and overlooked the science. Most importantly, they allowed politics to get in the way of sound policy.

Just like the president's announcement on offshore drilling, his rhetoric on nuclear sounds good but [his policy decisions do little to advance](#) the long-term prospects of nuclear energy. This is clearly the case with Yucca.

Even if Yucca is not the final destination for our nation's nuclear waste, it shouldn't prevent the NRC from completing the Yucca license application. A geologic repository will eventually be needed, and the application process will provide the NRC, DOE, and the nuclear industry valuable information to inform future decision-making.

If killing Yucca Mountain is what the Administration wants to do then it should go about it the right way. It should seek legislative reforms to allow for a Yucca alternative and develop an achievable Plan B to take the current plan's place. Doing so would allow the 121 communities across the country that currently store both commercial and defense waste to be more comfortable with the process. .

A better approach altogether, however, would be to institute reforms that would allow the project to move forward in a more stable way. The heart of such an approach would be to empower the State of Nevada to determine the outcome of Yucca Mountain. Then Nevada could negotiate a workable solution directly with industry—leaving out the federal government and all of its politics. If no workable plan is developed, then Yucca dies on Nevada's terms. If, however, an agreement is reached, then Nevada could enjoy the many economic benefits of hosting such a facility.

The Obama Administration's awkward attempt to strong-arm the death of Yucca Mountain is but the latest [chapter in government ineptitude](#) when it comes to nuclear waste. It's good to see the NRC seems to have recognized the folly of the process and responded by slowing things down. To be effective, regulators can not be bullied and judging by yesterday's decision; the NRC will not be bullied. Good for them.

MINING

Pebble Mine: Foreign Mining Companies' Scheme Would Poison America's Paradise (*The Huffington Post*)

Robert F. Kennedy Jr., Joel Reynolds and Jean-Michel Cousteau

Posted: April 7, 2010 12:09 PM

On Earth Day, April 22, 2010, of all days, the British mining giant Anglo American is holding its annual shareholder meeting in London. Anglo American and Northern Dynasty Minerals, its Canadian partner, are scheming to construct one of the world's largest copper and gold mines, the Pebble Mine, in the watershed above Alaska's pristine Bristol Bay.

This unspoiled region, surrounded by icy peaks, is made up of vast tundra, crisscrossed by crystal clear rivers, fed by pristine lakes, including Alaska's largest. Moose and caribou wander in fertile wetlands across a jigsaw array of national parks, wildlife refuges, and our country's largest state park. Grizzlies, wolverines, seals and whales, sea birds and bald eagles flourish there in numberless congregations drawn by the lure of tens of millions of thrashing salmon, charging upstream to spawn, feeding the most productive sockeye salmon fishery in the world. For thousands of years, local communities have relied on subsistence fishing and hunting.

Incredibly, the global mining conglomerate Anglo American and its Canadian partner Northern Dynasty Minerals Ltd. (including Rio Tinto and Mitsubishi Corporation) have already invested hundreds of millions of dollars in a plan that would transform this magical Eden into an industrial wasteland. They want to build one of the world's largest gold and copper mines in the heart of Bristol Bay's watershed. Picture a gaping pit two miles wide and 2,000 feet deep, and an underground mine almost a mile deep near the shores of Lake Iliamna, the source that, with the Nushagak River to the north, feeds the entire 40,000-square mile watershed and Bristol Bay itself.

At Bristol Bay's headwaters, the Pebble Mine will spew a witch's brew of toxic waste -- deadly acids from mineralized rock, contaminated leachate from tailings piles, and the toxic residues from processing chemicals. The mining moguls will detonate thousands of tons of explosives to open the earth, build roads and trample thousands of acres of wilderness and wetland beneath giant vehicles. Project construction will permanently alter the region's natural river drainage system, including de-watering an estimated 60 miles of spawning habitat in the world's largest intact sockeye salmon streams. An 86-mile road will link the mine to a new deepwater industrial port in Cook Inlet, increasing ship traffic and port pollution and further pressuring the Inlet's dwindling population of critically endangered beluga whales. The mine would also threaten beluga whales in Bristol Bay, who depend on the salmon runs for survival. The mine may produce up to 10 billion tons of waste and lethally poisonous mine tailings stored in artificial

ponds covering over 10 square miles, behind several of the tallest dams in the world - earthen structures that dwarf even China's concrete and steel Three Gorges Dam. The operation will require as much energy as Anchorage, Alaska's largest city, exacerbating global warming.

This apocalyptic spectacle in one of the world's most treasured ecosystems has mobilized a rare coalition of angry opponents in Alaska, including native communities, commercial and recreational fishermen, hunters, outdoor outfitters, environmentalists, and Alaska's tourism industry. Even prominent jewelers led by Tiffany & Co. aren't buying the conglomerate's claims that their project is safe: Tiffany's announced last year a "No Pebble Pledge" -- a campaign joined by over 20 jewelry companies, with annual sales in the billions.

And their skepticism is a safe bet given the track record of similar large-scale hard rock mines. A recent study found that 89% of such mines in the U.S. violated water-quality standards despite unequivocal permit commitments to comply with state and federal requirements.

The leader of this unusual alliance to protect Bristol Bay is Nunamta Aulukestai ("Caretakers of Our Land" in Yup'ik), an association of native communities around Bristol Bay that have relied for millennia on subsistence fishing and hunting. Nunamta has partnered with Alaska's commercial and recreational fishermen to protect the cradle of what is arguably Alaska's most valuable renewable resource - the Fort Knox of salmon -- generating tens of thousands of jobs and over \$400 million in revenue each year. Because copper is toxic to fish, even minute exposures risk impairing their navigational systems, destroying a salmon's ability to return to its spawning stream, and thereby jeopardizing all of the native communities around Bristol Bay and the region's wildlife that rely on annual salmon returns.

The Pebble Mine threatens southwest Alaska's natural resources, the economic foundation of communities throughout Bristol Bay, and our shared interest in the security of a food supply of national importance. Pebble is a toxic recipe for disaster, and it should be abandoned now. There are a lot of places in the world to mine copper and gold. But there is no compelling reason to allow a foreign consortium to destroy one of America's great national treasures and jeopardize the health and livelihood of American citizens.

Please [take action now and sign NRDC's petition](#). Tell Anglo American that you won't tolerate the destruction of America's natural and cultural heritage in order to line its own pockets.

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on April 8, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

Thank [@LisaJackson](#) for her bold action against mountaintop removal coal mining -

Posted by: [coyotedelnm](#): 6:15 pm Full post: <http://bit.ly/c0b9nr>

Thank [@LisaJackson](#) for her bold action against mountaintop removal coal mining -

Posted by: [sesEARTH](#): 6:00 pm Full post: <http://bit.ly/c0b9nr>

Thank [@LisaJackson](#) for her bold action against mountaintop removal coal mining

Posted by: [RefreshbyMidori](#) 1:15 pm Full post: <http://bit.ly/9jI8oV>

(Note: lots of RTs)

Open Government

Highlights of some of the other elements of the [#OGD](#) [#opengov](#) plans. From the inside.

Posted by: [EllnMllr](#): 6:40 pm Full post: <http://bit.ly/bEmWiY>

(Note: Ellen Miller is with the Sunlight Foundation. Update from previous blog – see below. “For example, the [Environmental Protection Agency is making citizen participation](#) in its work the hallmark of its plan. Planned community engagement projects include everything from urban waters to solid waste and emergency response. U.S. Department of Agriculture is also ramping up its [participation efforts in connection with the rules by which the nation plans its national forests.](#)”)

HuffPost: Let the Sun Shine In! US CTO on Open Government Plan and Release of Data

Posted by: [RefreshbyMidori](#) 6:03 pm Full post: <http://huff.to/c3qfEI>

(Note: WH Blog by Aneesh Chopra and Norman Eisen: Today marks another historic milestone in President Obama's campaign to change the way Washington works as Cabinet agencies and departments release their Open Government Plans - concrete steps to deliver a more transparent, participatory and collaborative government.)

Major Milestone Reached in Open Government Initiative

Posted by: [@knightcomm](#): 5:15 pm Full post: <http://goo.gl/fb/ytVdm>

(Note: The Knight Commission on the Information Needs of Communities. “The Open Government Initiative is an important endeavor. Public information belongs to the public. The Knight Comm. has pointed out that public ownership of public information is meaningless unless government at all levels operates transparently, facilitates easy and low-cost access to public records, and makes civic and social data available in standardized formats”)

Our current take on [#opengov](#) plans from agencies. Idling in the driveway:

Posted by: [SunFoundation](#) 3:15 pm <http://bit.ly/aNHudc>

(Note: from Sunlight Foundation – Ellen Miller)

Feedback Request - EPA Open Gov Timeline - [#gov20](#)

Posted by: [opengovnews](#): 2:47 pm Full post: <http://url4.eu/2VGz7>

(Note: Opengovnews: Comprehensive coverage on Open Gov & Gov 2.0, via Eqentia's Semantic news aggregation platform – Canada)

EPA Tightens Rules on Pesticide

AP: SALT LAKE CITY - EPA tightens rules on pesticide linked to deaths: -- Federal officials have tightened regu...

Posted by: [Rolonews](#): 3:00 pm Full post: <http://bit.ly/c79mFI>

(Note: The U.S. EPA says aluminum and magnesium fumigants can no longer be used near homes. The agency added other regulations about where it can be used outside and what kinds of warnings must be posted when it's been applied. EPA officials said Thursday they had planned to review the pesticide in the coming years but sped up the process after the Utah deaths. The new changes went into effect Wednesday.)

Salt Lake Tribune: FUMIGATING RODENT HOLES: EPA restricts [#pesticide](#) implicated in death of two Layton sisters

Posted by: [pdjmoo](#): 3:40 pm Full post: <http://ow.ly/1w6xQ>

GHG Regulation & Climate Change

Scientific American: How Scientists Can Improve Understanding on Climate Change

Posted by: [EPSclimate](#) 6:50 pm Full post: <http://bit.ly/aholqf>

Financial institutions urged to combat climate change: IFC, a member of the World Bank Group, is partnering ...

Posted by: [VisionairesClub](#): 6:56 pm Full post: <http://tinyurl.com/yz5clty>

OneClimate.net a new social networking space for sharing ideas and experiences on climate change -

Posted by: [GREENinPDX](#): 5:40 pm Full post: <http://www.oneclimate.net/bolivia>

TSCA

Ask the EPA to support strong reform of our outdated chemical law! Take action today
[@saferchemicals!](#)

Posted by: [SeventhGen](#): 1:15 pm Full post: <http://7gen.us/aOF7Qd>

(Note: Seventh Generation is huge manufacturer of natural/organic household and personal-care products – 16,000 followers)

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

The Problem With A Green Economy: Economics Hates The Environment (*Wonk Room*)

Our guest blogger is economist [James Barrett](#).

By [Guest Blogger](#) on Apr 8th, 2010 at 11:33 am

Economics is critical to getting decent climate legislation passed, as Nobel Prize-winning economist Paul Krugman discusses in a [extended piece](#) for the New York Times. Economists like me have always suspected that this was true, but then we also suspect that economics is critical to pretty much everything. The problem is that economics hates the environment, or at least environmental policy.

In the [real world](#), environmental policy has been very good for the economy. But economic analyses of climate legislation find that pollution limits slow economic growth and increase costs. The Waxman-Markey climate bill — the American Clean Energy Security Act (ACES) — is a perfect example. As any good wonk will tell you, the [economic analyses of ACES](#) actually looked pretty good, especially when compared to some of the [econolyptic predictions of past climate policy](#). The problem is that while the analyses were pretty good for ACES, they were horrible for climate policy. The [analysis done by the EPA](#) was the source of some the [lowest cost estimates that anyone put out](#). This analysis was actually bad news.

The reason why this is such bad news for climate policy is because it resonates strongly with people's fears, it reinforces the conventional wisdom that climate policy will hurt the economy, and because it's wrong.

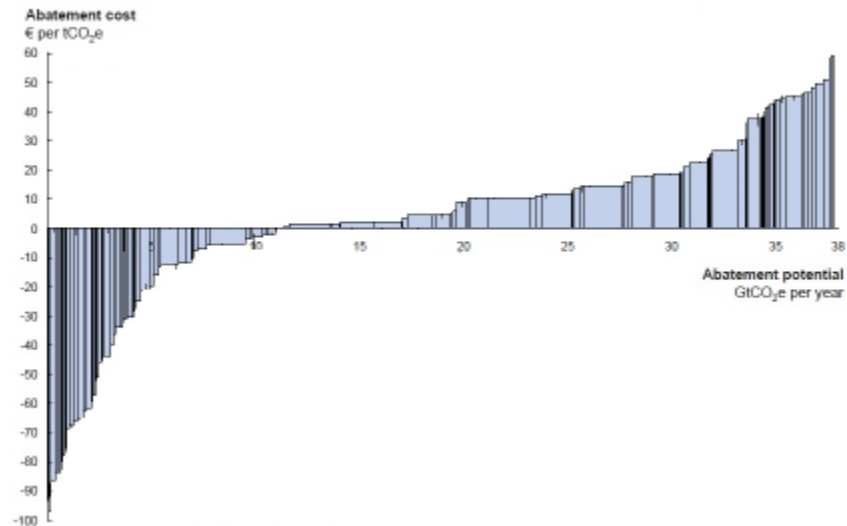
The heart of the problem is that the economic models economists use were written, for the most part, by economists. They are based on logical economic theories that make sense to economists because, in part, they assume that everyone understands that economics is critical to pretty much everything, and act rationally as a result. Not “rational” in the sense that people understand the difference between up and down, but rational in the sense that if your boss cut your hourly wage, you would voluntarily choose to work fewer hours, even if you have a family to feed. If you take the assumptions that underlie economic rationality to their logical conclusions, they can result in a [pretty strange view of the world](#) and how it works:

SOME FALLACIES OF CONVENTIONAL CLIMATE ECONOMICS

1. **We already live in an economically optimal world.** In an economically rational world, there is no inefficiency and everyone is investing the optimal amount of money on research and development of new technologies. If a business could save money by switching to a more efficient heating and cooling system, it would have done it already. Likewise, firms are investing in energy efficiency research up to the point where an additional dollar of investment yields an expected return of one dollar in energy savings. To do less would leave money on the table, and to do more would be a waste. Anything else would be irrational. The implication of this is that, with everyone constantly and correctly optimizing their behavior, **there is nothing the government can do to make us any better off.** If everyone is investing exactly the right amount in energy efficiency, government incentives for to do more would induce people to do too much, diverting resources from other areas with a higher rate of return. This assumption is most prevalent in what are called “general equilibrium” (GE) models. As you might guess, GE models are preferred by the economic profession, yielding logically consistent if demonstrably wrong results.

2. **There can be no win-win solutions.** Since everyone is constantly optimizing their energy decisions, anything that could cut carbon emissions while simultaneously saving money or increasing profits has already been done. Emissions cuts that save money have, in economics terms, a negative price. Since no one would ever give you something you wanted and pay you for the privilege of taking it (that would be irrational even to most non-economists, I think), negative cost emissions reductions can’t exist. While it might sound trivial, there is also a technical problem with this. Economic models have a hard time assimilating prices with a negative sign in front of them. So, we declare win-win solutions non-existent by fiat. The EPA analysis comes out looking so good for ACES in large part because the costs of carbon abatement are lower than in other models. But what if someone, say a big consulting firm (McKinsey & Company), [went out into the real world](#) and found that carbon abatement costs look more like this:

Global GHG abatement cost curve beyond business-as-usual – 2030



All those negative cost (win-win) emission reduction opportunities on the left of the McKinsey cost curve are essentially excluded from the EPA analysis — and CBO, EIA, NAM/ACCF . . . So even the most optimistic analysis of the bunch badly overstates the costs of cutting carbon. No doubt that some of these negative cost reductions require some effort to capture, which is what policy for.

3. **No one ever learns.** One thing that has bedeviled economists for a while is how to approximate what we call “[induced technical change](#),” the technical advances that occur because of policy changes or in response to price changes. If energy prices go up, you would expect that people would look for new ways to use less energy, resulting in innovations of various kinds. This makes common sense, but figuring out how it all works in the context of an economic model turns out to be pretty tricky. One attempt at this was to use the idea of “learning by doing” — the idea that the more you use of something the more efficient you get at using it. That’s great, except when you plug it into a model along with a climate policy, the climate policy causes you to use less energy, and the less you use of something the less efficient you get at using it. The end result was that carbon pricing slowed innovation in carbon efficient technologies. Back to the drawing board.

Put all these together with the difficulty of parameterizing the global economy, along with a few more that get even wonkier (like how to value ecosystem loss a hundred years down the road), and the odds of getting things right starts to fall pretty rapidly. What’s worse is that almost all of these problems bias the models’ results in the same direction: toward higher economic costs of meeting any given reduction target.

The good news is that there are a few people working to set the record straight. I’ve done [some work of my own](#) on this, basically forcing a model to understand the returns to investing in efficiency. The good people at ACEEE are always on the leading edge of research on energy efficiency and have done some very good work recently on laying out the case for [why and how economic models should be improved](#). The E3 network of economists has some [excellent work](#) related to this as well.

The bad news is that the really good work is badly outnumbered. So when Congress and other people look at the literature and see it dominated by the bad or merely unhelpful, they naturally tend to discount the other stuff as outliers, as exemplified by how the Congressional Budget Office reinforced incorrect conventional wisdom with its [analysis of climate policy](#). The CBO basically took an average of some of the existing (flawed) work in the field and used it as their basis for figuring out the macroeconomic costs, giving the conventional wisdom an implicit stamp of approval that it doesn't deserve. As a friend of mine once said: If you're a physicist and you come up with a new theory that turns the orthodox on its head, they give you a Nobel Prize. If you're an economist, they deny you tenure.

ENERGY

Newsweek Gets Coal Terribly Wrong (*Wonk Room*)

Our guest blogger is [JW Randolph](#), Legislative Associate for Appalachian Voices.

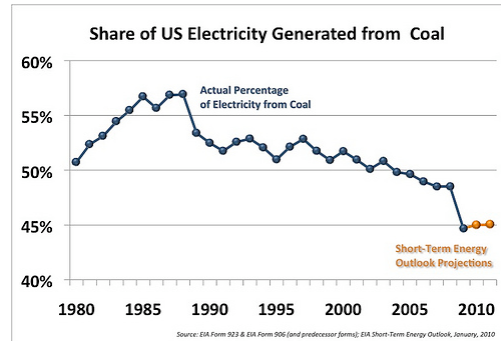
By [Guest Blogger](#) on Apr 8th, 2010 at 1:15 pm

Daniel Stone published a piece on coal and energy over Newsweek's The Gaggles called "[West Virginia Mine Disaster Unlikely to Affect National Energy Debate](#)." David Roberts at Grist [responded to Energy Committee Staffer Bill Wicker](#) for a quote he had in the article, and it's well worth the read. But the article was so full of misinformation and false pretexts that I wanted to spend some pixels correcting a few things, beginning with [this paragraph](#):

Coal is the one fuel that powers most of what we do. It **accounts for 49 percent of American power consumption**, and as demand for power increases while the cost of alternatives (wind, solar, biofuels) remains high, **coal is poised to play a bigger, not smaller, role in our energy landscape**. To put it more crassly, the cost of coal is just too cheap. A kilowatt hour of coal power costs about \$0.04, less than a third of renewables.

Facts:

A) For 2009, coal provided just [44.6%](#) of electricity, not the 49% Stone suggests (likely from the 2008 data.) If you are looking at “energy” then it is 22-23%, much less.



B) Saying that coal is poised to play a “bigger” role is ridiculous. Coal is declining, particularly [production in Central Appalachia](#). It has been declining for the past two decades and is projected to continue downward. But not only that. It is getting deeper, thinner, and of less quality. The heat content is [in decline](#) as well, meaning that it takes more tons of coal to produce the same amount of electricity.

C) Delivered costs of coal are [wildly different](#) in different locations and in different coal plants. Central Appalachian coal (like that in West Virginia) is the most expensive coal on the domestic market.

D) Stone uses ballpark figures for the cost of a coal plant that is already built, but renewables that are not yet built. If you are looking at building a new coal plant versus investing in renewables, [the two are cost competitive](#), even without a price on coal pollution (EIA). In fact, except for solar, nothing even doubles the cost of coal, and that’s without CCS.

E) The deeper we go for thinner seams of less quality coal, the more expensive central Appalachian coal gets and the more competitive natural gas, wind, geothermal, or biomass may look. The same is true for safety regulations. [Coal companies fight them tooth and nail](#) because safety isn’t free. This has an impact on energy policy. You can’t look at mining safety in a vacuum.

Secondly, I am concerned that many in the news media continually fail to appreciate the sacrifice of coal miners, whose deaths occur with alarming frequency both at home and overseas. Mr. Stone continues:

The reason safety isn’t included [*in the cost of energy*] is because accidents—from mine cave-ins to oil-rig deaths—don’t happen often enough for safety to become a formidable factor in the national discussion on our energy future. **What’s more, the playing field isn’t all that tilted.** Despite a bad week for coal miners, wind has also been fatal—14 men were killed working with wind energy in the mid ’90s, and more since, according to wind-industry analyst Paul Gipe. Not to mention the risks posed by nuclear. While most sectors have undergone regulation over the past few years to root out dangerous components, the reality is that all energy sectors are still risky in many ways.

Facts:

A) Mining accidents happen all the time in the US. Over [300 people have died](#) mining coal in the United States just in the last decade, nearly always exceeding 20 per year. It's just that there isn't always media saturation. [Over 51,000 people have died](#) mining coal in China in the same time period. That's more than 3600 times the numbers that have been "killed by wind" in just one country and in half the time span.

B) Speaking of which, Mr. Stone uses MONSTROUS false equivalency regarding the different energy sectors. He says 14 people were killed working with wind energy in the mid-90s? What does that even mean? First of all, Gipe's numbers are worldwide. That doesn't even compare to the number of deaths from mining and processing coal in the United States alone. [18 people died](#) in accidents mining coal in the US just last year, and that was a "great" year. Add in the [10,000 US coal miners who die](#) each decade from black lung disease, and Mr. Stone's comparison becomes even more toxic.

C) You can't look at energy in a vacuum. Policy makers certainly don't. Look at the externalized cost of what is happening to coal communities, particularly in Appalachia. Not only has coal had a negative impact on endemic [Appalachian poverty](#), but the health costs are estimated to be [more than \\$42 billion every year](#) due to health impacts and life lost. There is no cost comparison. There is no risk comparison.

NRC Decision Game Changer for Nuclear Blue Ribbon Commission (*The Heritage Foundation*)

Posted April 8th, 2010 at 11:40am in [Energy and Environment](#)

The Secretary of Energy's request that the Blue Ribbon Commission on America's Nuclear Future not consider Yucca Mountain has been debatable from the beginning. After all, America's electricity ratepayers have already invested over \$10 billion into the repository. And besides that, federal statute clearly states that Yucca Mountain will be the nation's repository. Whether or not that is the best policy, it is the law. Ignoring this investment and federal statute seemed like bad policy from the start.

However, the Nuclear Regulatory Commission changed what seemed to be bad policy to definitive bad policy on April 6 [when it announced that it will not consider](#) the Department of Energy's motion to withdraw its application to construct Yucca until related lawsuits, which question the legality of DOE's motion, are settled. Given that [such lawsuits could take years](#) to resolve, [ignoring Yucca](#) in light of this development would undermine the Commission's

credibility. The fact is that the Commission could well finish its safety review and be prepared to authorize Yucca's construction by the time the courts finish their business and if the courts decide that DOE's motion is illegal, then any Commission recommendation that ignores Yucca would be moot.

That is not to say that the Commission was not going to consider Yucca anyway. It is made up of inquisitive professionals who clearly want to resolve a decade old problem and it is staffed by extremely intelligent and able individuals. That said, the Secretary's charge to not consider Yucca comes with considerable weight and the Commission surely would prefer to follow his guidance. However, the NRC's decision should provide the Commission with adequate justification to respectfully decline the Secretary's request to ignore Yucca.

Considering Yucca, however, does not mean recommending Yucca. The Commission [should first come to a conclusion](#) about Yucca Mountain's viability. If it determines that Yucca is not technically viable, then it should simply defend that conclusion. However, if the commission concludes that it is viable and still determines that Yucca Mountain is not fit for nuclear waste disposal, then it should also state why that site should not be part of a comprehensive national nuclear waste disposition strategy and put forth a detailed recommendation on how to disengage from the program.

On the other hand, the Commission [could well conclude](#) that Yucca is feasible and should be considered. Under this scenario, the Commission could bring high value to the debate but putting forth recommendations on how to ameliorate the underlying issues that have stifled Yucca's progress, such as how to make Nevada a true partner in the process. One idea might be to consider making the license available to a third party, such as a private sector non-profit or even the state of Nevada. The new license holder could then negotiate a workable solution that would fully represent the interests of all parties. This process of negotiation was absent from the original decision to name Yucca the waste repository site. If no workable path forward is developed, then Yucca dies on Nevada's terms. If an agreement could be reached, then Nevada could enjoy the many economic benefits of hosting such a facility.

By slowing the Administration's sprint to kill Yucca Mountain, the NRC has provided all parties an opportunity to think through the best policy solution moving forward. The Blue Ribbon Commission [should grasp this opportunity](#) to provide a truly comprehensive set of recommendations. Only by considering all options will the Commission truly be able to put the best set of recommendations forward.

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Dec. 10, 2009:**

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Copenhagen – Day 4

Copenhagen: Global Population Control Program Suggested To Stop Climate Change

Posted by: [iamfreedom](#) 7:30 pm Full post: <http://ichoosefreedom.info/?p=8249>

Patriots! Help with this Poll! MSNBC poll on Climate change - MUST VOTE!!!

Posted by: [TombstoneBadBob](#) 7:25 pm Full post: <http://bit.ly/7HP2Di>

"Study: No Climate Change in Any Region of Africa"

Posted by: [JCGrantatAC](#) 7:30 pm Full post: <http://ow.ly/KMvA>

Why Climate Change is the A-Bomb of the 21st Century - At the end of his life, George Orwell wrote a brilliant short story...

Posted by: [richfarr](#) 7:25 pm Full post: <http://ow.ly/168jFX>

Pictures of the huge Tuvalu explosion from Rob

(Note: UK Youth United for a Clean Energy Future)

Posted by: [ukycc](#) 7:25 pm Full post: <http://bit.ly/78W4wE>

100's of churches ringing their bells 350 times this Sunday. Alarm. Hope. Action

Posted by: [350](#) 7:20 pm Full post: <http://bit.ly/5dUX02>

Survival is not negotiable! Join our VIGIL FOR SURVIVAL today at 19.30 WIB at Jakarta Stadium.

Posted by: [firamiyah](#) 7:15 pm Full post: <http://bit.ly/8TDmlS>

Things could get really interesting.... Sen. Maria Cantwell... is set to introduce her own legislation on Friday, a day after Sens. John Kerry, Joe Lieberman and Lindsey Graham outlined theirs....

Posted by: [CQClimate](#): 7:10 pm Full post: <http://bit.ly/73RDRs>

US Senators Agree On A Framework For A Climate Change Bill

Posted by: [VOA News](#) 7:05 pm Full post: <http://bit.ly/81u304>

Family planning programs are more efficient in helping cut emissions. Climate change is not simply an issue of CO2 emission

(Note: from China Daily)

Posted by: [kitsunekeimou](#): 6:45 pm Full post: <http://bit.ly/7EnGth>

The World Wants a Real climate deal NOW! join or register event to show leaders we expect.....

Posted by: [WWF Climate](#) 6:52 pm Full post: <http://is.gd/56COd>

Developing countries struggle to be heard at Copenhagen Conference, so they get creative:

Posted by: [CAUSECAST](#) 6:52 pm Full post: <http://su.pr/1I2Ms5>

We the People Hold the Key to Copenhagen —acting up makes the urgent doable

Posted by: [yesmagazine](#) 6:50 pm Full post: <http://bit.ly/4NPGfz>

(Audio clip) Laura Ingraham Asks Sarah Palin if She Would Debate Al Gore on Global Warming - Palin said she doubts Al Gore would "want to lower himself to my level to debate little ol' Sarah Palin from Wasilla."

Posted by: <http://www.freedomslighthouse.com/> 6:12 pm Full post: <http://j.mp/8lQr2g>

"Don't nuke the climate" day is Friday. Tell reps you support 100% renewables and an energy-efficient economy.

(Note: No new nuclear power plants group)

Posted by: [gharman](#) 6:00 pm Full post: <http://is.gd/5iIxe>

Obama calls for climate deal, U.S. target under fire. The man is clueless on climategate

Posted by: [griffinrc](#) 5:30 pm Full post: <http://bit.ly/5eAK1o>

Must See Video: Youth Climate Activists Disrupt Denier Webcast in Copenhagen

(Note: the webcast was from Americans for Prosperity "Hot Air Tour" speakers series)

Posted by: [ZEROGreenhouse](#) 5:00 pm Full post: <http://bit.ly/6hWRv3>

Obama in Nobel speech: No climate action, no peace

Posted by: [grist](#) 3:55 pm Full post: <http://bit.ly/8ASNQm>

I don't pray, but if there were someone I'd pray for, it would be Lisa Jackson, head of EPA in US. She carries my hopes.

Posted by: [lacymacauley](#): 3:00 pm Full post:

Obama's Climate Position: A Lie Inside a Fib Coated with Spin

(Note: The Blue Marble is Mother Jones' environment, science, and health blog)

Posted by: [MoJoBlueMarble](#) 3:50 pm Full post: <http://bit.ly/6FUboy>

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

US Climate Envoy Claims We Were ‘Blissfully Ignorant’ Of The Greenhouse Effect Until Recently (*The Wonk Room*)

By [Brad Johnson](#) at 4:21 am

In a [press conference yesterday](#), the top climate negotiator for the United States, Todd Stern, asserted that the United States does not shoulder a “[climate debt](#)” for its historical emissions of global warming, claiming the connection between carbon pollution and the greenhouse effect was unknown until recently. Although Stern said the United States does “recognize our historic role in putting the emissions in the atmosphere that are up there now,” Stern “completely” and “categorically” rejected the concept of “climate reparations,” he said, “[people were blissfully ignorant](#)” of the implications of their pollution:

Let’s just be mindful of the fact that for most of the 200 years since the Industrial Revolution, people were blissfully ignorant of the fact that emissions caused a greenhouse effect. It’s a relatively recent phenomenon.

Stern is absolutely right that the idea of “reparations” should be rejected. It sets up an insidious dynamic of overlords and beggars, of guilt and reprisal. Even if such language — like charges of “[climate colonialism](#)” — has some moral weight, it’s poisonous to everyone’s future. The only way a global solution will be found is through unprecedented cooperation, not through anger and guilt.

However, Stern’s explanation for his rejection of the concept doesn’t gibe with history. The greenhouse effect has been [known since the 19th century](#), and role of burning fossil fuels in raising the world’s temperatures was first estimated at the turn of the 20th century:

1824: Beginning with [work by Joseph Fourier](#), scientists theorized that gases the atmosphere might somehow trap solar energy as heat.

1859: John Tyndall measured the radiative properties of the air, learning that [water vapor and carbon dioxide were greenhouse gases](#).

1894: Arvid Högbom finds that human activities were adding carbon dioxide to the atmosphere on the same scale as natural processes.

1896: Svante Arrhenius calculated that halving carbon dioxide concentrations would cause an ice age, and estimated a doubling of concentrations would raise the Earth's temperature 5-6°C, in line with [modern estimates](#) for long-term climate sensitivity to a doubling of CO₂.

So “for most of the 200 years since the Industrial Revolution,” we’ve actually known about the possibility of man-made global warming. To be fair to Stern, it was only in the 1950s that the physics was better understood, and scientists began warning the public to be [concerned about global warming pollution](#).

But nearly all of the world’s global warming pollution — including that from the United States — has come since 1960:

Two-thirds (67%) of United States global warming pollution has come since 1960. More than a quarter of the total global warming pollution of the United States in the last 200 years has come since 1992, when the United States ratified the United Nations Framework Convention on Climate Change.

Is The EPA Ruling Putting Pressure On Congress? (*The New Republic*)

Bradford Plumer

December 10, 2009 | 8:07 pm

Now that the EPA [has laid the groundwork](#) to go forward with its own set of greenhouse-gas regulations, p observers have suggested that this will put pressure on Congress to pass a climate bill next year, rather than leaving everything up to the executive branch. But is there any actual evidence of this pressure? Maybe so. [Here's](#) Arkansas Democrat Mark Pryor:

Sen. Mark Pryor, D-Ark., said today he may rethink his position on a proposed cap-and-trade program in light of the recent Environmental Protection Agency ruling that greenhouse gas emissions are a threat to the public health.

Also today, the chairman and CEO of Entergy Corp. told an audience in Little Rock the EPA has sent a signal to Congress to act on climate change, and U.S. Sen. Blanche Lincoln said she has concerns about the agency's ruling.

"I've always been reluctant on cap and trade, but it (the EPA ruling) might put that in a different light," Pryor said in a conference call with reporters. "I'll just have to look at that and really spend some time reflecting on that and talking to not just colleagues but talking to people who really understand this and see if that does change my view on cap-and-trade."

The ruling clears the way for the EPA to regulate carbon emissions under the Clean Air Act, though Congress could act first by passing legislation on climate control. In June the House passed a bill that includes a cap-and-trade program, in which credits or allowances permitting increases in emissions could be bought and sold between companies.

Pryor said he would rather see regulation of carbon emissions come from Congress than the EPA.

The Tax Code Gets A Carbon Audit (*The New Republic*)

- *Bradford Plumer*
- December 10, 2009 | 8:44 pm

An [intriguing proposal](#) from Oregon Rep. Earl Blumenauer:

Buried in the "minibus" spending bill approved by the House Thursday afternoon is a provision providing the National Academy of Sciences \$1.5 million to conduct a carbon audit of the U.S. tax code...

Blumenauer had gotten the study signed into law in 2008, under George W. Bush's administration. But without appropriated funds, it never happened. Now the NAS will identify which tax provisions have the greatest impact on carbon emissions, and estimate how big that footprint is.

There are obvious candidates, such as federal subsidies to fossil-fuel industries like oil and gas, but then there are more subtle provisions, like tax incentives for larger homes or parking subsidies.

More on fossil-fuel tax incentives [here](#). For an argument on how parking subsidies can cause congestion, increase pollution, and are just generally inefficient, Donald Shoup's the [expert to](#)

[consult](#). Of course, even if the NAS sniffs out tax provisions that increase carbon pollution, that doesn't mean Congress will necessarily change them.

Planet Worth (*The New Republic*)

Goldman Sachs bets on global warming.

- *Bradford Plumer*
- December 11, 2009 | 12:00 am

Of all the different industry groups scrambling to shape climate policy in Washington--from electric utilities to Detroit automakers--one stands out as a bit unexpected: Wall Street. Financial giants like Goldman Sachs and JP Morgan have enlisted, all told, more than 100 lobbyists to roam the Capitol and influence the debate over how to curb greenhouse gases. There's a reason for that: Any cap-and-trade bill that puts a limit on emissions and allows polluters to buy and sell permits will create a vast carbon market. That will mean new opportunities for financial firms to broker deals, package carbon offsets, or offer hedging instruments. And that, in turn, will mean profit. Little wonder that investment banks have been bulking up their carbon-trading desks in recent years.

But, given what happened the *last* time bankers went wild on a hot commodity, some politicians are leery of their interest in cap-and-trade. "I know the Wall Street crowd can't wait to sink their teeth into a new trillion-dollar trading market," wrote North Dakota Senator Byron Dorgan in July. "But given recent history, I have little confidence that markets are free or fair enough to trust them with a new, large cap-and-trade carbon securities market." A small but vocal group of climate activists agrees. In *The New York Times*, nasa scientist James Hansen warned that the carbon market "appears likely to be loosely regulated, to be open to speculators, and to include derivatives" and that bankers would extract profits by inflicting high energy costs on the public, while volatile prices would make it harder for companies to make investments. These critics prefer an approach that leaves Wall Street out--say, a simple carbon tax.

As it turns out, there's a decent case that a well-regulated carbon market would make tackling global warming easier--and that Wall Street's wizardry could be put to good use by lowering the overall costs of reducing emissions. But whether that actually happens will depend on Congress's ability to regulate the financial sector--a task it's planning to take up after health care. And that means the fate of climate policy may end up hinging on how financial reform shakes out.

To see why carbon markets can be a flexible tool for cutting emissions--and why they could also fall prey to the sorts of problems that dragged down the economy last year--it's worth reviewing how a cap-and-trade system works. Congress sets an overall limit on the amount of carbon dioxide that can be emitted by issuing a fixed number of pollution permits, which businesses can buy and sell; each year, the limit declines. Companies that decide it's cheaper to reduce their emissions (say, by boosting energy efficiency) than it is to buy permits will make those easy cuts first. As the cap tightens each year and the total number of permits dwindles, the cost of polluting will steadily rise, and more and more businesses will cut emissions rather than buy increasingly pricey permits.

That's where Wall Street comes in. Because the cost of permits depends on supply and demand--which, in turn, depends on factors like weather, economic activity, or the cost of clean-energy alternatives--the price of carbon can fluctuate quite a bit. A utility trying to decide whether to operate a power plant that will be around for decades may want to hedge against the chance that carbon prices will rise or fall, and so offload that risk onto investors by buying derivatives. (This is similar to how farmers can buy futures contracts to hedge against an unexpected plunge in wheat prices.) Meanwhile, outside investors would be making bets on how carbon prices will move. In theory, this is all supposed to make the market more efficient.

Critics of carbon-trading usually focus on this derivatives market, which could swell to as much as \$2 trillion in the program's early years. "There's considerable worry that this market would have the problems that have been found in other physical commodity markets for the past few years," says Michael Greenberger, a University of Maryland law professor who oversaw the U.S. Commodity Futures Trading Commission's trading division in the late 1990s. Speculators, for instance, could artificially inflate the price of carbon--which is what some economists think happened in the oil markets last year, when the price of crude shot up from \$60 per barrel in February 2007 to \$147 per barrel in 2008. That, in turn, could cause energy prices to skyrocket and lead to a mass revolt against the whole idea of a carbon cap.

A different worry involves carbon offsets. Under the House climate bill, companies could pay for outside projects that would reduce greenhouse-gas emissions--a tree-planting project in Brazil, for example--in lieu of making their own cuts. Polluters like having this option because it can often be cheaper to, say, stop deforestation than build a new wind farm. The downside, though, is that these projects require heavy scrutiny--you have to make sure those newly planted trees aren't chopped down two years later. So the EPA has to tightly limit what offset projects get approved. But, if Wall Street becomes heavily involved in arranging and financing offset deals, it might decide to use its lobbying clout to increase the number of available offsets--which could weaken oversight and let through dubious projects that don't actually bring emissions down. "They're interested in maximizing profit, not making the system as rigorous as possible," says Michelle Chan, an analyst at Friends of the Earth, an environmental group critical of cap-and-trade. "And more offsets equals more fees for Wall Street."

Not only that, but, in a report earlier this year, Friends of the Earth warned that, because offsets are inherently uncertain endeavors, they could become the newest version of subprime mortgages--call it "subprime carbon." In 2008, Credit Suisse bundled together 25 different offset projects that were at various stages of U.N. approval, divvied them up into securities, and sold the pieces off to investors--precisely the sort of deal that was rampant during the housing boom and set the stage for a meltdown once homeowners started defaulting.

Then again, plenty of experts argue that these concerns are overstated. After all, when the EU set up its cap-and-trade market in 2005, it decided to let a largely unregulated derivatives market build up, and, so far, fraud and manipulation have been minimal. (The EU did see the price of carbon crash in the early years, but that was because too many permits were erroneously handed out, not because of bankers.) "No one's complacent, but you just don't see the same sort of fear about this in Europe," says Jill Duggan of the World Resources Institute, who helped implement the EU's trading system. And, on the "subprime carbon" question, Andy Stevenson, a former hedge-fund manager who now works for the Natural Resources Defense Council, argues that investors aren't flocking to offset-backed securities--the Credit Suisse deal was an exception, and a poorly received one at that--because of the risks involved.

Still, Stevenson and other cap-and-trade backers agree on the need for sturdy market regulations. Examples include position limits (to make sure no single trader can dominate the carbon market) and stricter oversight of over-the-counter derivatives, which aren't traded on exchanges and have ballooned in recent years. What's more, the Kerry-Boxer cap-and-trade bill in the Senate would set a ceiling on the price of carbon: If prices rose above a certain point, the government would start releasing a reserve of permits into the market in order to drive down prices and discourage speculators.

Of course, whether all of those safeguards will actually make it into law is still an open question. The House climate bill included a stringent set of regulations for energy and carbon markets, authored by Bart Stupak, but those rules will be superseded by whatever broader financial-reform package Congress ends up passing in the months ahead. And many cap-and-trade skeptics fear that the House and Senate will end up letting Wall Street off easy. "The debate's still very fluid," says Chan, "but, in the last few months, we've watched some of the leading derivative regulations become riddled with loopholes." What's more, says Joseph Mason, an economist at Louisiana State University and a critic of carbon trading, it's not always possible to legislate fraud and manipulation out of existence. "A million traders can think of many different ways to take advantage of these contracts that you never thought of."

That's why some proponents of tackling carbon are starting to look more fondly on the "cap-and-dividend" idea being pushed by Maria Cantwell, a Washington Democrat and one of the leading critics of derivatives in the Senate. In Cantwell's bill, carbon would be capped at the source--at the coal mine or the oil well--and the price signal would trickle down through the rest of the economy. The money raised from selling permits would be largely rebated back to consumers,

and there'd be little trading and not much room for Wall Street. (Not everyone agrees that this is a plus: Stevenson argues that less liquidity in the system could, at times, lead to *more* price volatility than in a larger, more active market.)

But the politics are the crucial question: So far, cap-and-dividend has attracted interest from some corners--notably, Maine Republican Susan Collins is co-sponsoring Cantwell's bill--but, as yet, it doesn't have the wide support that cap-and-trade enjoys. Still, if financial reform goes badly and more Democrats start fretting about Wall Street's enthusiasm for carbon trading, this could be the next big climate battle.

Bradford Plumer is an assistant editor of The New Republic.

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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December 14, 2009**

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Bill McKibben At Copenhagen: I Went To Church And Cried. Then I Got Back To Work (*Wonk Room*)

*Our guest blogger is Bill McKibben, co-founder of 350.org and the author of the forthcoming *Eaarth: Making A Life in a Tough New World*.*

I've spent the last few years working more than full time to organize the first big global grassroots climate change campaign. That's meant shutting off my emotions most of the time—this crisis is so terrifying that when you let yourself feel too deeply it can be paralyzing. Hence, much gallows humor, irony, and sheer work.

This afternoon I sobbed for an hour, and I'm still choking a little. I got to Copenhagen's main Lutheran Cathedral just before the start of a special service designed to mark the conference underway for the next week. It was jammed, but I squeezed into a chair near the corner. The Archbishop of Canterbury, Rowan Williams, gave the sermon; Desmond Tutu read the Psalm. Both were wonderful.

But my tears started before anyone said a word. As the service started, dozens choristers from around the world carried three things down the aisle and to the altar: pieces of dead coral bleached by hot ocean temperatures; stones uncovered by retreating glaciers; and small, shriveled ears of corn from drought-stricken parts of Africa. As I watched them go by, all I could think of was the people I've met in the last couple of years traveling the world: the people living in the valleys where those glaciers are disappearing, and the people downstream who have no backup plan for where their water is going to come from. The people who live on the islands surrounded by that coral, who depend on the reefs for the fish they eat, and to protect their homes from the waves. And the people, on every corner of the world, dealing with drought and flood, already unable to earn their daily bread in the places where their ancestors farmed for generations.

Those damned shriveled ears of corn. I've done everything I can think of, and millions of people around the world have joined us at 350.org in the most international campaign there ever was. But I just sat there thinking: It's not enough. We didn't do enough. I should have started earlier.

People are dying already; people are sitting tonight in their small homes trying to figure out how they're going to make the maize meal they have stretch far enough to fill the tummies of the kids sitting there waiting for dinner. And that's with 390 parts per million CO2 in the atmosphere. The latest numbers from the computer jockeys at [Climate Interactive](#)—a collaboration of Sustainability Institute, Sloan School of Management at MIT, and Ventana Systems, is that if all the national plans now on the table were adopted the planet in 2100 would have an atmosphere with 770 parts per million CO2. What then for coral, for glaciers, for corn. I didn't do enough.

I cried all the harder a few minutes later when the great cathedral bell began slowly tolling 350 times. At the same moment, [thousands of churches across Europe](#) began ringing their bells the same 350 times. And in other parts of the world—from the bottom of New Zealand to the top of Greenland, Christendom sounded the alarm. And not just Christendom. In New York rabbis were blowing the shofar 350 times. We had pictures rolling in from the weekend's vigil, from places like Dhahran in Saudi Arabia, where girls in burkas were forming human 350s, and from Bahrain, and from Amman.

And these tears were now sweet as well as bitter—at the thought that all over the world (not metaphorically all over the world, but literally all over the world) people had proven themselves this year. Proven their ability to understand the science and the stakes. Proven their ability to come together on their own—in October, when we organized what CNN called “the [most widespread day of political action](#) in the planet's history,” there wasn't a movie star or rock idol in sight—just people rallying around a scientific data point. Now the world's religious leaders were adding their voice.

On one side: scientists. And archbishops, Nobelists, and most of all ordinary people in ordinary places. Reason and faith. On the other side, power—the kind of power that will be assembling in the Bella Center all week to hammer out some kind of agreement. The kind of power, exemplified by the American delegation, that so far has decided it's not worth making the kind of leap that the science demands. The kind of power that's willing to do what's politically pretty easy, but not what's necessary. The kind that would condemn the planet to 770 ppm rather than take the hard steps we need.

So no more tears. Not now, not while there's work to be done. Pass the Diet Coke, fire up the laptop, grab the cellphone. To work. We may not have done enough, but we're going to do all we can.

Originally posted at [Mother Jones](#).

Copenhagen Can Jumpstart Twenty Million Low-Carbon Jobs In An Interconnected World (*Wonk Room*)

By [Brad Johnson](#) on Dec 12th, 2009 at 4:11 am

International pursuit of low-carbon policies has the potential to create twenty million jobs between now and 2020 in low-carbon energy in eight of the world's leading economies — including the United States, China, India, and the United Kingdom. The report—”[Low-Carbon Jobs in an Interconnected World](#)“—comes from the Global Climate Network, a unique alliance of influential think tanks, including the Center for American Progress, that is coordinated by the Institute for Public Policy Research in London. In the words of John Podesta, President and CEO of the Center for American Progress, Copenhagen can be where world leaders “create millions of jobs in a new green and clean economy”:

This report shows that the over 110 heads of state meeting in Copenhagen don't have to make a choice between jumpstarting lagging economies and promoting a clean-energy policy. The Global Climate Network has shown that **by transforming the global economy beyond dirty carbon energy, leaders can easily make the prudent choice to create millions of jobs in a new green and clean economy.**

The report argues that if governments take positive and immediate action to expand low-carbon energy markets, the benefits in terms of job creation and the increased welfare that employment brings to economies will be felt worldwide:

— In India: Implementation of the Government's National Action Plan on Climate Change could create 10.5 million jobs in wind, solar, and biofuels.

– In China: Government wind, solar, and hydro power targets could lead to the creation of 6.79 million jobs.

– In the United States: Out of a possible 1.9 million extra low-carbon jobs, new U.S. and export markets in smart electricity meter technology alone could generate 416,000.

To create these job opportunities, the report calls for **sufficient financing** to ensure that a transition to low-carbon energy takes place across the globe and that workers are in a position to benefit; **low-carbon industrial strategies**, or packages of government policy to stimulate low-carbon technology markets and create jobs to be introduced in all major economies to trigger a shift towards a low carbon economy, and **support for workers in high-carbon sectors** who may lose out in a new carbon economy so they can remain in work while they retrain or to be given assistance to help them prepare for work in a low-carbon economy.

Dueling Senate Climate Bills? (*The New Republic*)

- *Bradford Plumer*
- December 11, 2009 | 12:33 pm

Copenhagen's nabbing all the headlines, but there's been some big climate news in the Senate this week. Yesterday, John Kerry, Lindsey Graham, and Joe Lieberman unveiled an outline of their "tri-partisan" climate legislation. You can see the rough framework [here](#). As expected, it's similar to the House climate bill, only with more subsidies for coal, nuclear, and offshore drilling. Given that Graham, a conservative Republican, seems fairly committed to hammering out a deal, most of the Senate momentum is behind this bill right now. At a press conference, Lieberman said "there are well over 60 votes in play in the Senate—not that we have 60 votes yet."

But it's also not the only bipartisan bill in town anymore: This morning, Washington Democrat Maria Cantwell and Maine Republican Susan Collins [introduced their own](#) legislation, a concept known as "cap-and-dividend." In this system, pollution permits would be auctioned off to upstream fuel producers (oil wells, gas fields) and the proceeds would be largely rebated back to consumers (families would receive monthly checks that would average about \$1,100 per year). You can read a fuller explanation of that bill [here](#). It doesn't have the support that Kerry-Graham-Lieberman has, but it *does* have some interesting backers, including ExxonMobil and lefty green groups like Friends of the Earth. The decisive question, though, is what coal-state senators think of the dividend approach—they've long pushed for permit giveaways in cap-and-trade because they're worried that their states will be disproportionately affected; if they won't stand for a full auction, it's hard to see this bill getting very far.

Also, one of the notable differences between the two bills is the role of carbon markets. The cap-and-trade approach would involve a very active carbon-trading market, and the financial industry would play a major role in brokering deals, selling derivatives, and so forth. Understandably, that makes some people nervous—especially given Wall Street's skill in fending off regulations. Cantwell's been extremely critical of this aspect of cap-and-trade, and her bill would leave far less room for trading. I took a more detailed look at this dispute—and asked whether it was really a concern that companies like Goldman Sachs are enthusiastic about cap-and-trade—in [a piece for TNR](#) this week.

Copenfrauden: The Scandals Behind Global Warming (*The Heritage Foundation*)

Posted December 11th, 2009 at 12:43pm in [Energy and Environment](#).

Forget the [dire economic consequences](#) of a Copenhagen climate change treaty for a second and think about the fraud involved.

Carbon Trading Fraud

Take the European Union, for instance, which implemented a carbon trading scheme analogous to a cap and trade system. And it has been fraught with fraud. French officials are investigating a [\\$230 million carbon trading fraud](#) scheme and this is only [the tip of the iceberg](#) in what is a startling revelation and huge blow to the climate talks in Copenhagen:

Europol, the European Union's law enforcement arm against organized crime, announced on Wednesday that carbon-trading fraud has cost the bloc's governments \$7.4 billion in lost tax revenue over the last 18 months.

"We have an ongoing investigation," said Soren Pedersen, Europol's chief spokesman, in a telephone interview on Thursday from The Hague. "We're afraid the fraud is not completely finished yet, unfortunately. But it's positive to see that actions are being taken and we hope soon it will disappear."

These Enronesque situations will inevitably occur in the United States, guaranteeing that emissions will not be reduced, but what it will do is invite more burdensome regulations that thwart economic activity, adding on to the economic pain of higher energy prices as a result of carbon caps. It allows for corporations to manipulate a system at the expense of the consumer and the taxpayer while giving the market economy a bad name. This is not a market economy; it's fraud and deceit that results from politicians trying to create their own desirable system.

Moreover, since the United States is largely blamed for "causing the climate catastrophe", other countries will be monitoring the U.S. while they fall short of their own emissions targets and other treaty requirements.

Global Warming's Robin Hood

Sadly, that's not the only scandal at Copenhagen. The way things are going between developed nations and developing nations at Copenhagen, one would think that Robin Hood was the secretary-general of the United Nations, not Ban Ki Moon. One of the underlying themes has been to take from the rich and give to the poor...to fight climate change, of course. George Soros [said](#) \$100 billion in funds from developed countries to developing ones "could just turn this conference from failure to success."

Or it could add to the fraud of the climate change debate. Why wouldn't leaders of developing countries play the global warming blame game if they can secure billions of dollars?

Scandalous Science

Then there's the scandal behind the whole reason for cap and trade and climate treaties: the scientific consensus. Climategate revealed conspiracy, exaggerating warming data, possibly

illegal destruction and manipulation of data, and attempts to freeze out dissenting scientists from publishing their work in reputable journals.

Although proponents of cap and trade, Environmental Protection Agency regulations and/or climate treaties argue that now is the time for urgency, the reality is just the opposite is true. Now, more than ever, is the time to pull back the reigns on expensive global warming regulations.

- Author: [Nick Loris](#)

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U. S. Environmental Protection Agency Blog Round-up

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PEOPLE ARE TALKING

**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Dec. 14, 2009:**

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Copenhagen – Day 8

[VIDEO] "Our climate – not your business!" shout protesters at Copenhagen climate talks

Posted by: [Seattleglobe](#) 7:02 pm Full Post: <http://is.gd/5nN41>

Danish police use tear gas, water cannons, against protestors

Posted by: [OneSimpleFact](#) 6:45 pm Full Post: <http://bit.ly/51DNDc>

It's last day to upload video question for CNN/YouTube debate 2morrow in Copenhagen

(Note: CNN and YouTube live debate Dec. 15, where COP15 leaders and activists at will come together to answer your top-ranked questions. Panelists: former U.N. Secretary General Kofi Annan, journalist Thomas Friedman, U.N. Executive Sec. Yves de Boer and Bjorn Lomberg.)

Posted by: [tcktcktek](#) 6:15 pm Full Post: <http://www.youtube.com/cop15>

"Stop the Politics! Climate treaty now!" says the banner on Sydney opera house

Posted by: [daz77](#) 6:00 pm Full Post: <http://yfrog.com/1e364rj>



Google has placed an "Explore impact of climate change on Google Earth" link on Google.com <http://earth.google.com> -

(Note: To explore climate predictions from the IPCC [download the tours](#) into Google Earth.)

Posted by: [earthhour](#) 5:30 pm Full Post: [Earth Hour - Earth FM](#)

Earth FM: Record a message for the Copenhagen Summit

(Note: sponsored by World Wildlife Federation - 19,000 followers)

Posted by: [earthhour](#) 5:30 pm Full Post: [Earth Hour - Earth FM](#)

Gore at climate talks: Polar ice may go in five years

Posted by: [ecotist](#) 5:15 pm Full post: <http://bit.ly/7JSFYB>

Yvo de Boer says COP15 talks are back on track; Ban confident a fair deal is within reach

(Note: UN release)

Posted by: [onenergy](#) 5:00 pm Full post: <http://bit.ly/70bBaC>

Poor countries agree to resume climate talks. Disaster avoided

(Note: AP: Poor countries ended a temporary boycott of the UN climate talks Monday after getting assurances that rich nations were not conspiring to reduce their commitments to cutting greenhouse gases, European officials said.

Posted by: [berlinkollektiv](#) 5:10 pm Full post: <http://bit.ly/91Wce4>

GHG Endangerment Announcement

Murkowski tries again to limit EPA rules on greenhouse gas: WASHINGTON -- Her first attempt failed, but on Mon..

Posted by: [alaskanewsnow](#) 6:55 pm Full post: <http://bit.ly/6Mje3G>

VIDEO: Murkowski Seeks to Halt EPA Endangerment of U.S. Economy.

Posted by: [lisamurkowski](#) 6:00 pm Full post: <http://bit.ly/8AMDsn>

Sen. Murkowski to challenge EPA endangerment via Congressional Review Act. Congress makes policy, not Executive Branch

(Note: National Assoc. of Manufacturers)

Posted by: [NAM Shopfloor](#) 5:20 pm Full post: <http://bit.ly/4AzeFZ>

Brownback Joins Murkowski in Plans to Oppose Enactment of the EPA Endangerment Finding

Posted by: [SenSamBrownback](#) 4:20 pm Full post: <http://bit.ly/8fcorN>

Inhofe: Climategate Reveals Faulty Science Supporting EPA Endangerment

Posted by: [Politisite](#) 5:20 pm Full post: <http://bit.ly/8CQ3r4>

CEI will file suit to block EPA endangerment finding - Kitsap Peninsula Business Journal

Posted by: [makegreenhouse](#): 3:20 pm Full post: <http://ow.ly/169xmy>

\$13 Million funding for Great Lakes Restoration

Feds to spend \$13 million to fight carp invasion: Federal officials say they'll use \$13 million in Great Lakes rest...

Posted by: [WBTW News](#) 6:51 pm Full post: [Feds to spend \\$13 million to fight carp invasion - WBTW 3 News ...](#)

Dec 14, 2009 ... \$13 million pledged to keep invasive carp from Great Lakes ... The money is part of the \$475 million Great Lakes Restoration Initiative ...

Posted by: [Chicago Breaking News](#) 6:48 pm Full post: www.chicagobreakingnews.com/

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

The Iron Chef and Climate Change: What A.B. 32 Means for Small Business (*Huffington Post*)

[Christina Erickson](#)

Posted: December 15, 2009 03:26 AM

In the first nine months of 2009, over \$300 million was spent by corporate interests to lobby Congress on the [Clean Energy Jobs and American Power Bill](#) - more commonly referred to as the Climate Bill. Over a third of that has been spent by petroleum companies alone while the U.S. Chamber spent over \$65 million to lobby on a variety of issues, including climate.

Greenbacks have carpeted Capitol Hill in connection with the debate over climate change legislation, effectively muting the many small business owners who support climate change legislation. Unlike Apple, Nike, and Exelon, American small business owners simply don't have the bandwidth or the budget to raise their voices in opposition to the short-sighted position the U.S. Chamber has taken on the Climate Bill.

An important study has just been released, however, that provides some critical data on what climate change legislation will really mean for small businesses here in California. As [A.B. 32](#) moves into an implementation phase in 2011, California businesses of all shapes and size will face the realities of what this legislation will mean for their bottom line. [Mary Sue Milliken](#), Iron Chef competitor and small business owner, agreed to have her business scrutinized as the subject of a [study](#) commissioned by [The Union of Concerned Scientists](#) on the financial impacts of California's climate change legislation on small business.

Milliken's co-owns a business, [The Border Grill](#), a Mexican restaurant that has been operating for over twenty years and employs 79 people. Perched a few blocks from the beach in Santa Monica, it is a favorite of both locals and tourists alike. The Border Grill served as an optimal case study candidate because restaurants represent the largest sector of small business by category and account for over 10% of small business employment statewide. Restaurants are

typically above-average users of energy - suggesting that the "average" small business in California will experience even less impact than the The Border Grill.

As Milliken discovered when the study was released this past week, the study projected that having her business comply with the demands of carbon legislation was, effectively, negligible. Even in the more extreme cost scenarios where the projected costs of compliance were passed along to the consumer, a customer's bill of \$20 in 2010 became \$20.03 in 2020.

While the UCS study really focused on costs to small businesses, the costs to California of not addressing climate change include potentially severe damage to California's recreation, tourism, real estate and forestry sectors. The benefits of job creation and certainty in business planning that climate change legislation brings is, for the most part, not addressed by the study. Citing the business' longstanding commitment to sustainability, Milliken identifies some of the intangible benefits that "come back in a million ways"; employee retention and customer loyalty are two critical benefits Milliken ties directly to The Border Grill's business commitment to more sustainable business practices.

There is some irony in the "grassroots" veneer crafted by the creative folks behind the multiple campaigns engineered to defeat climate legislation. But dig a little deeper into the people behind the "stories" on some of these sites (check out the postings on EnergyCitizens.org) and you'll see that the 'roots are actually pretty limp. As the climate debate has migrated from the Hill to the national airwaves, I'd vote for the likes of Mary Sue Milliken to represent the real face of American small business as the debate moves forward.

A Little Perspective On Copenhagen (*The New Republic*)

- *Bradford Plumer*
- December 14, 2009 | 12:38 pm

There are literally thousands of reporters in Copenhagen right now, so every dramatic loop and whorl in the climate talks is, naturally, getting inflated to epic proportions and analyzed accordingly. But if you haven't been following every last twist, Dave Roberts [lets you know](#) how little you're actually missing:

Despite the drama, however, at the end of week one we are, in substantive terms, roughly where we've been for a while now. Developing countries want \$100 billion a year in climate assistance from developed nations, who are offering around \$10 billion a year, much of it repurposed foreign aid, and they're not keen on any of that money going to fast-growing competitors like China. Developing nations want an extension of Kyoto, which puts no emission reduction

obligations on them, while developed nations want a new treaty that loops in all the big emitters. (Africa is currently threatening to walk out over this—yet more drama.) Everyone wants the U.S. to put a more ambitious 2020 target on the table. The U.S. wants China to make its emission reductions measurable, reportable, and verifiable (MRV), while China doesn't want any such thing.

These are serious disputes, and many of them will end up going all the way up the chain to national leaders, who are arriving later this week. But they are basically the same serious disputes that have plagued the process for years. On many of them, nations appear no closer to agreement than they were two years ago, but that has quite a bit to do with the game-theoretical imperative no play one's cards close to one's chest. There is likely quite a bit happening behind the scenes, which the public won't see until the last day or two of negotiations.

Great example of this: As Dave mentioned, all the wires and papers this morning were engorged with the news that African delegates had stormed out of the talks. But a few hours later? [They'd all returned](#) and discussions are picking back up again. So it's probably healthiest just to follow the broad outlines and wait until the last few days of the summit before having any heart palpitations. (That said, some of the broader trends *are* pretty interesting—the success, for instance, that the 350.org movement and small island nations like Tuvalu have had in calling attention to more ambitious temperature/carbon limits has been notable. See Bill McKibben's [TNR piece](#) for background on this.)

350: The Most Important Number in the World for Global Warming (*The Heritage Foundation*)

Posted December 14th, 2009 at 5:01pm in [Energy and Environment](#).

When Kevin Garnett led the Boston Celtics to the 2008 NBA Championship, his memorable post game interview included him [screaming](#), “Anything is possible!” – A slight rendition of his shoe sponsor Adidas' motto, “Impossible is nothing.” At Copenhagen where world leaders are gathering to discuss policies to ratchet down the emission of carbon dioxide, the goals of some proponents of a climate treaty are as close to impossible as you can get.

Many global warming activists [believe 350 parts per million \(ppm\)](#) of carbon dioxide in the atmosphere is the upper limit before we reach climate disaster. For reference, we are currently at 390ppm and we were at 280ppm before the Industrial Revolution. Bill McKibben, founder of the group 350.org says, “It's the most important number in the world. It's the line between habitability on this planet and a really, really desolate future.”

What does it take to reach 350 ppm? In short, a miracle. Energy chemist Nate Lewis of the California Institute of Technology [ran the numbers](#) and found that for the earth not to surpass

450ppm by the year 2050, 26.5 of the 45 terawatts the world uses would have to come from carbon-free sources (assuming low population and economic growth). What [would this](#) entail?

- Are you a fan of nuclear? To get 10 terawatts, less than half of what we'll need in 2050, Lewis calculates, we'd have to build 10,000 reactors, or one every other day starting now.
- Do you like wind? If you use every single breeze that blows on land, you'll get 10 or 15 terawatts. Since it's impossible to capture all the wind, a more realistic number is 3 terawatts, or 1 million state-of-the-art turbines, and even that requires storing the energy—something we don't know how to do—for when the wind doesn't blow.
- Solar? To get 10 terawatts by 2050, Lewis calculates, we'd need to cover 1 million roofs with panels every day from now until then.

And that's to reach 450ppm something co-director of MIT's Joint Program on the Science and Policy of Global Change Henry Jacoby [called](#) "totally impossible." Cap and trade's 83 percent cut of 2005 emission levels by 2050 would allegedly put the U.S. on the right track. The Heritage Foundation's Center for Data Analysis [found that](#), for the average year over the 2012-2035 timeline, job loss will be 1.1 million greater than a world without cap and trade. By 2035, there is a projected 2.5 million fewer jobs. The average GDP lost is \$393 billion, hitting a high of \$662 billion in 2035. From 2012 to 2035, the accumulated GDP lost is \$9.4 trillion.

Our numbers do not extend out to 2050 when the emissions cuts become the steepest. And the steeper cuts required to reach the 350ppm threshold would entail even more economic pain and revert our standard of living back to the era of the Flintstones.

If that's what it would take to save the world, then somehow it would get done. But as Heritage Senior Policy Analyst Ben Lieberman says, the scary global warming stories are turning out not to be true and what is true isn't all that scary. And the science is anything but conclusive. We shouldn't forget there was once a time when the most important number in the world was 550ppm. The much broadcasted Stern Review [offers](#) 550 parts per million of atmospheric CO₂ as a magical upper threshold. Beyond 550ppm, the world is in trouble.

Church bells rang 350 times in Copenhagen and all over the world to signal the importance of the 350ppm threshold. By the time we get down to 350ppm, there won't any bells to ring.

- Author: [Nick Loris](#)

Live at Copenhagen: Pitfalls for America (*The Heritage Foundation*)

Posted December 14th, 2009 at 11.43am in [Energy and Environment](#).

The Heritage Foundation's Steven Groves and Ben Lieberman are live at the Copenhagen Climate Change Conference reporting from a conservative perspective. Follow their reports on [The Foundry](#) and at [the Copenhagen Consequences Web site](#).

There is plenty of anti-U.S. sentiment on display here in Copenhagen as we begin the crucial final week of the United Nations climate change conference. Representatives of developing nations brand Americans as energy hogs - enjoying a high standard of living while contributing disproportionately to the global warming damage that will affect everyone else. Thus, these nations [argue for tougher U.S. emissions targets](#) while retaining exemptions for themselves. The developing world is not alone in their criticisms - European and other developed nations also chastise America for not being a party to the 1997 Kyoto Protocol, the existing global warming treaty. The representatives of the 191 non-U.S. nations here may not be unanimous about very much but they all seem to agree on one thing – America needs to do a lot more.

EPA administrator Lisa Jackson seemingly conceded some of these points in her December 9th speech here [when she said](#) that the Obama administration is “fighting to make up for lost time,” and that “this administration will not ignore the science any longer, nor will we avoid the responsibility we owe to our children and grandchildren.”

Of course, it is typical for the U.S. to get badmouthed on the international stage and for the rest of the world to demand big sacrifices from America. It is also fairly harmless – unless American negotiators start believing these misleading claims and act accordingly.

America was the largest emitter of greenhouse gasses during the 20th century, but emissions from China and other fast-developing nations have more than caught up and are [growing many times](#) faster than ours. Thus, the practical reality is that even if the U.S. were to agree to stringent new targets, continued exemptions for the developing world means that a treaty would do little to change the trajectory of future emissions. In other words, blaming America does not lead to sensible policy.

Indeed, [one of the key flaws](#) to the Kyoto Protocol, which the U.S. never ratified, was that it exempted China and other developing nations. European criticism of America for staying out of Kyoto is also unfair. For one thing, the Kyoto Protocol included provisions beneficial to European nations but detrimental to the U.S. For example, Kyoto uses 1990 as the baseline year for emissions reduction targets, even though the treaty was signed in 1997 and went into force in 2005. Some key European nations saw their emissions decline between 1990 and 1997 for reasons unrelated to global warming (Britain reduced coal use in favor of natural gas, West Germany absorbed East Germany and shut down much of its inefficient heavy industry). The use of the 1990 baseline does not help the U.S., and despite being nearly 20 years out of date, Europe still wants to stick with it. Kyoto also does not take into account population growth, thus developed nations with growing populations like the U.S. would have more difficulty meeting Kyoto-style emissions targets than European nations, many of which have stagnant populations.

Even with these pro-European provisions, many Kyoto signatories have not reduced their emissions under the treaty. Indeed, the [U.S. has done better reducing](#) its emissions outside the Kyoto Protocol than many Kyoto insiders, and better than the European Union overall.

The good news is that U.S. chief climate negotiator Todd Stern has been saying some of the right things about the need for meaningful developing world participation and [that the Kyoto approach](#) needs improvement. But we will have to see if the final agreement manages to avoid any disproportionate burdens on the American people.

- Author: [Ben Lieberman](#)

Guest Blogger: Rep. Lamborn on Copenhagen's Threat to US Sovereignty (*The Heritage Foundation*)

Posted December 14th, 2009 at 9.36am in [Ongoing Priorities](#).

In the next few days President Obama will venture to Copenhagen, Denmark to attend the 15th Conference of the Parties to the United Nations Framework Convention on Climate Change, which began last week. One of the discussed goals of this conference is the creation of a universal climate change treaty.

I am concerned that any job-killing, cap-and-tax style treaty could seriously harm American families, small businesses, and American sovereignty. Our economy is facing a skyrocketing national debt and 10 percent unemployment. The United States must reject any attempt by international bureaucrats to stifle economic growth with a massive energy tax or by huge transfers of wealth from the U.S. to other countries.

Right now in Congress, if the cap-and-tax bill were to be enacted into law, one analysis indicates it will reduce gross domestic product by nearly \$400 billion annually. According to a study by the National Black Chamber of Commerce, cap-and-trade would cut net employment by 2.5 million jobs. Any such tax on an international scale would likewise devastate our economy. President Obama must keep this in mind during his upcoming trip.

Additionally, any such treaty could undermine American sovereignty. The United States should not be legally bound to submit domestic decisions about energy and emissions to international inspection, compliance, and enforcement. We already have too many unelected bureaucrats in our U.S. government, and adding an international layer- one that is not accountable to the American taxpayer - is completely unacceptable.

I am not alone in my concern nor is my concern unique to this Congress. In 1997, the 3rd Conference of the Parties to the United Nations Framework Convention on Climate Change produced the Kyoto Protocol, which was an international agreement on greenhouse gases, and took effect in 2005 and is set to expire in 2012.

Interestingly enough, before the American delegation headed to Kyoto that year, the Senate adopted the Byrd-Hagel Resolution in a 95-0 vote that clearly spelled out that the U.S. should not enter into a treaty that either leaves out developing nations like China or poses harm to the American economy. The Kyoto Protocol violated both provisions, and neither the Clinton nor Bush administrations submitted to the Senate for the required ratification. Those countries that did ratify the protocol failed to produce any meaningful reduction in greenhouse gases.

As the Copenhagen conference is generally seen as a platform to create a Kyoto II, these same concerns exist today. My concern has prompted me to adopt the Byrd-Hagel language as a guide and add a provision to address sovereignty concerns. Other Representatives, Senators both, Republicans and Democrats, have taken action and submitted letters of concern to the president or spoken out to the media. I am hopeful this collective voice will not fall on deaf ears.

My resolution, H.Res. 945, expresses the sense of the House of Representatives regarding three nonnegotiable conditions the United States must adhere to while representatives are discussing any international agreement on greenhouse gas emissions under the United Nations Framework Convention on Climate Change. These conditions include not signing a treaty if it results in significant harm to our economy, if it compromises American sovereignty, or if other countries are not held to the same standards.

As the conference enters its second week, I urge the President to make American workers and families his top priority. We cannot afford to keep killing jobs by misguided policy decisions. I hope the United States delegation will reject any ill-conceived scheme of international wealth transfer.

The views expressed by guest bloggers on the Foundry do not necessarily reflect the views of the Heritage Foundation.

- Author: [Rep. Doug Lamborn](#)

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Dec. 16, 2009:**

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Copenhagen – Day 10

NGO Central in Copenhagen now set up + 3 major actions planned for final push at COP15 (Note: “Starting Thursday, we’ll have a home base and three major actions: [a vigil at 5pm Thursday](#), the [Fossil of the Year at 1pm Friday](#) followed by a spectacular leader-shaming action, and [a candlelit aerial photo](#) at 5pm Friday--all at the new space. Please spread the word and join in!”)

Posted by: [greenparty_ie](#) 7:30 pm Full post: <http://tcktcktck.org/copenhagen>

Excellent documentary on climate change on BBC2 just now! Watch on iPlayer:

Posted by: [lordmauve](#) 7:25 pm Full post: <http://bit.ly/7Ia9GO>

Klein: "this is the moment when environmentalism became a social justice movement"

Posted by: [tcktcktck](#): 7:20 pm Full post:

Zimbabwe's Mugabe accuses West of double standard on climate change - VOA

(Note: President Mugabe accused the West of holding to a double standard under which it failed to move with dispatch to address global warming while taking the developing world to task over alleged human rights abuses)

Posted by: [JonHutson](#) 7:15 pm Full post: <http://bit.ly/QLEoO>

Agriculture must be given legitimate consideration in climate talks.

Posted by: [@cornguy](#) 7:10 pm Full post: <http://bit.ly/QLEoO>

Senator Kerry to Climate Change Denialists: "Prove us wrong or stand down"

Posted by: [@WWFUS](#) 7:10 pm Full post: <http://bit.ly/6VIFjs>

COP15 – day 10 roundup: A compromise proposal to be presented by the Danish president was held up as the negotiations hit an “unexpected stop”.....

Posted by: [PureVision](#) 7:00 pm Full post: <http://bit.ly/7uMJkg>

An open letter to Barack Obama From Greenpeace's Kumi Naidoo & chair of

Posted by: [TckTckTck](#) 5:40 pm Full post: <http://j.mp/7Ht6Bx>

Inhofe's "True Squad" (visit to Copenhagen) cancelled. He'll save us some CO2 and plenty of hot air RT.

Posted by: [grist](#) 5:31 pm Full post: <http://bit.ly/6UqIKD>

350.org - The Copenhagen climate talks are in a crisis--We hope you will join us in taking 2 unusual actions:

(Note: Actions are call your country's head of state – listing at <http://www.350.org/call>, and fast 24 hours on Thursday. For U.S., they list:

President Barack Obama	Secretary of State Hillary Clinton	Congressional Switchboard
(+1) 202-647-6575	(+1) 202-456-1111	(+1) 202-224-3121)

Posted by: [350](#) 5:22 pm Full post: <http://j.mp/4TTKvn>

RT @Ojibray: Indigenous groups push for progress at climate summit - CBC.ca

(Note: UBCIC is Union of British Columbia Indian Chiefs. Among their delegates is Yukon elder Stanley James, an adviser to the Arctic Athabaskan Council and the Yukon River Inter-Tribal Watershed Council)

Posted by: [UBCIC](#) 5:30 pm Full post: <http://tinyurl.com/y9s4wcs>

GHG Endangerment Announcement

Exerting Sovereignty for the Lone Star State, Rick Perry tells Feds to leave Texas out of EPA Regs

Posted by: [slkbrooke](#) 7:20 pm Full post: <http://bit.ly/6YDScv>

Green News: The EPA's Coming Carbon Regulations: A Quick Primer

Posted by: [HumanityNews](#) 7:15 pm Full post: <http://dlvr.it/6Gp>

RT @CQClimate: Senate Republicans to hold news conference Thurs on #Copenhagen, EPA endangerment finding

Posted by: [mamalooby](#) 7:00 pm Full post: <http://bit.ly/6uGG21>

RT @CQClimate: Senate Republicans to hold news conference Thurs on #Copenhagen, EPA endangerment finding:

Posted by: [DarrellBrockJr](#) 5:30 pm Full post: <http://bit.ly/6uGG21>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Will the Biggest Success of COP15 be an Anti-Deforestation Deal? (*TreeHugger*)

by Brian Merchant, Brooklyn, New York on 12.16.09

BUSINESS & POLITICS

With expectations getting lowered all over the place, the future of any truly productive results uncertain, and peaceful protests rising up with greater force--and police using force to beat them back--the legacy of the COP15 climate talks is entirely up in the air. Right now, many feel that the most successful results of the talks may come in the form of a finalized, global anti-deforestation deal.

According to Climate Progress, US Agriculture Secretary Tom Vilsack has pledged \$1 billion dollars over three years towards decreasing deforestation. The funding will go to developing countries that develop REDD (Reducing Emissions from Deforestation and Degradation) programs. CP has more details:

What source of greenhouse gas emissions was left out of the Kyoto Protocol and yet contributes roughly the same percentage of global emissions as transportation?

If you guessed deforestation, you nailed it. Opening an event sponsored by Avoided Deforestation Partners today in Copenhagen, Jeff Horowitz cited the statistic that every second of every day, the world loses a football field's worth of forests.

To close the same event, US Secretary of Agriculture Tom Vilsack changed the frame and the mood. He announced that the U.S. will give \$1 billion over the next three years to early actions in developing countries that develop REDD+ (Reducing Emissions from Deforestation and Degradation) projects to build their countries' capacity to slow and eventually halt deforestation. Sec Vilsack said the funding will support 'ambitious' REDD+ plans.

The commitment is part of the US contribution of \$10 billion announced before COP15 began to provide 'fast-track financing' that supports immediate implementation of climate and energy solutions. It is a meaningful step to begin to provide the international public financing called for by the developing countries.

And the [New York Times](#) reports that the REDD program is just about the only part of the talks that people are truly optimistic about: "It is likely to be the most concrete thing that comes out of Copenhagen -- and it is a very big thing," said Fred Krupp, head of the Environmental Defense Fund. According to the Times,

Negotiators have all but completed a sweeping deal that would compensate countries for preserving forests, and in some cases, other natural landscapes like peat soils, swamps and fields that play a crucial role in curbing climate change.

This is a significant achievement, though it's looking ever more likely to be overshadowed by the many shortcomings of the talks on the main stage.

Post Copenhagen: Is Innovation the Solution? (*The Huffington Post*)

[Alison van Diggelen](#)

Host, FreshDialogues.com

Posted: December 16, 2009 08:04 PM

Copenhagen has demonstrated the challenge of reaching world consensus on climate change. Despite acceptance that there is no Planet B, the rift between rich and poor countries is vast. It's useful to remember that innovation may be what saves the planet, not worldwide treaties.

At the [Tech Awards Gala](#) in Silicon Valley last month, innovation came in abundance. A project called **Cows to Kilowatts** created a lot of buzz. Its goal? Converting effluent from cows into fuel for low-income communities in Africa. The catchy title certainly won the attention of the crowds, but the project won accolades for more than mere words. In an exclusive [Fresh Dialogues](#) interview, [Dr. Joseph Adelegan](#), an [Ashoka Fellow](#) explained the inspiration for his project and his ultimate vision for Cows to Kilowatts.

Adelegan is a charismatic engineer who has found an effective way to harness the energy from animal waste and won the \$50,000 [Intel Environment Award](#) which will allow him to develop

the technology further. He and his team at the Nigeria based [Global Network for Environment and Economic Development Research](#), are creating cooking gas and electricity from slaughterhouse effluent that might otherwise lead to harmful pollution.

Adelegan's project alone will not stop global warming, but is an excellent example of innovation where rich and poor nations are working together to create a greener future.

Here are some highlights from the [Fresh Dialogues](#) interview

What does the Tech Award mean to Dr. Adelegan?

"We've received [several awards](#)... so it's not really receiving the award... but the opportunity to network, to meet great minds in Silicon Valley... see people who've gone through the same as you've gone through... We've seen scientists and inventors, visited Microsoft and Intel..we've seen people doing some encouraging things... Sometimes you think you are crazy doing this type of stuff, but you see that people are as crazy as you. You have to be crazy to be creative...." (We agreed there were LOTS of crazy creative people in Silicon Valley)

Why does Al Gore inspire him?

"To me, he's a motivator and like a mentor. If someone like him can stand up and fight the cause of climate change and global warming and win the Nobel Prize, I think there's a future for some of us, because we see him up there. What we are doing is also combating climate change... water pollution, so we think, in years to come we have a future."

What is the ultimate vision for Cows to Kilowatts?

"To spread this innovation across Nigeria, most parts of Africa and other developing countries... The big innovation we have is to apply this technology to other types of waste, any organic waste... two years ago, we won an award from the [World Bank](#). Currently we're talking to breweries, dairy product companies so that their waste can be converted to electricity."

For more information on the Tech Awards, and interviews with other green innovators go to [Fresh Dialogues](#).

Copenhagen Diary: It's Easy To Beat Down A Few Thousand People (*The Wonk Room*)

The Wonk Room is [blogging](#) and [tweeting](#) live from Copenhagen.

By [Brad Johnson](#) at 4:16 am

Today's session of the United Nations Climate Change Conference in Copenhagen, Denmark, was marred by a vicious and blatantly extra-legal crackdown by authorities on non-violent protesters, activists, and civil society leaders. Demonstrators were pre-emptively detained and held in cages without being charged. Police beat non-violent marchers with batons and pepper-sprayed them in the eyes. The United Nations preemptively revoked the credentials of the entire delegations of Friends of the Earth International and Avaaz.org.

It only took a few thousand police and soldiers, some vans, guard dogs, and fencing, some sticks and sprays to put down the attempts by thousands of people to call for a real deal and respect the rights of those among us most vulnerable to the ravages of climate change. Of course, the authorities did have the challenge of protecting the world's leaders from unpredictable rabble, and these talks need to continue. The governments of the world genuinely understand the dynamics of crowd control.

But I've never seen a hurricane, a drought, a flood, or an ocean that can be stopped by riot police and identification cards.

Copenhagen Dispatch: It's Time To Secure The Future From The Climate Threat (*Wonk Room*)

Our guest blogger is [Michael Breen](#), a former US Army Captain. He served two tours, one in Iraq and one in Afghanistan. He is from New Hampshire and currently studying law at Yale.

By [Guest Blogger](#) at 12:30 am

The United Nations Climate Change Conference is in its final week, and the streets of Copenhagen are packed with government officials, scientists, engineers and non-profit leaders. [Operation Free](#) joined their ranks yesterday, when a dozen combat veterans of the wars in Iraq and Afghanistan touched down to spread a crucial message: the stability of our climate and the security of our globalized world are inextricably linked. As veterans, we've learned the hard way that the drought, famine and scarcity climate change will bring produces a breeding ground for insurgency and terrorism. More than glaciers and polar bears are at risk – preventing climate change is a struggle for the security and prosperity of every human being on the planet.

Even with the vast array of organizations and agendas present at the conference, our message is catching on. Waiting to enter the convention hall Tuesday morning, I talked with botanists and engineers with a [plan to restore trees to the Sahara desert](#), delegates representing a [series of small islands existentially threatened by rising sea levels](#), and a [vegan activist](#) in a chicken suit. When I mentioned that I was an Iraq and Afghanistan veteran here to discuss the link between climate change and global security, even the chicken stood up and took notice.

Each of them understood that while Operation Free is a coalition of American veterans, the security threat posed by climate change is equally real for nations around the globe. The scientific consensus is overwhelming. If we continue to burn dirty fuels at our current rate, increasing carbon levels in the atmosphere will cause significant shifts in the earth's climate. According to a [new analysis by the Pentagon and the CIA](#), the resulting drought, famine and flooding will lead to a dramatic increase in global conflict.

As veterans of a global fight against insurgency and terrorism, we've seen the link between scarce resources and violence at eye level. In Afghanistan, my small Forward Operating Base took rocket fire on a weekly basis. As we struggled to defend ourselves, we gradually realized that our attackers weren't hardened insurgents – they were local tribesmen who had [lost their livelihoods to deforestation and drought](#). Knowing that the local people were struggling to feed their families, the Taliban was quick to move in. They offered these former farmers and loggers a simple deal: ten dollars for every rocket they fired at the American camp.

Unless we take immediate action to prevent climate change, the same deadly dynamic will become a global fact of life. This week in Copenhagen, Operation Free is committed to helping secure the future.

Update After Sen. Jim Inhofe (R-OK) visited Copenhagen this morning to [undermine the President](#) on climate action, Operation Free's Jonathan Powers made the following statement: The inevitable result of flood, famine, and refugee crises caused by climate change are the weak and failed states that become the safe havens and recruiting bases of extremists. Yet Jim Inhofe continue to ignore this threat to America's and the world's security and abdicate his responsibility as a US Senator. Every day he delays action is one less day we have to protect us and our allies from preventable threats.

The simple fact is that our dependence on a fossil fuels makes America more vulnerable, while climate disruptions make the world a more dangerous place for our soldiers, sailors, airmen and Marines. Veterans across America working with Operation Free understand the threat. American and international military leaders know that climate change and dependence on dirty energy is a threat and they are taking action. It's time for Jim Inhofe to put our security before partisanship and take his cue from the men and women who have dedicated their lives to securing their country.

The EPA's Coming Carbon Regulations: A Quick Primer (*The New Republic*)

Bradford Plumer December 16, 2009 | 5:49 pm

Yesterday, the EPA formally published its finding that greenhouse gases pose a danger to public health. It's [printed](#) in the *Federal Register* and everything. So now that *that's* finished, what comes next? When do the new CO2 regulations hit? Here's a quick primer on what to expect.

First things first: In March of next year, the EPA will work with the Department of Transportation to move forward on its long-planned [tailpipe standards](#) for cars and trucks—basically just a fancy way of saying stricter fuel-economy rules are on their way (the plan is an average of 35.5 miles per gallon by 2016).

Now, what about factories and power plants and all those other carbon sources out there? That part's... still opaque, and Robin Bravender has a nice Greenwire [report](#) trying to peer through the murk. The EPA is expected to ask polluters to adopt "best-available control technology" for their carbon emissions, but what that entails, exactly, still hasn't been defined. It could mean new efficiency standards for power plants, or requirements that facilities consider switching from coal to natural gas. It probably *won't* mean forcing coal plants to capture and sequester their carbon, since CCS technology isn't widely available yet (nor is it cheap). Odds are the rules will be fairly general at first and gradually get more specific.

After that, there are also a couple of other options the EPA could pursue. It could, as Michael A. Livermore [has argued](#), work with states to create a cap-and-trade system for greenhouse gases, which would, in theory, give polluters more flexibility to cut their emissions (rather than having every facility have to conform to the same rigid set of rules). Down the line, the EPA is likely to set broader performance standards for each industry—indeed, some onlookers expect that standards for cement plants could hit as early as June of next year. But that leaves plenty of questions about whether these new standards will apply to new sources or to existing sources, whether the EPA will lump CO2 together with new rules that address other pollutants like mercury, and so on...

Beyond that, there are still a lot of other sources of greenhouse gases out there. And, already, the EPA is getting swarmed with petitions from environmental groups (and states) to start regulating mobile sources besides cars and trucks—such as airplanes, marine engines, or farm equipment. Some experts think the agency could start proposing regulations for some of these sectors as early as the end of 2010.

Granted, these rules may never materialize if Congress decides to pass its own climate legislation and preempts the EPA. But we still don't know if a cap on carbon can garner 60 votes in the Senate (personally, I'd put the odds of passage at about 60-40—still far from certain). So, for now, this is the path we're on.

The other thing to note is that EPA rules could get bogged down for a few years in court challenges. The conservative Competitive Enterprise Institute [has announced](#) that it will sue the EPA, claiming that "Climategate" and those East Anglia e-mails undermine the rationale for regulating greenhouse gases. (The case seems shaky, but who knows?) And, meanwhile, the EPA has proposed a "tailoring rule" that will make sure its regulations only apply to large stationary polluters—sources emitting more than 25,000 tons per year. That way, the regulations don't hit smaller homes, churches, etc. But it's still unclear if the tailoring rule can survive a legal

challenge—I've heard decent arguments both ways—and if it gets struck down, suffice to say there'll be chaos.

Follow Bradford Plumer on Twitter [@bradplumer](#)

Live From Copenhagen: U.N. Official Admits Copenhagen Conference “is Not a Climate Change Negotiation” (*The Heritage Foundation*)

Posted December 16th, 2009 at 2.27pm in [Energy and Environment](#).

The Heritage Foundation's Steven Groves and Ben Lieberman are live at the Copenhagen Climate Change Conference reporting from a conservative perspective. Follow their reports on [The Foundry](#) and at [the Copenhagen Consequences Web site](#).

As the developed and developing worlds continue to spar here in Copenhagen over the terms of a comprehensive climate change treaty, a key United Nations official let the actual truth slip out as to what this conference is really about.

Janos Pasztor—the Director of U.N. secretary-general Ban Ki-moon's Climate Change Support Team—was characterizing the nature of the talks between the rich and poor nations of the world when he said the following: “This is not a climate-change negotiation ... It's about something much more fundamental. It's about economic strength.” The nations at the negotiation, he added, [“just have to slug it out.”](#)

That is a remarkable statement, and may turn out to be the most truthful comment made during this entire two-week conference.

All 192 nations negotiating here in Copenhagen know Mr. Pasztor's characterization to be true, but none say so. They speak of the United States' “climate debt” owed to the rest of the world and that the U.S. and other developed nations owe “climate reparations” to the developing world to the tune of \$100 billion a year.

Mr. Pasztor is correct—what is going on in Copenhagen this fortnight is anything but a climate change negotiation. It is an international political debate over global redistribution of wealth and control of energy resources, masquerading as an environmental conference.

- Author: [Steven Groves](#)

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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December 18, 2009**

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Dec. 17, 2009:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Copenhagen – Day 11

Green News: EXTRA: Select world leaders head for snap Copenhagen mini-summit

Posted by: [HumanityNews](#) 6:20 pm Full post: <http://dlvr.it/6q1>

Grist: Obama and Chinese premier Wen to meet soon one-on-one in Copenhagen: by Mark Hertsgaard COPENHAGEN.....

Posted by: [TMCMemberFeed](#) 6:15 pm Full post: <http://bit.ly/5ZVSrX>

Midnight in Copenhagen and negotiations looking better than they did 12, 14, 16, 18 hours ago.

Posted by: [nature.org](#) 6:05 pm Full post: <http://bit.ly/838nH0>

President Obama Heads to Copenhagen for Climate Summit

Posted by: [usnewsroom](#) 6:00 pm Full post: <http://bit.ly/4wTne0>

AP: Global warming a tough sell for the human psyche (AP): The Copenhagen talks on climate change were conven...

(Note: One big reason: It's hard for people to get excited about a threat that seems far away in space and time, psychologists say. "It's not in people's faces," said psychologist Robert Gifford of the University of Victoria in British Columbia. "It is in the media, but not in their everyday experience. That's quite a different thing." The consequences of global warming are seen as occurring in far-off places)

Posted by: [MyGeneralTalk](#) 5:59 pm Full post: <http://bit.ly/5PFH5P>

Africa lowers climate cash demands to boost Copenhagen deal chances

Posted by: [EUobserver](#) 5:56 pm Full post: <http://euobserver.com/9/29171>

Alberta government takes out ads to tout green record: Under fire in Copenhagen over its environmental record,

Posted by: [calgaryherald](#) 5:45 pm Full post: <http://bit.ly/6mYBGt>

President Obama arrives in Copenhagen early Friday morning. Pray he brings momentum for a climate deal.

Posted by: [climateprayer](#) 5:35 pm Full post:

Obama's arrival expected to inject fresh momentum into Copenhagen talks....Obama's arrival has been the most anticipated event of the 10-day summit

Posted by: [tckctck](#) 5:26 pm Full post: <http://bit.ly/5ofwwj>

ThinkProgress post on today's action has fantastic info on Chamber of Commerce blocking climate progress

(Note: protestors put signs up declaring US Chamber HQ a "climate crime scene.")

[VIDEO] http://www.youtube.com/watch?v=KsQqVGUMx4c&feature=player_embedded

Posted by: [greenpeaceusa](#) 5:05 pm Full post: <http://bit.ly/8Yh4B3>

China and U.S. Start Moving the Copenhagen Chess Pieces: The Copenhagen climate talks got a big boost on..

(Note: 1) Sec. Clinton announcing U.S. will contribute to a multinational public and private fund reaching \$100 billion per year by 2020 to help developing countries adapt to climate change, and 2) Vice Minister He Yafei announced China's willingness to support provisions for greater international transparency)

Posted by: [LaOndaVerde](#) 4:45 pm Full post: <http://bit.ly/6rFzM4>

NYT: Docs from Copenhagen show leaders glaringly aware emissions plans don't meet climate pledges

Posted by: [revkin](#) 4:00 pm Full post: <http://j.mp/cop15docs>

Emissions pledges do not match needs

Posted by: [cop15](#) 3:50 pm Full post: <http://bit.ly/4Wf8yv>

GHG Endangerment Announcement

[VIDEO] **Murkowski Comments on Proposed Senate Veto of EPA Regulations.**

Posted by: [lisamurkowski](#) 6:30 pm Full post: <http://bit.ly/4IntG7>

Senate Rs filing resolution to overturn EPA on GHG

Posted by: [FiftyPlusOne](#) 5:30 pm Full post:
<http://blogs.cqpolitics.com/copenhagen2009/2009/12/gop-senators-keep-up-the-press.html>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Sun Shining Brighter in Copenhagen (*The Huffington Post*)

[Rhone Resch](#)

President

Posted: December 18, 2009 08:17 AM

What is apparent during the time we've been here in Copenhagen representing the U.S. solar industry is that the renewable energy industry has become a force in the climate debate. No longer are we relying on the environmental community to carry our message (which they have done well in the past). This is the first Conference of Parties where the "solution industries" (renewable energy) outweighed the "emitters" (fossil fuel) both in numbers and in influence.

This is the first time in the history of climate negotiations that the global solar industry has gathered together with one voice. And our message was clear - we are ready now to help solve the climate crisis.

As I listened to heads of state today talk about their commitment to battling climate change, almost to a person, they each talked about solar energy. Countries from Trinidad and Tobago to France to Croatia all stated that they can and will deploy solar as part of their climate solution. And this message is the same opinion that exists back in the U.S., with over 90 percent of the public stating that we need to use more solar energy on our homes and businesses. And the good news is that the solar industry is ready now to deploy quickly as a significant part of the solution, with the rights policies in place.

The Obama Administration took a positive step yesterday when Secretary of State Hillary Clinton announced U.S. willingness to contribute to a global effort to finance \$100 billion annually by 2020 to address climate change mitigation and adaptation, a large part of which will be deployment of solar energy.

The commitment to financing climate change mitigation can start at home. As you can see in the chart below, fossil fuels - a developed, mature industry that has received decades of government support - received \$72 billion in total federal subsidies from 2002 to 2008. During the same period, solar energy received less than \$1 billion. This inconsistency, both with public opinion and global need, must reverse itself immediately.

The solar industry cannot deploy with the necessary speed to combat climate change without access to markets and a fair competitive environment. Climate negotiators need to return to their respective countries to continue their work by enacting smart policies at the national level. For the U.S., those policies are outlined in the Solar Bill of Rights (<http://www.solarbillofrights.com>). When we return home and sleep off our jet lag, we will get right back to the business of working with the Administration and Congress to move forward with policies that open up markets to solar and create much-needed jobs in the clean energy economy.

Text Of President Obama's Address To Copenhagen: 'There Is No Time To Waste' (*The Wonk Room*)

The Wonk Room is [blogging](#) and [tweeting](#) live from Copenhagen.

By [Brad Johnson](#) at 7:41 am

President Barack Obama has addressed the United Nations Climate Change Conference in Copenhagen, Denmark. "While the reality of climate change is not in doubt," he cautioned, "our ability to take collective action hangs in the balance." Obama is now in difficult consultations with other heads of state in an attempt to forge a deal. Below is the transcript of his remarks.

Good morning. It's an honor for me to join this distinguished group of leaders from nations around the world. We come together here in Copenhagen because climate change poses a grave and growing danger to our people. You would not be here unless you – like me – were convinced that this danger is real. This is not fiction, this is science. Unchecked, climate change will pose unacceptable risks to our security, our economies, and our planet. That much we know.

So the question before us is no longer the nature of the challenge – the question is our capacity to meet it. For while the reality of climate change is not in doubt, our ability to take collective action hangs in the balance.

I believe that we can act boldly, and decisively, in the face of this common threat. And that is why I have come here today.

As the world's largest economy and the world's second largest emitter, America bears our share of responsibility in addressing climate change, and we intend to meet that responsibility. That is why we have renewed our leadership within international climate negotiations, and worked with other nations to phase out fossil fuel subsidies. And that is why we have taken bold action at home – by making historic investments in renewable energy; by putting our people to work increasing efficiency in our homes and buildings; and by pursuing comprehensive legislation to transform to a clean energy economy.

These actions are ambitious, and we are taking them not simply to meet our global responsibilities. We are convinced that changing the way that we produce and use energy is essential to America's economic future – that it will create millions of new jobs, power new industry, keep us competitive, and spark new innovation. And we are convinced that changing the way we use energy is essential to America's national security, because it will reduce our dependence on foreign oil, and help us deal with some of the dangers posed by climate change.

So America is going to continue on this course of action no matter what happens in Copenhagen. But we will all be stronger and safer and more secure if we act together. That is why it is in our mutual interest to achieve a global accord in which we agree to take certain steps, and to hold each other accountable for our commitments.

After months of talk, and two weeks of negotiations, I believe that the pieces of that accord are now clear.

First, all major economies must put forward decisive national actions that will reduce their emissions, and begin to turn the corner on climate change. I'm pleased that many of us have already done so, and I'm confident that America will fulfill the commitments that we have made: cutting our emissions in the range of 17 percent by 2020, and by more than 80 percent by 2050 in line with final legislation.

Second, we must have a mechanism to review whether we are keeping our commitments, and to exchange this information in a transparent manner. These measures need not be intrusive, or infringe upon sovereignty. They must, however, ensure that an accord is credible, and that we are living up to our obligations. For without such accountability, any agreement would be empty words on a page.

Third, we must have financing that helps developing countries adapt, particularly the least-developed and most vulnerable to climate change. America will be a part of fast-start funding that will ramp up to \$10 billion in 2012. And, yesterday, Secretary Clinton made it clear that we will engage in a global effort to mobilize \$100 billion in financing by 2020, if – and only if – it is part of the broader accord that I have just described.

Mitigation. Transparency. And financing. It is a clear formula – one that embraces the principle of common but differentiated responses and respective capabilities. And it adds up to a significant accord – one that takes us farther than we have ever gone before as an international community.

The question is whether we will move forward together, or split apart. This is not a perfect agreement, and no country would get everything that it wants. There are those developing countries that want aid with no strings attached, and who think that the most advanced nations should pay a higher price. And there are those advanced nations who think that developing countries cannot absorb this assistance, or that the world's fastest-growing emitters should bear a greater share of the burden.

We know the fault lines because we've been imprisoned by them for years. But here is the bottom line: we can embrace this accord, take a substantial step forward, and continue to refine it and build upon its foundation. We can do that, and everyone who is in this room will be a part of an historic endeavor – one that makes life better for our children and grandchildren.

Or we can again choose delay, falling back into the same divisions that have stood in the way of action for years. And we will be back having the same stale arguments month after month, year after year – all while the danger of climate change grows until it is irreversible.

There is no time to waste. America has made our choice. We have charted our course, we have made our commitments, and we will do what we say. Now, I believe that it's time for the nations and people of the world to come together behind a common purpose.

We must choose action over inaction; the future over the past – with courage and faith, let us meet our responsibility to our people, and to the future of our planet. Thank you.

Does Obama Need 67 Votes For A Climate Treaty? Not Necessarily. (*The New Republic*)

Michael A. Livermore December 17, 2009 | 5:48 pm

President Obama will arrive in Copenhagen tomorrow to weigh in on the talks over a global climate treaty. But will he and his envoys be "hemmed in" by Congress, as John Kerry [suggested](#) on Thursday? After all, even if the United States does agree to an international climate treaty, many observers have argued that the treaty would still need 67 votes in the Senate for ratification. And, given how difficult it's proving just to round up 60 votes for a climate bill, the odds of 67 look dim. So are there any other options available?

Actually, yes. For one, a president is allowed to enter into an executive agreement on international actions, provided that Congress has granted this power through legislation. Over the years, the United States has routinely relied on these congressional-executive agreements to participate in treaties like NAFTA, as well as to sign on to global commitments on issues like

intellectual-property rights. Under this option, Congress would simply need to pass a bill authorizing an executive agreement on climate, and the president could then sign on when a treaty is ready. That would only require the 60 votes necessary to overcome a filibuster.

But if 60 votes is too difficult, new legislation isn't the only option. As the Center for Biological Diversity [argued](#) in a recent report, there are several tools President Obama could use under *existing law* to enter the United States into a binding agreement on climate change. One is Section 617 of the Clean Air Act, which gives the president the authority "to enter international agreements... and to develop standards and regulations which protect the stratosphere." This could provide a foundation for an executive agreement—and Obama wouldn't need to round up 60 votes from the Senate.

The difficulty in this latter route, however, would be in establishing a link between greenhouse-gas emissions and the stratosphere. While scientists have shown that heat-trapping gases like carbon-dioxide have taken their toll on the planet's troposphere, the stratosphere has been slower to reveal damage, mainly due to the complex dynamics between the two layers. In a nutshell, tropospheric temperatures have continued to increase, but stratospheric temperatures remain low—that combination has led to faster ozone depletion which leads, in turn, to more global warming. Scientists are only just starting to explore this stratosphere-troposphere relationship and how the two layers interact with greenhouse gases.

But even if the science on the stratosphere isn't crystal clear, Obama may still be able to proceed. Title VI of the Clean Air Act contains precautionary language that would likely enable the president to address global problems like climate change even if the stratosphere connection is not yet conclusive. In short, if Congress refuses to ratify a climate treaty, the Obama administration would still have the authority to sign on to whatever climate treaty emerges from Copenhagen and the next set of talks at Mexico City.

Michael A. Livermore is the executive director of the Institute for Policy Integrity at New York University School of Law. He is the author, along with Richard L. Revesz, of [Retaking Rationality: How Cost-Benefit Analysis Can Better Protect the Environment and Our Health](#).

Leaked Document Shows Gap Between Climate Hopes And Reality (*The New Republic*)

Bradford Plumer December 17, 2009 | 3:06 pm

For years now, world governments have been pledging to limit global average temperatures increases to 2°C (or less) over pre-industrial levels. That's been the big-picture climate goal. If

we heat the planet up any further, the argument goes, then we risk extremely severe impacts that could prove irreversible. (To put this in context, the world has already warmed about 0.8°C since the Industrial Revolution, and the carbon-dioxide that's currently in the air has "locked in" another 0.6°C of warming—so a 2°C limit doesn't give us much wiggle room.)

But why 2°C? Where did this come from? Lou Grinzo has a [smart piece](#) tracing the history of the figure—it's actually been floating around since 1989—and it's worth emphasizing that not everyone agrees with it. At the Copenhagen summit, various African and small-island nations have been arguing that the consequences of even a 2°C rise could be too horrible to allow. Nations like Tuvalu, for instance, might get drowned out entirely, while widespread droughts could permanently cripple Africa. Those countries have been arguing that the world should aspire to no more than a 1.5°C rise. (Unfortunately, science [can't decisively answer](#) these questions—we know that the warmer we get, the deeper the impacts and greater the risks, but we can't identify a clear line below which everything will be okay.)

In any case, even 2°C is now looking difficult to attain. According to the *Guardian*, a [recently leaked](#) U.N. document reveals that if you tally up all the pledges various countries have made so far on cutting emissions, the world would be on pace for carbon concentrations in the air of around 550 parts per million, which the best evidence indicates would lead to a temperature rise of about 3°C. So there's still a massive gap between aspirations and reality here, and we'll have to see whether that can be bridged in the closing days of Copenhagen.

Follow Bradford Plumer on Twitter @bradplumer

Live From Copenhagen: Reaction to President Obama's Speech (*The Heritage Foundation*)

Posted December 18th, 2009 at 9.05am in [Energy and Environment](#).

The President just gave a brief speech here in Copenhagen to the assembled parties, laying out what he believes are the crucial elements to a successful climate change accord. Specifically, there are three elements—greenhouse gas (GHG) mitigation commitments, transparency, and financing (but more on those in a moment).

Consistent with the Administration's prior statements about global warming, the President spoke in absolute terms about the urgency of the matter. Statements along the lines of "We are running out of time," "The time to talk is over," and "No time to waste" peppered the President's speech.

This despite the fact that global temperatures have leveled off or even cooled over the past ten years and may continue to do so for years to come.

The President touted U.S. actions on climate change, including ending subsidies for fossil fuels, promoting energy efficiency in homes and businesses, and “cap and trade” legislation. He repeated his pledge (not yet agreed to by Congress, especially the Senate, we should note) that the U.S. will lower its GHG emissions “in the range of 17 percent” by 2020 and by “over 80 percent” by 2050.

But the President cast some doubt on whether the nations of the world were collectively prepared to reach a final deal.

It Boils Down to Sovereignty

As to the three key elements of an international climate accord—GHG mitigation, transparency, and financing—the negotiators here in Copenhagen appear to be fairly close to terms on two out of the three. It is the element of transparency (read: sovereignty) that appears to be a sticking point.

You see, the world agrees that each nation is responsible for lowering or at least mitigating their GHG emissions and that the “rich” nations of the world should contribute hundreds of billions of dollars to assist the “poor” nations to do so.

But what has not been agreed upon creates a major void: How will those hundreds of billions be spent? Will the developing nations be transparent in their mitigation and adaptation efforts? How can the actions and efforts of developing nations—many of which are poorly governed, corrupt, or outright kleptocracies—be verified by the donor nations?

The developing world—particularly China and India—jealously guard their national sovereignty and bristle at the notion that donor nations would want to actually verify that their billions of dollars are being spent on actual GHG mitigation and adaptation projects.

The resolution of the sovereignty issue will determine the outcome of comprehensive international climate change negotiations.

- Author: [Steven Groves](#)

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Dec. 1, 2009:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

TSCA

EDF's Denison on the business case for chemical policy reform, with bisphenol as the poster child.

Posted by [petemyers](#) 6:45 pm Full post: <http://cli.gs/0rAySy>

EPA administrator Lisa Jackson 2 testify Wed on toxic chemical reform, TSCA

Posted by [LizSzabo](#) 5:42 pm Full post: <http://bit.ly/4zhUwo>

Congress Tuning In to the Need for Chemical Policy Reform: You might think it wouldn't seem odd for members of Congress....

Posted by [NRDCSwitchboard](#): 4:42 pm Full post: <http://bit.ly/4OyBv7>

Ethanol Decision

Renewable Fuels Association Responds to EPA Announcement: Today, the U.S. Environmental Protection Agency (EPA) ann...

Posted by [Cheese_Tweets](#): 6:45 pm Full post: <http://bit.ly/8ZpPDv>

EWG congrats to EPA for resisting efforts by the well-funded and politically well-connected corn ethanol lobby E15

Posted by [SugarcaneBlog](#): 5:45 pm Full post: <http://bit.ly/7w4RAV>

POET welcomes EPA response to the Growth Energy Green Jobs waiver for E15

Posted by [cliqzldd](#) 5:40 pm Full post: <http://bit.ly/7p6Z6x>

EPA May Increase the Amount of Ethanol Blended Into Gas Despite Looming Issues A "greendiculous" idea!

Posted by [greenforyou](#) 5:38 pm Full post: <http://bit.ly/8R243s>

Corn Delay: EPA Puts Off Decision on Upping Ethanol Blend: Big Oil, Big Auto and Big Food: you have seven months to...

Posted by [veggie_seeds](#) 5:40 pm Full post: <http://bit.ly/5u8yrx>

Reuters-US ethanol industry set to win battle of the blend: response to EPA
(Ethanol Industry group)

Posted by [Growth_Energy](#) 5:00 pm Full post: <http://bit.ly/6xWNwM>

Their response: <http://bit.ly/6xWNwM>

Copenhagen

"Copenhagen may lead over the next 20 yrs to the largest transfer of \$ in history from the global north to the south" -Guardian UK

[sustainablogger](#): 5:40 pm 6:50 pm Full post: <http://ow.ly/HFcT>

RT @cop15: Developing countries present climate proposal

Posted by [TheEcoist](#) 6:40 pm Full post: <http://bit.ly/91albP>

A decade after Battle in Seattle, will Obama do the right thing?

Posted by: [Public_Citizen](#) 6:35 pm Full post: <http://bit.ly/6NQCQg>

Cool, a new Dylan "Hard Rain" performance to be released at Cop15

(Note: UN produced video Press release:

[\)](http://www.un.org/apps/news/story.asp?NewsID=33099&Cr=climate%20change&Cr1=)

Posted by [jhiskes](#): 6:05 pm Full post: <http://is.gd/59nGo>

Grist response to Annie Leonard video....

Posted by [@drgrist](#) 6:30 pm Full post: <http://bit.ly/4yK4W4>

VIDEO: The Story of Cap & Trade, now on Vimeo AND YouTube:

Posted by [storyofstuff](#): 6:10 pm Full post: <http://bit.ly/5wU5UG>

Gerard: Every major econ study shows the climate bill will cause job destruction not creation.

Posted by [EnergyTomorrow](#) 5:10 pm Full post:

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Congressman ‘Caveman’ McCotter Cites The Experience Of Cavemen To Deny Manmade Global Warming (*The Wonk Room*)

By [Lee Fang](#) on Dec 1st, 2009 at 8:30 pm

Last night on Fox News’ Red Eye, Rep. Thaddeus McCotter (R-MI) explained to host Greg Gutfeld why he does not believe that human activity is causing global warming. McCotter, who is the chairman of the Republican House Policy Committee, a GOP group charged with helping Republican lawmakers come up with legislative ideas, has used his global warming denials as a pretense for fighting to [block cap-and-trade proposals](#).

Environmental groups have declared that McCotter is a “[Caveman Congressman](#).” The satirical [Caveman Energy Caucus](#) website notes that lawmakers like McCotter have “chosen OLD energy when they voted no” on [Waxman-Markey clean energy legislation](#). Ironically, as he explained his backwards denial of [settled](#) climate change science, McCotter cited the experience of his cavemen namesake to note that the melting of glaciers had a positive effect:

MCCOTTER: Remember, the people who talk about the melting of the glaciers and others, imagine if you were in a peninsula around 1,000 BC or so or earlier and your name was Tor and you’re out huntin’ mastadon. And you didn’t notice that the glaciers were melting

and leaving the devastating flooding in its wake that became the Great Lakes in the state of Michigan.

So I think what we have to do is go back in history and look at this and realize that the Earth has been here a long time and they've selected periods of time and say somehow this **proves there's a manmade global warming occurring is absolutely wrong**. We have to look at the different periods of history, we have to look at the different effects, and then we have to have direct empirical data to correlate between man's activity and the effect on the planet, and **that is yet to be proven** and highly doubt that it's going to be any time soon.

McCotter is wrong on several fronts. First, the glacial melt which formed the Great Lakes occurred between a period of [15,000 and 10,000 BC](#), not 1,000 BC, as McCotter claims. But we do not have to look to the past to see shrinking glaciers. Global warming is currently melting [18,000 Himalayan glaciers](#) — the largest concentration of glaciers outside the great polar ice sheets. The global trend of melting glaciers has only accelerated, with 2009 marked as the [18th consecutive year](#) glaciers around the world have decreased in size.

The Intergovernmental Panel on Climate Change (IPCC) has conclusively shown that carbon emissions, caused chiefly by the burning of fossil fuels, are the largest contributor to [global warming](#). If McCotter is interested in what sets this “period in history” apart, he should know that every single year of this century (2001-2008) has been among the [top ten warmest years](#) since instrumental records began.

White House Balks at ClimateGate, Says Climate Change is Happening (*The Heritage Foundation*)

Posted December 1st, 2009 at 2.49pm in [Energy and Environment](#).

When asked about ClimateGate, White House Press Secretary Robert Gibbs dismissed its importance, [emphasizing that](#) “climate change is happening.”

Of course climate change is happening. Soon we'll be calling press conferences to declare, “The earth is moving” or “It's going to get dark tonight.” The reality is the climate has been changing ever since there was a climate, and part of that change was a cooling period as recent as the 1940s to the 1970s giving rise to fears of a coming ice age. When Gibbs spouts this rhetoric, he's clearly referring to human-induced warming, but since when has climate change become synonymous with manmade global warming? And what does it take for a scientific consensus to stop being one?

In fact, the phrase “climate change” is one of climatologist Roy Spencer’s major irritations about the whole climate change debate. He [writes](#), “Thirty years ago, the term “climate change” would have meant natural climate change, which is what climate scientists mostly studied before that time. Today, it has come to mean human-caused climate change. The public, and especially the media, now think that “climate change” implies WE are responsible for it. Mother Nature, not Al Gore, invented real climate change.”

A number of events may have made it clear to global warming alarmists and proponents of cap and trade legislation that global warming just wasn’t selling. Maybe it was in the beginning of 2009 when global warming ranked dead last when a Pew poll asked respondents to prioritize 20 issues facing the nation. Global warming fell well behind the economy, jobs, social security, education and it even falls behind moral decline, lobbyists and trade policy. It could have been a more gradual shift over the past decade since temperatures have relatively flat lined.

Or maybe it was the lack of natural disasters that failed to reach U.S. soil after Al Gore’s *An Inconvenient Truth* depicted constant 2012-like weather catastrophes. Interestingly, the [hurricane season ends today](#) and “has been the tamest in 12 years, and for the first time in three seasons not a single hurricane made landfall in the United States. And as researchers at Colorado State University pointed out, for the first time in a generation the Atlantic Coast has been spared major land-falling hurricanes - defined as those with peak winds of at least 111 m.p.h. - for four consecutive seasons.”

That’s not to say we won’t have more Katrina-like storms in the future, but adaptation and preparation to climate change is prudent while changing the weather with silly mechanisms like cap and trade is impossible.

It’s likely a combination of these events and a multitude of others, but in lieu of ClimateGate Gibbs [remains confident](#) that “there’s no real scientific basis for the dispute of this.” For all this incessant talk about [scientific consensus](#) from proponents of cap and trade legislation, there sure are a lot of dissenting scientists - more [than](#) 650.

- [Addressing Drastic Sea Level Rises](#)
- [Natural Forces Slow Warming](#)
- [Tropical Cyclone Activity](#)
- [Warming and Cooling in the North Pacific](#)
- [Climate Change Modeling and the Sun’s Effect on Global Temperature](#)
- [Climate Engineering and the Fallacies in the EPA’s ANPR](#)
- [Anthropogenic Effects on Global Warming](#)
- [Global Warming is Irreversible](#)
- [Scientists Make Anti-Global Warming Case](#)
- [Could Global Warming Models Be Wrong?](#)

Heritage Senior Policy Analyst Ben Lieberman summarizes it best, [saying](#), “If influential scientists’ being caught manipulating and suppressing data is no big deal, and if the absence of any additional warming since the late 1990s is also no big deal, one wonders what if anything would be a big deal.”

- Author: [Nick Loris](#)

Senator Webb to Obama on Copenhagen: Don't Do Anything Congress Can't Do (*The Heritage Foundation*)

Posted December 1st, 2009 at 10.55am in [Energy and Environment](#).

While most Americans were out shopping on Black Friday, Senator Jim Webb (D-VA) was busy sending a letter to Barack Obama with an important message for the president to take to Copenhagen: Don't forget about us. Senator Webb's letter to President Obama [said the following](#):

Dear Mr. President:

I would like to express my concern regarding reports that the Administration may believe it has the unilateral power to commit the government of the United States to certain standards that may be agreed upon at the upcoming United Nations Framework Convention on Climate Change Conference of Parties 15 in Copenhagen, Denmark. The phrase "politically binding" has been used.

Although details have not been made available, recent statements by Special Envoy on Climate Change Todd Stern indicate that negotiators may be intending to commit the United States to a nationwide emission reduction program. As you well know from your time in the Senate, only specific legislation agreed upon in the Congress, or a treaty ratified by the Senate, could actually create such a commitment on behalf of our country.

I would very much appreciate having this matter clarified in advance of the Copenhagen meetings."

Although a House cap and trade bill narrowly passed this summer, there are more than enough reasons why cap and trade or any other carbon reduction scheme is not U.S. law right now. But the two big reasons are that it is [prohibitively costly](#), thereby reducing economic growth and increasing unemployment, and it is [highly ineffective](#), reducing the global temperature by only a fraction of a degree in a century's time.

Webb's mention of the phrase "politically binding" is an important one since any international treaty is legally binding on the U.S. under the supremacy clause of the Constitution, and

therefore by nature represents a potential erosion of our nation’s sovereignty. In a [recent paper](#), Heritage Fellow Steven Groves outlines the sovereignty concerns that could result from a carbon reduction treaty agreed to in Copenhagen. He points out that multilateral treaties are much more dangerous than bilateral treaties [since](#) “the U.S. has less control over the final terms of multilateral treaties and thus less control over what obligations it has to the other treaty parties. The less control the U.S. has over the final terms of a treaty, the greater the possibility that the terms of the treaty will not comport with U.S. national interests.” Moreover, a post-Kyoto [treaty’s](#) “intrusive compliance and enforcement mechanisms; the inability to submit reservations, understandings, or declarations to its terms” are all reasons that legitimize Senator Webb’s concerns.

You can read the rest of Groves’ paper, “[The “Kyoto II” Climate Change Treaty: Implications for American Sovereignty](#)” and the rest of Heritage’s work on Copenhagen [here](#).

- Author: [Nick Loris](#)

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**U. S. Environmental Protection Agency
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Prepared by the Office of Public Affairs

Friday, January 11, 2013



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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Beef Association's Beef with EPA (*TreeHugger*)

by David Friedlander, New York City on 12.26.09

In a harbinger of environmental battles to come, the National Cattlemen's Beef Association filed a petition in the D.C. Circuit Court of Appeals this week, saying EPA climate regulations would hurt large farms. The EPA's regulation of greenhouse gases is seen by many as a proxy regulatory measure for the [Climate Bill](#) whose regulations may be too little too late.

While it's not terribly surprising that the NCBA would petition against the EPA's measures, it does beg the question of whether any industry who might come under the regulatory purview of the EPA (or congress or anyone else for that matter), will be remotely compliant? When will these industries comprehend that reducing greenhouse emissions means changing practices?

The supposed basis of the NCBA's gripes is the yet-to-be-determined role of humans in climate change. Tamara Thies, chief environmental counsel for the association says this:

EPA's finding is not based on a rigorous scientific analysis; yet it would trigger a cascade of future greenhouse gas regulations with sweeping impacts across the entire U.S. economy....Why the Administration decided to move forward on this type of rule when there's so much uncertainty surrounding humans' contribution to climate change is perplexing.

Apparently Thies missed the memo from the IPCC that determined that anthropogenic greenhouse gases--in particular CO₂ and Methane--are chiefly responsible for our warming planet. To deem this regulation "perplexing" for an industry whose contribution to overall [global greenhouse emissions may be as much as 51%](#) is, well, perplexing.

Thies also complained that EPA rules could force many farms to get permits to emit greenhouse gases, which could slow down production or jeopardize competitiveness in the global marketplace.

What she misses is context: that the rapid increase of meat production by large farms as well as an ever-fattening global marketplace is the problem. That maybe, just maybe, fewer large farms, less competition, less greenhouse emissions and less meat in the global diet would not be such a bad thing.

FUEL

Can Biodiesel Be Green? The Sustainable Biodiesel Summit (*TreeHugger*)

by Sami Grover, Carrboro, NC, USA on 12.26.09

Biodiesel is one of those funny things. Back when TreeHugger first started, [Daryl Hannah was waxing lyrical about the benefits of biodiesel](#), and [Whole Foods was going biodiesel](#). And many of us greenies thought this was nothing but a good thing. Fast forward a few years, and despite [the first biodiesel jet flight](#) and [the scaling up of biodiesel from algae](#), doubts started to creep in. Some even claimed that [biofuels were causing famine](#). As with most things, it seems biodiesel is neither good nor bad. It's a tool. And tools need to be used wisely. This February the seventh annual Sustainable Biodiesel Summit is being held in Grapevine, Texas, to look at just how biodiesel can contribute to a better, greener world.

The [Sustainable Biodiesel Summit](#) is an industry forum to *"raise awareness of sustainability and to facilitate the adoption of sustainable practices in the biodiesel industry. Industry professionals meet to exchange best practices, brainstorm ideas, and support each others efforts to conduct successful businesses in an environmentally sustainable and socially just manner."* It is always held in the same location, and at the same time, as the National Biodiesel Annual Conference—allowing attendees to attend both conferences, and maximizing cross-fertilization of knowledge from one event to the other.

Lyle Estill, president of Piedmont Biofuels, who I should note is a friend, has this to say for the summit: *"The SBS is one of the few conferences where real people get together to talk about real*

things. If we are ever going to differentiate ourselves from 'business as usual,' it will be thanks to undertakings like the SBS."

A note on conflict of interest: Although I have not had direct involvement with this event, I am on the board of The Abundance Foundation, one of the fiscal sponsors of the Sustainable Biodiesel Summit. Just as when I write about solar double cropping at Piedmont Biofuels, I know, and have deep respect for, some of the people involved. Anything I write should be taken within that context.

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Copenhagen and the Commons (*The Huffington Post*)

[Jamil Zaki](#)

Posted: December 28, 2009 08:37 PM

Reviews of this month's Copenhagen conference on climate change have ranged from [nonplussed](#) to [fatalistic](#). Copenhagen has been called a "crime scene" and an "abject failure." A prominent undertone in this reaction is that such conferences will never work, because they are tragic in the old sense of the word: displaying the inevitable power of human selfishness. The fear is that in all cases, world leaders will enthusiastically agree that something needs to be done to reduce carbon emissions, and in all cases, the same leaders will pipe down when asked to make concrete sacrifices themselves.

This type of bind is known in the behavioral sciences as a [Tragedy of the Commons](#). It's a simple concept that explains the tendency of groups to deplete common resources. To understand it, imagine you are a cattle farmer. You share open pasture with 100 other farmers, and are trying to decide whether to add another animal to your herd. Like any rational person, you weigh the costs and benefits of this decision. You stand to gain all the resources an extra animal can provide, while the cost (overgrazing of the pasture) is spread across the entire group, such that each person will hardly notice the change. So you decide to get another animal (or 2, or more). Problematically, the 100 other farmers have used the same calculations and have made the same choice, leading the group unstoppably towards sharing a barren patch of land.

Commons problems are [everywhere](#), ranging from the inconsequential--subway door holding--to the frightening--the depletion of natural fisheries. Somewhat similar situations can also be set up in the lab, through so-called "public goods games." In an example game, I pair you with 3 other people, and give you each \$100. I then tell you that everyone has the option of contributing as much of their money as they please to a common pot. This pot will then be doubled and split

evenly among all 4 players. For the group, the best outcome follows if every individual contributes all of their money, summing to \$400. This is then doubled to \$800, and each happy person leaves with twice as much as they had at the beginning. On the other hand, each individual stands to make the most (up to \$350) if they free ride--contributing nothing while others chip in. Perhaps unsurprisingly, after a few rounds of public goods games, individuals' contributions end up holding steady at zilch.

While public goods games are about gains and commons problems are about losses, they share a fundamental tenet: individuals trying to maximize their own gains will lead to group destruction. This is beyond pessimistic; it suggests the futility of even trying to band together to protect common resources.

On this view, climate change is merely the largest commons at the eye of the largest tragedy we have at hand, and efforts like Copenhagen are doomed from the outset. However, mountains of evidence have demonstrated that there is no need to be so fatalistic. Real-life commons, including pastures and fisheries, are often used responsibly and sustainably, and small changes in the way public goods games are set up can also lead to steady cooperation over time. This makes sense from an evolutionary perspective: [human nature](#) likely propels us to protect both our individual goals and those of the groups we depend on.

A more realistic view of the commons and public goods problems is that people will sacrifice for a common good, but only if certain conditions are met (Elinor Ostrom recently won the Nobel Prize in economics for specifying [just what these conditions are](#)). Listing some of these conditions can shed new light on why Copenhagen failed:

1) *Common participation*: individuals are much more likely to sacrifice some of their gains for a common interest if they feel a sense of participation in deciding the rules that will govern those commons. If, instead, these rules seem like prescriptions from above, people will more likely find ways around them. This idea was clearly ignored by the 6 nations that drafted the "Copenhagen Accord." This arguably well-intentioned shot at a climate agreement detonated as many representatives of the remaining 186 countries involved in the Copenhagen talks reacted angrily at being left out when it was drafted.

2) *Mutual sacrifice*: A sure-fire way to reduce individual contributions to a common good is to make them suspect others will free ride from their generosity. Like two people agreeing to put their guns down, being the first one to comply is difficult when there is no evidence that others will follow suit. Individuals in public goods games behave similarly, displaying what is known as "[conditional cooperation](#)." Most people report that they will contribute some amount to public goods, but this amount is highly dependent on how much they believe others will pitch in. Australia and Russia demonstrated conditional cooperation when they made clear their goals for emissions reduction were contingent on other countries joining them. Such an approach is toxic when one or more countries fail to comply. This dilemma is worsened when--as with developing vs. developed nations--the standard for defining appropriate sacrifices is hard to agree on.

3) *Inducing compliance*: Public goods games demonstrate that altruistic contributions are most stable when enforced by both carrots (rewards) and sticks (punishments). Punishment through

[sanctions](#) and [poor reputation](#) motivate individuals to recognize their interdependence with a group, and to avoid free riding. In fact, such punishments may be absolutely critical to the maintenance of altruistic societies, which otherwise would be vulnerable to cheaters. In not forming a legally binding contract, leaders at Copenhagen failed to give their agreement the teeth it would need to induce real changes in behavior.

Both research and intuition suggest that conferences like Copenhagen are not doomed to fail. Informed, committed nations working together should be able to tap into people's common goal to stave off the effects of climate change. Leaders at Copenhagen simply neglected some simple rules for creating such cooperation.

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PEOPLE ARE TALKING

**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Dec. 2, 2009:**

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

TSCA Hearing

13 States urge federal action on toxic chemicals, thru reform of the Toxic Substances Control Act

Posted by [EcologyWA](#) 5:51 pm Full post: <http://bit.ly/5Z2siz>

States demand federal action to phase out toxic chemicals

Posted by [preventharm](#) 4:50 pm Full post: <http://cli.gs/qq65e4>

States support strengthening federal Toxic Substances Control Act (TSCA) to protect people/enviroment

Posted by [cbdawson](#) 4:45 pm Full post: <http://bit.ly/7vMoCA>

Sen. Boxer on "over the top" speeches on climate emails TSCA hearing. "This is the environment committee, not the Judiciary Committee."

Posted by [CHogue](#) 4:15 pm Full post:

Amazing. Democrat senators are measuring success of chem management programs on # of chemicals "banned." That's not the purpose of TSCA

Posted by [William Allmond](#) 3:50 pm Full post: <http://bit.ly/8ZpPDv>

Senate EPW comm is supposed to talk about TSCA - let's get off the climate change emails.

Posted by [Just Green](#) 4:00 pm Full post:

Copenhagen

Copenhagen climate change talks must fail, says top scientist

(Note: Interview with James Hansen)

Posted by [guardiannews](#) 7:00 pm Full post: <http://bit.ly/59uJqO>

Great post from [@johannhari101](#): The Choice at Copenhagen: Heroism, or Collective Suicide

Posted by [HuffPostGreen](#) 6:50 pm Full post: <http://bit.ly/7JDuY7>

As Climate Summit Nears, Skeptics Gain Traction - COP15: Climate-Change Conference - TIME

Posted by [iescience](#) 6:43 pm Full post: <http://ow.ly/HZOJ>

RT LIVE White House climate forum! Ask Pres Obama why he continues to ignore science.

(Note: Greenpeace Student Network U.S. and Canada)

Posted by [GreenpeaceSN](#) 6:40 pm Full post: <http://tiny.cc/EXdY8>

Join the Climate Change Examiner on Facebook - Become a fan for all the latest news:

Posted by: [ClimateExaminer](#): 6:40 pm Full post: <http://bit.ly/4MEufi>

Mobile version of unfccc.int and Iphone application for [@UN_ClimateTalks](#)

Posted by [UN_ClimateTalks](#) 6:35 pm Full post: <http://bit.ly/53FXtg>

RT Great video Changing World - looks at climactic changes and hunger

(Note: The official World Food Programme Twitter page - fighting hunger worldwide)

Posted by [fighthunger](#) 6:20 pm Full post: <http://bit.ly/8uAQhh>

ROUND-UP OF MAJOR BLOGS

AIR

EPA Petitioned to Regulate CO2 Using Clean Air Act, Cap At 350ppm (*TreeHugger*)

by Matthew McDermott, New York, NY on 12. 2.09

On and off for the past year we've heard statements about how the [Environmental Protection Agency](#) could really make an end run around Congressional inaction on climate and set a cap on carbon dioxide emissions through the Clean Air Act. Even Al Gore hinted at it during Climate Week NYC. Well now the [Center for Biological Diversity](#) and [350.org](#) have petitioned the EPA to do just that:

Nation That Invented Environmentalism Should Use Its Progressive Laws

Saying that capping CO2 at 350 parts per million is required so that we can have a planet "similar to the one on which civilization developed" 350.org founder Bill McKibben urged "the nation that invented environmentalism to use its most progressive set of laws" to regulate greenhouse gases.

Remember that current CO2 levels are already about 390ppm, and that current US pledges included in Congressional climate bills of about 3-4% below 1990 levels are well below the 40-45% cuts scientists say are required by 2020 to prevent dangerous global warming.

Petition Would Bring 'Criteria Pollutants' to Thirteen

The petition seeks a national pollution cap for CO2 and other greenhouse gas pollutants "through a central provision of the Clean Air Act requiring EPA to designate 'criteria' air pollutants, set national pollution limits for these pollutants to protect the public health and welfare, and then assist the states in carrying out plans to reduce emissions from major sources to attain and maintain the national standards."

Currently there are six criteria pollutants: Particle pollution, ground-level ozone, carbon monoxide, sulphur oxides, nitrogen oxides and lead.

This petition seeks to have seven more added: Carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride, and nitrogen trifluoride. CO2 would be capped at 350ppm, with caps designated for the other greenhouse gases.

EPA Regulation Would Coordinate State Efforts Underway

In their press release, the Center for Biological Diversity said that this action, "would mark a critical step in the fight against global warming and add more tools to the Clean Air Act programs the Obama administration is beginning to implement. A national pollution cap for greenhouse gases would also activate and coordinate the efforts of all 50 states, all of which currently implement plans for the reduction of the existing criteria air pollutants, and 38 of which are already drafting or implementing climate action plans."

Read the full petition: [Petition to Establish National Pollution Limits for Greenhouse Gases Pursuant to the Clean Air Act \[PDF\]](#)

CLIMATE CHANGE/GLOBAL WARMING

James Hansen: Copenhagen climate talks must collapse (*New Scientist*)

Shanta Barley, reporter

December 3, 2009

Outspoken US climate scientist [James Hansen](#) has announced that climate talks next week in Copenhagen must collapse if the world is to tackle global warming effectively, [reports the UK's Guardian newspaper](#).

A leading climatologist and director of [NASA's Goddard Institute for Space Studies](#), Hansen's [testimony to US Congress](#) in 1988 played a critical role in raising public awareness of global warming.

Now Hansen's back in the spotlight. He has raised eyebrows by saying that any agreement that emerges from [Copenhagen](#) will be counter-productive if it plumps for a "cap and trade" system to reduce greenhouse gas emissions.

"I would rather it not happen if people accept that as being the right track, because it's a disaster track," Hansen told the *Guardian's* US environment correspondent, [Suzanne Goldenberg](#).

"The whole approach is so fundamentally wrong that it is better to reassess the situation. If it is going to be the [Kyoto](#)-type thing then [people] will spend years trying to determine exactly what that means."

Hansen's trademark pessimism comes at a time of hesitant optimism: yesterday [India joined the club](#) of major emitters that will offer to cut greenhouse gas emissions at Copenhagen next week, alongside [China, the US](#) and the EU.

So why is the man who has probably done more than any other person on Earth to tackle climate change so keen that Copenhagen goes belly-up? Mainly because he disagrees violently with key governments over how best to control climate change.

Many politicians believe that the best way to reduce greenhouse gas emissions is for governments to set limits on emissions while polluters buy and sell [carbon credits](#) - or "permits to pollute," as Goldenberg calls them - but Hansen disagrees.

"This is analogous to the indulgences that the Catholic church sold in the Middle Ages. The bishops collected lots of money and the sinners got redemption. Both parties liked that arrangement despite its absurdity. That is exactly what's happening," says Hansen.

In Hansen's view, the only way to cut emissions is through an ever-increasing tax on carbon emissions. He believes that the "[carbon tax](#)" should start at around \$1 per gallon of petrol, with revenue returning directly to the public purse, according to the UK's [Times Online](#).

There's no room for compromise, Hansen says.

"This is analogous to the issue of slavery faced by Abraham Lincoln or the issue of Nazism faced by Winston Churchill. On those kind of issues you cannot compromise. You can't say let's reduce slavery, let's find a compromise and reduce it 50% or reduce it 40%."

Whether or not Hansen's call for the Copenhagen talks to fail is as effective as environmentalist George Monbiot's recent call for another leading climate change researcher to [step down](#), the timing of his outburst is not inconvenient: his first book, [Storms of my Grandchildren](#), comes out next week.

Australia Rejects Carbon Cap: Good News for Copenhagen? (*The New Republic*)

- *Lydia DePillis*
- December 2, 2009 | 10:35 pm

The debate over climate-change legislation in Australia has been a tangled and raucous tale, and it [culminated](#) yesterday with the Senate finally voting down Prime Minister Kevin Rudd's plan for a cap-and-trade system. The 41-33 vote against came shortly after the opposition Liberals ousted their pro-cap leader for arch-conservative Tony Abbott.

This is the second time Australia's parliament has voted against a carbon cap, and under law, that means the prime minister can call for a "snap election" to reshuffle the legislature. Rudd's decided against that, however, and has said he'll introduce the bill a third time in February. Yet Abbott still rejects the idea of any price on carbon, [preferring instead](#) to cut emissions directly through planned land management and energy-efficiency measures (the proposed alternative is still vague, but wouldn't it be ironic if conservatives found themselves backing a command-and-control approach to climate change mitigation?)

This sounds like terrible news for the Copenhagen climate talks—here's a major emitter balking at any sort of curb on greenhouse gases. But there's a more optimistic way to look at this news. Abbott's main beef with capping carbon, after all, is that the rest of the world hasn't taken action, so acting alone would put Australia's businesses—especially its massive coal industry—at a disadvantage. As Abbott [told](#) reporters after the vote, "The right time for an emissions trading scheme is when the rest of the world is signed up for one." But this sort of argument could give the global talks a push forward—Rudd can plausibly claim that a global deal will help Australia follow through. After all, polls show the Australian public [wants action](#) on climate change, so if the opposition loses its primary excuse for blocking action, they won't have much to fall back on.

Climategate: From Skepticism to Investigation (*The Heritage Foundation*)

Posted December 2nd, 2009 at 5.18pm in [Energy and Environment](#).

But as Climategate proves, a bit of skepticism will rarely steer you wrong. In fact, it's one of the key elements of rational thinking."

Those words come from David Harsanyi's excellent column in the *Denver Post*. He [writes](#),

As President Barack Obama heads to Copenhagen to work on an international deal that surrenders even more of our unsightly carbon-driven prosperity to the now-somewhat-less- than-irrefutable science of climate change, shouldn't he offer more than a flippant statement through a spokesperson on the scandal? The talks, after all, will be based on the U.N.'s Intergovernmental

Panel on Climate Change’s Fourth Assessment Report, which was partially put together by the very same scandal-ridden scientists.

Now, I do not, on any level, possess the expertise to argue about the science of anthropogenic global warming. Nor do you, most likely. This certainly doesn’t mean an average citizen has the duty to do the lockstep.”

As Phil Jones, the head scientist at University of East Anglia’s Climate Research Unit (CRU) [steps down](#), increased skepticism as a result of Climategate is rightly evolving into a full-fledged investigation. U.S. Representative Jim Sensenbrenner (R-WI) weighed in at today’s hearing on the climate emails held by the House Select Committee on Energy Independence and Global Warming, [saying](#), “Sound science policy depends on sound science. When the science itself is politicized, it becomes impossible to make objective political decisions. Scientific policy depends on absolute transparency.”

But Obama’s science czar, John Holdren (also a sender of one of the hacked emails) held is ground at the hearing, [affirming](#) that it is “beyond any reasonable doubt” that man is the chief contributor to warming planet. He went on to [say](#), “However this controversy comes out, the result will not call into question the bulk of our understanding of how the climate works or how humans affect it.”

Also today, Subcommittee on Investigations and Oversight Ranking Member Paul Broun (R-GA) [sent a 34-page letter](#) to Holdren reminding him that President Obama sent a memo to him to “guarantee scientific integrity throughout the executive branch.” Holdren did acknowledge the emails are a problem that needs to be resolved but his beliefs on manmade warming appear to bet set in stone.

Senator James Inhofe (R-OK) is pushing for investigation to come from the Senate side as well. Yesterday [he sent a letter](#) to Senator Barbara Boxer (D-CA) calling for hearings regarding the leaked emails, emphasizing that climate research [affects](#) “everything from (to name a few) cap-and-trade legislation, state and regional climate change programs, the Environmental Protection Agency’s “Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act,” the US Global Change Research Program, global climate models used by federal agencies, the Department of Interior’s coordinated strategy to address climate change impacts, and international climate change negotiations.”

Maybe the scandal won’t be everything the skeptics hope for but Heritage Senior Policy Analyst David Kreutzer reminds us that “Few policy questions, and none with as big a price tag, are based so fundamentally on there being a scientific consensus.” The least we can do is a little prying and poking.

- Author: [Nick Loris](#)

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

No Climate Bill in 2010? Says Who? (*TreeHugger*)

by Brian Merchant, Brooklyn, New York on 12.29.09

Breaking: Senators Say No Climate Bill in 2010!

Citing that Democratic senators are exhausted from passing health care reform, reports claiming that there will now be no [climate bill](#) in 2010 are surfacing. Politico exclaims [Senate Democrats to W.H.: Drop cap-and-trade](#). Talking Points Memo's headline reads [Moderate Dems: Climate Change Bill in 2010? Fuggedaboutit](#). And there are many more. Nearly all of them include quotes from senators saying they think a climate bill is unlikely in 2010, and some appear to conclude that could indeed be the case. But these reports are extremely misleading.

There's a simple reason that these reports are essentially non-stories: and to find it, just look at the senators quoted in them. The Democratic senators that the stories frames as suddenly wanting to halt progress on the climate bill have, it turns out, always wanted to halt progress on the climate bill. From day one. Senators from conservative rust belt or agriculture heavy states like Mary Landrieu, Kent Conrad, Ben Nelson--the very ones these stories are built around--have been opposed to climate action from the beginning. That they're calling for the White House to drop the cap and trade now is hardly news: they did the same thing as soon as the debate began in the Senate last summer, and they've been doing so at regular intervals up through the present.

In fact, these senators have been counted out of the [67 possible 'yea' votes](#) that have been tallied by various sources--where some Republican senators have been counted in.

So Why the No-Climate Bill Narrative?

It may be that some news orgs (Politico in particular) may have sought a new angle on the well combed-over health care reform story, and came up with this weak narrative about how it's sapped the Democrats' will to do anything else--but that just doesn't seem to be the case.

In fact, the senators are citing close to the exact same reasons for postponing work on a climate bill now that they were before: the ol' 'we need to focus on the economy first' message. One thing

is clear, however--Democrat senators that were against clean energy reform before Copenhagen and the health care proceedings certainly haven't warmed up to the idea any now.

Senate Climate Bill Will Stagger On

But that doesn't mean a bill is dead in the water--far from it. GOP Sen. Lindsay Graham and the currently Democrat-despised Independent Joe Lieberman are both supporting the bill alongside John Kerry. The Republican senators from Maine (Collins, Snowe) could join in. Those six Democrats opposing cap and trade--yes, there are only six confirmed nay-sayers, though the stories seem to blur this fact for dramatic effect--may turn out not to be so instrumental in the final vote count. And a few could likely be persuaded to join with the caucus (Bayh, Pryor) even if others can't be.

Point is, Senators Reid, Kerry, Boxer, Graham, and Lieberman aren't going to abandon the bill, which is currently scheduled to be brought to the floor next spring, just because the same vocal opponents of cap and trade within the Democratic party are continuing to vocally oppose it now. Don't get me wrong, it's still going to be ugly--likely comparable to the health care proceedings--and it's still going to be a struggle. But it's unlikely the White House is going to be so easily persuaded to drop the issue either.

As Climate Progress's Joe Romm puts it, "Memo to swing Senators: You are going to vote on a bipartisan, economy-wide climate and clean energy jobs bill this spring. Get over it." I hope he's right.

Governor Of Katrina-Ravaged Louisiana Tries To Block Regulation Of Global Warming Pollution (*The Work Room*)

By [Brad Johnson](#) on Dec 29th, 2009 at 3:06 pm

Even as the Senate argues whether to pass clean-energy legislation, the Environmental Protection Agency (EPA) is finally moving to regulate global warming pollution. One of the leading opponents to the EPA's proposed regulations, slated to go into effect in March, 2010, is Louisiana governor Bobby Jindal (R-LA). On Monday, Jindal "and the secretaries of the Louisiana Department of Natural Resources and Louisiana Economic Development filed objections with EPA Administrator Lisa Jackson," claiming the Supreme-Court-mandated standards "will certainly have profound negative economic impacts":

There is no doubt this change will certainly have profound negative economic impacts on the state of Louisiana, as well as the entire country.

In reality, regulations to limit greenhouse gases would reward business investment in labor instead of pollution, in new technology and development instead of reliance on 19th-century fuel sources. An analysis by the Center for American Progress and the Political Economy Research Institute found that strong regulation and standards would create [billions in revenue and tens of thousands of new jobs](#):

Louisiana could see a **net increase of about \$2.2 billion in investment revenue and 29,000 jobs** based on its share of a total of \$150 billion in clean-energy investments annually across the country. This is even after assuming a reduction in fossil fuel spending equivalent to the increase in clean-energy investments.

Whereas regulation of pollution will likely benefit Louisiana’s economy, there is actually “no doubt” that unmitigated climate change “will certainly have profound negative economic impacts” on the state of Louisiana. “The letters say [nothing about the cost of inaction](#),” the New Orleans Times-Picayune notes, “as Louisiana’s coastline is ravaged by rising sea levels, jeopardizing business investment in the state’s most populated areas”:

In 2005, the [global-warming-fueled](#) Hurricane Katrina devastated Jindal’s state, costing this nation \$80 billion, killing thousands, and displacing a million people. Katrina and Rita caused [\\$1.6 billion in agriculture damage](#) in Louisiana alone.

In 2008, Hurricane Gustav “was [the largest agricultural disaster](#) in Louisiana history,” according to Jindal, as he announced the distribution of \$54.8 million in federal taxpayer aid this month.

In 2009, this summer’s “record-setting heat wave and simultaneous dry spell,” followed by extreme “[late-season rains](#),” [buckled roads](#) and further [damaged crops](#), driving even more farmers into bankruptcy.

According to a recent analysis published in *Nature*, “an additional 2 degrees of global warming could commit the planet to 6 to 9 meters (20 to 30 feet) of long-term sea level rise,” which would “[permanently submerge New Orleans](#) and other parts of southern Louisiana.”

WATER

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Oceans Getting Louder Due to Rising CO2 Levels (*TreeHugger*)

by Brian Merchant, Brooklyn, New York on 12.29.09

Of all the consequences that rising levels of carbon dioxide emissions have wrought, this has to be one of the stranger ones: the world's oceans are getting louder. Yes, seas around the globe are becoming physically noisier. Here's how.

According to the New York Times, the chemical compounds in seawater that absorb sound have been affected by the increased absorption of atmospheric CO2. Energy from sound waves stimulates certain chemical reactions--and now the greater amounts of CO2 are causing seawater chemistry to change, the result being fewer chemical reactions and less acoustic energy used. And that "means sounds will travel farther and be louder at a given distance from a sound source" at sea.

Which is pretty crazy--CO2 levels are turning the volume knob up on the oceans. And though at first glance, this may just seem to be another 'that's kinda weird' science story, as is usually the case when nature's balance is thrown off, there are repercussions: the increased noisiness could threaten sea mammal populations.

From the Times:

Most of the chemical absorption of sound occurs at relatively low frequencies, from about 1,000 to 5,000 hertz. Propeller noise ... fall in the same range, as does some military and research sonar. So this "background" noise, especially prevalent near shipping lanes, will be louder. That may be bad news for marine mammals, which use sounds in the same range for communication and echolocation while foraging. "We're not saying that during the next 100 years all dolphins will be deafened," Dr. Zeebe said. "But the background noise could essentially override or mask the sounds that they're depending on."

Add yet another consequence of ocean acidification, and of rising carbon emissions in general, to the ever growing list--right alongside decaying coral reefs and more marine dead zones. Oh well. Peace and quiet are overrated on the beach anyways--me, I prefer droning white noise wherever I go.

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Breaking: Moderate Dems Say They Want a Climate Bill in 2010! (*TreeHugger*)

by Brian Merchant, Brooklyn, New York on 12.30.09

Oh, fickle news cycle--how irresponsible and groundless the stories ye yield may be. Just yesterday, Politico, allegedly the go-to news source for beltway insiders, ran a story proclaiming that moderate Democratic senators were calling on the [White House to abandon the climate bill](#). Since that 'breaking' news turned out to be merely the same 3 or 4 moderate Democrats who've always complained about [the climate bill](#) making the same complaints they've always made (gasp), perhaps this news can cancel it out: now, other moderate Democratic senators are saying they *do* want a climate bill next year.

Big news, right?

This is why it's getting increasingly harder to take such 'breaking' political news seriously--it's often subject to the narrative the magazine or newspaper wishes to play out. For instance, take a gander at the Politico story. The headline reads [Senate Democrats to W.H.: Drop cap-and-trade](#). Which, technically, isn't false--though it is misleading. But "3 Senate Democrats Complain About Cap-and-Trade"--which really, truly, is the more accurate headline for that story, even if you don't change a word in Politico's report--is hardly news. Politico knows this, hence the generalizing and melodrama. End rant--and onto the good news.

That is, if you can call it 'news' at all. In an infinitely more accurate report on the lay of the land for the climate bill battle from the Hill (via [Climate Progress](#)), it's noted that "dozens of

Democrats want to move a climate change bill, including centrists such as Sen. Arlen Specter (Pa.), who faces a tough primary fight and then a difficult general election battle." Far from sugarcoating the situation--that piece's headline is "[Senate climate change fight looks as tough as healthcare reform bill](#)"--it nonetheless makes an effort to accurately convey where clean energy reform actually stands politically.

Who cares, you might ask. Why does one minor misleading report matter, especially when the bill's debate won't begin for another couple months? Because the tone is once again being set for over dramatic, hyperbolic news coverage--because the climate bill is almost certainly going to be as noisy as the health care reform bill, and it seems important that we go into the proceedings with a clear head. Is that so much to ask? Trust me, we'll have plenty of time to hear from Hannity and Beck how energy reform will lead us to communist Nazism, and from Keith Olbermann how Hannity and Beck are the worst people in all possible universes. For now, let's keep an eye on the facts.

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Dec. 3, 2009:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Copenhagen

**ALL watch Video message by UNFCCC Exec Sec, Yvo de Boer, December 2009
Copenhagen challenge COP15**

Posted by [ZEROGreenhouse](#) 6:10 pm Full post: <http://bit.ly/4CfABe>

Microsoft video and website for COP15

Check out our new [#COP15](#) website including video from Rob Bernard

Posted by [Microsoft Green](#) 5:25 pm Full post: <http://bit.ly/4GmBtB>

(Note: "Microsoft is providing a delegation of issue and technology experts accredited to support COP15. We are participating in a series of briefings, events, and partnerships to showcase.....the power of information technology to help address the daunting global energy and climate challenges the world faces.")

China Daily: 500,000 Chinese sign-up 2 Vote Earth 2 support low-carbon lifestyles

Posted by [earthhour](#) 5:45 pm Full post: <http://bit.ly/6XFnsM>

Getting excited here as we get ready to launch a new widget in time for COP15 hope to have more details soon

Posted by [WWF Climate](#) 5:45 pm Full post:

Five possible COP15 outcomes [from UK-based International Institute for Environment and Development]

Posted by [Linda Farmer](#) 5:30 pm Full post: <http://is.gd/5bBT7>

(NOTE – OPA quick summary – not exact text - of the 5 outcomes)

No agreement - talks resume in 2010

A decision or set of decisions – but not “real” agreement

A political ‘implementing agreement’ - not legally binding - each country sets its own goals and how to reach them. Opponents say won't work without international laws Developing nations fear that developed nations could use domestic laws to discriminate against their exports)

A single new legally binding agreement (Copenhagen Protocol) that replaces the Kyoto Protocol and includes additional issues such as adaptation to climate change impacts.

Two protocols. An amended Kyoto Protocol that improves on what has already been negotiated plus a new legally binding agreement as described above. Most developing nations want this.)

People around the world are planning vigils during #COP15, from Albania 2 Zimbabwe! Follow a few of them here

Posted by [350](#) 5:50 pm Full post: <http://j.mp/7vB5z5>

Want too see good results at Copenhagen? Make your voice heard & host candlelight vigil Dec. 12

Posted by [350nz](#) 5:50 pm Full post: <http://bit.ly/8g8m7W>

New OSWER On-line Forum

The EPA just started a blog. Could be interesting...

(Note: Social Media Specialist for Duke University)

Posted by [lisahoffmann](#) 4:30 pm Full post: <http://bit.ly/75ozHF>

EPA seeks input on how it can improve community participation on cleanups and other issues.

Posted by [cbdawson](#) 5:03 pm Full post: <http://bit.ly/8QGuJG>

RT @EPAgov: News release: New Online Forum Increases Public's Access to EPA (HQ): WASHINGTON – The U.S. Environmental Prote...

Posted by [jeffkart](#) 5:00 pm Full post: <http://ow.ly/166qBZ>

Ethanol Decision

EPA delay threatens ethanol growth

Posted by [farmpress](#) 5:10 pm Full post: <http://southeastfarmpress.com/biofuels/epa-ethanol-1203/>

RFA Questions EPA Decision on Increasing Ethanol Blend Level: The Renewable Fuels Association (RFA) is seeking more...

Posted by [Farm Investment](#) 5:15 pm Full post: <http://bit.ly/63KfEm>

Black Mesa Coal Mine Permit Revoked

Pollution Permit for Peabody's Black Mesa Coal Mine Withdrawn by EPA Following Appeal by Tribal and Conservation Groups

Posted by [CenterForBioDiv](#) 5:03 pm Full post: <http://bit.ly/7uH3Qz>

Pollution Permit for Peabody's Black Mesa Coal Mine Withdrawn by EPA

Posted by [blackmesawc](#) 5:00 pm Full post: <http://bit.ly/4KXZMm>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

NASA Climate Change Scientist to Boycott Copenhagen Climate Summit (*TreeHugger*)

by Naturally Savvy on 12. 4.09

The "grandfather of climate change" is boycotting next week's [climate change summit in Copenhagen](#)--and what's more, he hopes it fails. It might seem like an antithetical position for [James Hansen](#), the director of [NASA's Goddard Institute for Space Studies](#), but his objection is to the cap and trade system being proposed, [The London Times reported yesterday](#).

Hansen, who first sounded the alarm about [rising temperatures](#) in the 1980s, told *The Times* he would rather world leaders wait a year than develop a plan that doesn't address the root problems.

Hansen says the [cap and trade](#) system being floated as a solution will widen the economic gap between the world's richest and poorest countries:

They are selling indulgences there. The developed nations want to continue basically business as usual so they are expected to purchase indulgences to give some small amount of money to developing countries. They do that in the form of offsets and adaptation funds.

The problem, Hansen says, is the world's reliance on fossil fuels, which is the main source of energy only because it is the cheapest.

Moving Beyond Fossil Fuels

Rather than a cap and trade system that allows the wealthy countries of the world to continue relying on fossil fuels, Hansen says the key to emissions reductions is moving away from fossil fuels:

We are going to have to move beyond fossil fuels at some point. Why continue to stretch it out longer? The only way we can do that is by putting a price on carbon emissions. The business community and the public need to understand that there will be a gradually increasing price on carbon emissions.

Hansen's solution: A \$1 per gallon carbon tax on oil, with that tax rising in the future. In Hansen's model, the tax revenue would then be passed on to individuals as a dividend.

It's a logical solution, but it will be a hard sell during a recession--just ask Stephane Dion. The former leader of the Liberal Party in Canada, Dion led a doomed election campaign in 2008 on the platform of creating a carbon tax to reduce emissions and promote green energy and technologies. But Canadians weren't buying it, not when the threat of a recession was looming in the shadows. Soon after the dismal election results, Dion stepped down as party leader.

Asking individuals and companies to absorb a carbon tax when many countries are still struggling to emerge from recession would be political suicide, and you'd be hard-pressed to find a leader willing to support such a plan.

So where does that leave us? Well, I'm inclined to agree with Hansen: It would take us far longer to abandon an ineffective solution than it would to take a little time to come up with a better game plan.

How I Wish The Global Warming Deniers Were Right... (*Huffington Post*)

[Johann Hari](#)

Columnist, London Independent

Posted: December 4, 2009 06:43 AM

Every day, I pine for the global warming deniers to be proved right. I loved the old world – of flying to beaches wherever we want, growing to the skies, and burning whatever source of energy came our way. I hate the world to come that I've seen in my reporting from continent after continent - of falling Arctic ice shelves, of countries being swallowed by the sea, of vicious wars for the water and land that remains. When I read the works of global warming deniers like

Nigel Lawson or Ian Plimer, I feel a sense of calm washing over me. The nightmare is gone; nothing has to change; the world can stay as it was.

But then I go back to the facts. However much I want them to be different, they sit there, hard and immovable. Nobody disputes that greenhouse gases trap heat in the atmosphere, like a blanket holding in the Sun's rays. Nobody disputes that we are increasing the amount of those greenhouse gases in the atmosphere. And nobody disputes that the world has become considerably hotter over the past century. (If you disagree with any of these statements, you'd fail a geography GCSE).

Yet half our fellow citizens are choosing to believe the deniers who say there must be gaps between these statements big enough to fit an excuse for carrying on as we are. Shrieking at them is not going to succeed.

Our first response has to be to accept that this denial is an entirely natural phenomenon. The facts of global warming are inherently weird, and they run contrary to our evolved instincts. If you burn an odourless, colourless gas in Europe, it will cause the Arctic to melt and Bangladesh to drown and the American Mid-West to dry up? By living our normal lives, doing all the things we have been brought up doing, we can make great swathes of the planet uninhabitable? If your first response is incredulity, then you're a normal human being.

It's tempting to allow this first response to harden into a dogma, and use it to cover your eyes. The oil and gas industries have been spending billions to encourage us to stay stuck there, because their profits will plummet when we make the transition to a low-carbon society. But the basic science isn't actually very complicated, or hard to grasp. As more carbon dioxide is pumped into the atmosphere, the world gets warmer. Every single year since 1917 has been hotter than 1917. Every single year since 1956 has been hotter than 1956. Every single year since 1992 has been hotter than 1992. And on, and on. If we dramatically increase the carbon dioxide even more – as we are – we will dramatically increase the warming. Many parts of the world will dry up or flood or burn.

This is such an uncomfortable claim that I too I have tried to grasp at any straw that suggests it is wrong. One of the most tempting has come in the past few weeks, when the emails of the Hadley Centre at the University of East Anglia were hacked into, and seem on an initial reading to show that a few of their scientists were misrepresenting their research to suggest the problem is slightly worse than it is. Some people have seized on it as a fatal blow – a Pentagon Papers for global warming.

But then I looked at the facts. It was discovered more than a century ago that burning fossil fuels would release warming gases and therefore increase global temperatures, and since then, hundreds of thousands of scientists have independently reached the conclusion that it will have terrible consequences. It would be very surprising if, somewhere among them, there wasn't a charlatan or two who over-hyped their work. Such people exist in every single field of science (and they are deplorable).

So let's knock out the Hadley Centre's evidence. Here are just a fraction of the major scientific organisations that have independently verified the evidence that man-made global warming is real, and dangerous: Nasa's Goddard Institute for Space Studies, the US National Oceanic and Atmospheric Administration, the UN's Intergovernmental Panel on Climate Change, L'Academie des Sciences, the Indian National Science Academy, the US National Academy of Sciences, the Deutsche Akademie der Naturforscher Leopoldina, the UK's Royal Society, the Academia Brasileira de Ciencias, the Chinese Academy of Sciences, the Russian Academy of Sciences, the US Environmental Protection Agency... I could fill this entire article with these names.

And they haven't only used one method to study the evidence. They've used satellite data, sea level measurements, borehole analysis, sea ice melt, permafrost melt, glacial melt, drought analysis, and on and on. All of this evidence from all of these scientists using all these methods has pointed in one direction. As the conservative journalist Hugo Rifkind put it, the Hadley Centre no more discredits climate science than Harold Shipman discredits GPs.

A study for the journal Science randomly sampled 928 published peer-reviewed scientific papers that used the words "climate change". It found that 100 per cent – every single one – agreed it is being fuelled by human activity. There is no debate among climate scientists. There are a few scientists who don't conduct research into the climate who disagree, but going to them to find out how global warming works is a bit like going to a chiropodist and asking her to look at your ears.

Part of the confusion in the public mind seems to stem from the failure to understand that two things are happening at once. There has always been – and always will be – natural variation in the climate. The ebb from hot to cold is part of Planet Earth. But on top of that, we are adding a large human blast of warming – and it is disrupting the natural rhythm. So when, in opinion polls, people say warming is "natural", they are right, but it's only one part of the story.

Once you have grasped this, it's easy to see through the claim that global warming stopped in 1998 and the world has been cooling ever since. In 1998, two things came together: the natural warming process of El Nino was at its peak, and our human emissions of warming gases were also rising – so we got the hottest year ever recorded. Then El Nino abated, but the carbon emissions kept up. That's why the world has remained far warmer than before – eight of the 10 hottest years on record have happened in the past decade – without quite reaching the same peak. Again: if we carry on pumping out warming gases, we will carry on getting warmer.

That's why I won't use the word "sceptic" to describe the people who deny the link between releasing warming gases and the planet getting warmer. I am a sceptic. I have looked at the evidence highly critically, desperate for flaws. The overwhelming majority of scientists are sceptics: the whole nature of scientific endeavour is to check and check and check again for a flaw in your theory or your evidence. Any properly sceptical analysis leads to the conclusion that man-made global warming is real. Denial is something different: it is when no evidence, no matter how overwhelming, could convince you. It is a faith-based position.

So let's – for the sake of argument – make an extraordinary and unjustified concession to the deniers. Let's imagine there was only a 50 per cent chance that virtually all the world's climate scientists are wrong. Would that be a risk worth taking? Are you prepared to take a 50-50 gamble

on the habitability of the planet? Is the prospect of getting our energy from the wind and the waves and the sun so terrible that's not worth it on even these wildly optimistic odds?

Imagine you are about to get on a plane with your family. A huge group of qualified airline mechanics approach you on the tarmac and explain they've studied the engine for many years and they're sure it will crash if you get on board. They show you their previous predictions of plane crashes, which have overwhelmingly been proven right. Then a group of vets, journalists, and plumbers tell they have looked at the diagrams and it's perfectly obvious to them the plane is safe and that airplane mechanics – all of them, everywhere – are scamming you. Would you get on the plane? That is our choice at Copenhagen.

Johann recently travelled across the melting Arctic. To read his report on it - and what it means for us all - click [here](#).

Johann Hari is a writer for the Independent. To read more of his articles, click [here](#). For an archive of his writings on global warming, click [here](#).

Byrd Calls Tactics Of 'Fear Mongering' Coal Industry 'Morally Indefensible' (*The Wonk Room*)

By [Brad Johnson](#) on Dec 3rd, 2009 at 3:05 pm

The West Virginia coal industry has become a virulent opponent of President Barack Obama's reform agenda, while the state's political leaders cheered. In June, West Virginia declared [coal the state rock](#). In September, the coal industry sponsored a [rock concert and rally](#) to demonize "environmental extremists." In October, [coal companies organized mobs](#) to attack the Environmental Protection Agency's halting steps to enforce Clean Water Act limits on mountaintop removal mining. In November, the West Virginia Chamber of Commerce told Sen. Robert Byrd (D-WV) and Sen. Jay Rockefeller (D-WV) to [hold health care reform hostage](#) until climate legislation is killed.

Today, Sen. Byrd had enough. In a stunning rebuke, Byrd told his state to admit that change is coming, and that the [coal industry has to clean up its act](#):

On Coal Jobs And Mountaintop Removal Permits: Let's speak the truth. The most important factor in maintaining coal-related jobs is demand for coal. **Scapegoating and stoking fear among workers over the permitting process is counter-productive.**

On Mountaintop Removal And Coal Mobs: “Most members of Congress, like most Americans, oppose the practice, and we may not yet fully understand **the effects of mountaintop removal mining on the health of our citizens**. West Virginians may demonstrate anger toward the Environmental Protection Agency (EPA) over mountaintop removal mining, but **we risk the very probable consequence of shouting ourselves out of any productive dialogue** with EPA and our adversaries in the Congress.”

On Representing West Virginia: “We have our work cut out for us in finding a prudent and profitable middle ground – but **we will not reach it by using fear mongering, grandstanding and outrage** as a strategy. As your United States Senator, **I must represent the opinions and the best interests of the entire** Mountain State, not just those of coal operators and southern coalfield residents who may be strident supporters of mountaintop removal mining.”

On Holding Health Care Hostage For The Coal Industry: “Some have even suggested that coal state representatives in Washington should block any advancement of national health care reform legislation until the coal industry’s demands are met by the EPA. **I believe that the notion of holding the health care of over 300 million Americans hostage in exchange for a handful of coal permits is beyond foolish; it is morally indefensible.**”

Byrd concludes that mindless resistance to change is probably not a wise choice:

Change has been a constant throughout the history of our coal industry. **West Virginians can choose to anticipate change and adapt to it, or resist and be overrun by it.** One thing is clear. The time has arrived for the people of the Mountain State to think long and hard about which course they want to choose.

Byrd has long been one of the coal industry’s most vociferous defenders in the U.S. Senate. But the reality is that the industry has destroyed West Virginia jobs through mechanization, has destroyed West Virginia health through pollution, and destroyed West Virginia’s natural beauty through wanton mountaintop removal. It is also a reality that West Virginia coal is destroying our climate. Proving again that he is a true leader, Sen. Byrd has stood up and recognized reality. Hopefully, West Virginians will choose Byrd’s prescription for change, and not the path of inaction offered by the state’s [corrupt coal oligarchs](#).

Three Ways The Copenhagen Talks Could Succeed (Or Go Bust) (*The New Republic*)

- *Jesse Zwick*
- December 3, 2009 | 5:22 pm

Given that there's virtually [no chance](#) a finished climate treaty will come out of the upcoming talks in Copenhagen, one might be forgiven for asking what, exactly, the world's diplomats are actually going to *do* these next two weeks in Denmark. Already, further talks are [scheduled](#) for next year—including yet another big climate summit in Mexico City in 2010. But with only so many negotiating sessions to go around, most climate-policy experts agree that tangible progress needs to be made at Copenhagen if there's to be a chance of a new global treaty to succeed the Kyoto Protocol, which will expire in 2012.

I asked Jake Schmidt, the director of international climate policy at the Natural Resources Defense Council, to get a better sense of what the big goals are for Copenhagen—and the obstacles to getting them accomplished. Basically, there are three major areas where countries need to strike rough agreements in order for the summit to be considered a success:

Commitments on reducing emissions: This is the one everybody focuses on—and the one where most advances have been made so far. True, Obama's announcement that the United States would aim to reduce its emissions some 17 percent below 2005 levels by 2020 has been [ridiculed](#) as paltry in Europe, while China's ensuing pledge to reduce its carbon intensity [doesn't represent](#) a big departure from existing policies. But the simple fact that the world's two biggest polluters are now making explicit commitments is unprecedented. Add in recent promises from India, Mexico, Brazil, Indonesia, and South Korea, and the stage is set for both poor and rich countries to hold hands and pledge real reductions at Copenhagen. The overall goal is to keep global temperatures from rising more than 2°C by reducing worldwide emissions at least 50 percent below 1990 levels by 2050.

What could go wrong? Some wealthy countries, notably [Canada](#) and [Russia](#), are still balking at putting forward proposals to cut emissions. And it's still an open question whether others, like the United States and [Australia](#), will be able to follow through on their pledges by passing domestic legislation. What's more, newly industrialized nations like Malaysia, Saudi Arabia, and Qatar represent a growing chunk of global emissions but have yet to signal any commitment to make their own cuts. (OPEC, not surprisingly, has been fighting from the start to torpedo a global deal.)

Standards for verifying those cuts: Making commitments is all well and good, but they'll be for naught if countries can't agree on how the emission cuts will be measured and verified. According to Schmidt, the United States has proposed that all countries report their emissions every two years and allow the inventories to be scrutinized by an expert review panel, which would verify the methodology and point out problems.

What could go wrong? China and India's recent pledges to slow their rates of emissions growth may have signaled that they're willing to make an effort, but developing countries have generally argued that they don't want to be bound to these promises—nor allow international scrutiny on whether they're meeting their targets. Excuses include appeals to national sovereignty and hurt feelings over broken funding promises from rich countries, but either way, progress has to be

made on this issue in a way that will help everyone save face but still satisfy those skeptical that countries like China and India will actually follow through.

Financing emissions cuts in poor countries: There's little chance developing countries will agree to any treaty unless it includes substantial commitments from wealthy countries to fund mitigation, adaptation, clean-energy tech, and efforts to halt deforestation in the developing world. Mediators have proposed that industrialized countries start by offering \$7 to \$10 billion per year between 2010 and 2012 to get started, but fierce disagreements about the numbers remain (as you'd expect, poor countries want more aid, rich countries argue for less).

What could go wrong? Developing nations are immensely skeptical about pledges made by wealthier nations when it comes to climate change. And not without reason: Since the first framework convention on global warming in 1992, industrialized countries have made—and then broken—a variety of promises to help poorer nations mitigate and adapt to a warmer planet. To make matters worse, the E.U. has [jeopardized](#) negotiations with its current proposal to come up with money for climate aid by taking it out of its current aid budget. Finding a sustainable source of long-term funding won't be easy.

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Gordon Brown Says Global Warming Skeptics Are 'Flat-earththers' (*TreeHugger*)

by Daniel Kessler, San Francisco, California on 12. 6.09

With Climate-gate stories dominating the headlines before talks begin in Copenhagen this week on a new global pact for battling climate change, the UK's Prime Minister Gordon Brown came out swinging against climate change deniers and skeptics. Brown labeled them "flat-earththers" but his strong words have not been matched by other Heads of State as they head to Denmark for talks.

It's possible that Brown is trying to eliminate any excuses for other HoS for not acting now on climate change. The [Climate-gate](#) story started when emails between climate scientists stored on servers at the University of East Anglia were stolen and displayed on a Russian FTP. The emails showed some collusion between the scientists to shape public debate but showed no smoking gun that their data was no good.

On Saturday night, Brown said:

Mr. Brown last night insisted that the science on climate change is settled, and accused those who question the consensus of being outdated.

He said: "With only days to go before Copenhagen we mustn't be distracted by the behind-the-times, anti-science, flat-earth climate sceptics. We know the science. We know what we must do."

Brown was one of the first HoS to say he would personally attend the Copenhagen talks. He also proposed that developed countries should funnel \$100 billion per year by 2020 to help developing countries address climate change. The fund would cover plans to reduce emissions, protect tropical forests, and adapt to global warming.

Surprise--Obama Changes Up His Copenhagen Schedule *(The New Republic)*

Jesse Zwick December 4, 2009 | 6:32 pm

It's official: Barack Obama will attend the Copenhagen climate conference on December 18, the final day of scheduled negotiations. Originally slated only for a brief stopover at the start of the conference, en route to accepting his Nobel Peace Prize in Oslo, Obama's change in schedule is making enviros hopeful. *Politico* called it "a strong signal that U.S. negotiators believe the negotiations could result in a political agreement to curb greenhouse gases worldwide and a framework for signing a legally binding treaty in 2010."

Obama's original plans had been criticized by other world leaders. In a not-so-subtle critique of the president's itinerary, France's Nicolas Sarkozy had bemoaned the fact that "the decisive moment is December 17 and 18. If some come at the beginning and others at the end, when will we be able to take decisions?"

National Security Advisor Jim Jones set off speculation about the president's schedule earlier today by hinting at the possibility of a switch. White House Press Secretary Robert Gibbs officially confirmed it in a statement this afternoon. Obama made the decision after talks this week with Australian Prime Minister Kevin Rudd, German Chancellor Angela Merkel, British Prime Minister Gordon Brown, and Sarkozy. The discussions among these top leaders seemed to indicate what Gibbs described as an "emerging consensus" on initial funding in the range of \$10 billion a year by 2012 for developing countries, one of the crucial moving pieces in any climate deal.

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Dec. 8, 2009:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

GHG Endangerment Announcement

A rallying declaration by the EPA at the climate summit

Posted by: [scienceschooler](#) 7:00 pm Full post: <http://bit.ly/78gmkK>

[FOX News Video] Krauthammer: EPA Move May inspire a Revolution

Posted by: [KatyInIndy](#) 6:30 pm Full post: <http://tinyurl.com/yf3z2sv>

The EPA wants to regulate your carbon emissions, Environmentalism is the new Socialism. Video:

Posted by: [PoliticalNote](#) 6:32 pm Full post: <http://bit.ly/7GJLf6>

Krauthammer's warning to EPA couldn't have been more concise. Can't W/House see that imposed regulations will not be tolerated?

Posted by: [futureicon](#) 6:34 pm Full post:

EPA Attempt to Regulate Greenhouse Gas Emissions Will Kill Jobs, Critics Warn

Posted by: [bamabelle](#): 5:27 pm Full post:
<http://www.cnsnews.com/news/article/58206>

EPA ruling boosts US climate efforts

(Note: Bio Centre for Studies in Environmental and Energy Law - Portugal)

Posted by: [@CESDAE](#): 5:25 pm Full post: <http://ow.ly/JGxW>

CLIMATEGATE - EPA Says Breathing Is Deadly, But Radioactive Drinking Water Is Good For Us

(Note: "a New York Times report confirming that U.S. drinking water contains dangerous levels of arsenic, uranium and other radioactive substances barely gets noticed.")

Posted by: [linksalpha](#) 4:55 pm Full post: <http://bit.ly/5aNoUR>

EPA Says But Radioactive Drinking Water Is Good For Us: While the EPA declares the ga..

Posted by: [Jmac0000](#): 4:50 pm Full post: <http://bit.ly/4U0wVu>

Copenhagen – Day 2

JOHN HEILPRIN and CHARLES J. HANLEY - AP Writers -- 2000-2009 likely warmest decade on record. A leaked UN Danish document at the UN climate conference provoked angry criticism Tuesday ...

Posted by: The State 6:56 pm Full post: <http://www.thestate.com/business-wire/story/1061470.html>

RT [@cbcreporters](#) The latest on Copenhagen...watch tonight's National for the latest on the "Danish text" scandal.

(Note: CBC News – 27,000 followers)

Posted by: [cbcnews](#) 6:50 pm Full post:

Climate Protesters Descend On Copenhagen: -- The largest-ever gathering of climate protesters.

Posted by: [COP15_News](#) 6:27 pm Full post: <http://bit.ly/7wXDMV>

Fact: Africa has contributed only 3.8 percent of the world's greenhouse gas emissions.

Posted by: [@UNDP](#) 6:22 pm Full post:

RT [@BenWessel](#) Just bumped into EPA Admin Lisa Jackson at Copenhagen w/ Lindsey from Focus The Nation. Told her: keep up the good work!

Posted by: [focusthenation](#): 5:35 pm Full post: <http://bit.ly/5LRzU4>

RT [@titobundito](#): EPA Chief Lisa Jackson clearly wowed by onslaught of youth delegates at <http://tinyurl.com/yasnoff>

Posted by: [REAMP](#): 5:30 pm Full post: <http://bit.ly/5LRzU4>

The "Danish text" makes developing nations furious at Copenhagen today. Does this show the true agenda of the rich nations?

Posted by: [envirospace](#) 5:07 pm Full post: <http://bit.ly/5LRzU4>

RT [@DavidCornDC](#) In Copenhagen, an Obama climate negotiator says non-treaty is better than treaty. My exclusive....

Posted by [motherjones](#) 4:55 pm Full post: <http://bit.ly/7SHgub>

RT [@bridgettwagner](#): Copenhagen climate summit in disarray after Danish text leak

Posted by [gopmomdotcom](#) 4:50 pm Full post: <http://tinyurl.com/yary4sr>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

What's Next For The EPA? (*The New Republic*)

- *Michael A. Livermore*
- December 8, 2009 | 11:07 am

Michael A. Livermore is the executive director of the Institute for Policy Integrity at New York University School of Law. He is the author, along with Richard L. Revesz, of [Retaking Rationality: How Cost-Benefit Analysis Can Better Protect the Environment and Our Health](#).

Many U.S. businesses will likely see yesterday's endangerment finding from the EPA as a call to the congressional negotiating table on a climate bill. That's because the option for business-as-usual is now dead—given that greenhouse gases are now subject to the Clean Air Act, companies will have to reduce emissions one way or another.

These may be fine in small doses, but on a wider scale, this approach would be far from ideal for businesses—a patchwork of expensive and burdensome rules. But then again, environmentalists shouldn't like this second approach, either—it would be significantly less effective at curbing greenhouse gases and would probably entail some backlash as energy prices go up more than necessary.

But there's also another option if Congress can't pass a bill. EPA technically has the authority [to create its own cap-and-trade mechanism](#) for greenhouse gases under the Clean Air Act. This route wouldn't be ideal—it would be open to legal challenge like any regulation and it could be subject to gutting by future presidents—but the option is available. And, since the EPA is obligated to regulate carbon, doing so with a market-based approach rather than command-and-control regulations would have several upsides. It would avoid overly prescriptive rules that mandate that businesses follow specific paths for cutting emissions. And the EPA's program

would mesh more easily with whatever cap-and-trade legislation Congress may enact down the line. In addition, this approach would be easier to integrate into an international system.

There are already conservative groups lining up to sue over the endangerment finding. But before businesses let out a sigh of relief, they would do well to remember that it was a court—in fact, the Supreme Court—that put the EPA on the road to the endangerment finding in *Massachusetts v. EPA*, so legal challenges to the EPA’s action are on weak footing. At this point, the best way to avoid further regulations from the executive branch is to look to Congress.

Sen. Inhofe Discusses Climategate, “The Greatest Scandal in Modern Science” (*The Heritage Foundation*)

Posted December 8th, 2009 at 5:32pm in [Energy and Environment](#).

Sen. Jim Inhofe (R-OK), ranking Member on the [Senate Environment and Public Works Committee](#) (EPW), spoke to bloggers at The Heritage Foundation’s weekly [Bloggers Briefing](#) today and focused his remarks on the controversial “Climategate” scandal — the series of leaked e-mails that have blown holes through the theory of man-made global warming.

As Sen. Inhofe sat down to speak, he opined that he was just in the Senate trying to convince Senator Barbara Boxer (D-CA) to investigate the subject of the e-mails, instead of the people who uncovered the e-mails. Sen. Inhofe was the leader of the global warming opposition ten years ago when he chaired the EPW Committee; when a blogger asked him what he thought about the emergent news that the science was flawed, the Senator quipped, “Redemption.”

Senator Inhofe is not alone in his views on “Climategate.” The UK Telegraph called it the “[greatest scandal in modern science](#),” and the [UK MET is reevaluating over 160 years of climate data](#) because “public opinion of man-made global warming has been shattered by leaked e-mails.” Sen. Inhofe seemed confident that neither climate bills would pass the Senate, but feared the Obama Administration would circumvent the legislative process and use the Environmental Protection Agency (EPA) to [force regulation through the Clean Air Act](#). Sen. Inhofe fired back by releasing a [YouTube video saying that the EPA finding that CO2 is a pollutant was based on faulty science](#).

Now, the United Nations is in the middle of the Copenhagen Climate Change Conference, where “[the science is settled](#).” However, as we have stated, the [science is far](#) from settled. Now, the world has learned that the basis of the science that climate change was founded on could be proven faulty. This has not stopped the UN’s International Panel on Climate Change [from](#)

[creating a treaty that will be costly to the US economy and not have any real impact on the environment](#). And it's a treaty that would infringe on our national sovereignty.

You can listen to Sen. Inhofe's remarks [here](#).

You can watch the video of his remarks [here](#).

- Author: [Todd Thurman](#)

False Hope at Copenhagen (*The Heritage Foundation*)

Posted December 8th, 2009 at 1.51pm in [Energy and Environment](#).

Nothing of substance will come from the [two-week UN climate summit](#) taking place in Copenhagen which President Obama will attend at the end of next week. Nonetheless, this will not stop the relentless political machine pressing for growth-sapping measures. This was the conclusion of a roundtable discussion today hosted by The Heritage Foundation at the National Press Club in Washington D.C.

Heritage Foundation Senior European policy analyst [Sally McNamara](#) moderated a panel of experts which surmised that no U.S. global warming bill is possible this year. This lowers the prospect of a major new international agreement being signed at Copenhagen as a successor to the 1997 Kyoto Protocol.

[Ben Lieberman](#), Senior Policy Analyst for energy and the environment at The Heritage Foundation was adamant that the American people will not stomach increased regulation. He argued that the United States was right to stay out of Kyoto because it would have [substantially damaged the U.S. economy](#). According to the Energy Information Administration, the cost of U.S. compliance with Kyoto would reach nearly [\\$400 billion](#). This would place an undue and unaffordable burden on hard-working American families. Furthermore, such an international treaty would have [grave implications for American sovereignty](#) since the international treaty would become U.S. law.

[Myron Ebell](#), Director of Energy and Global Warming policy at the Competitive Enterprise Institute analyzed the Copenhagen climate change talks from the European perspective and concluded: "The EU, quite clearly [they] want to be seen as a world power." He argued that in the absence of real military power, the EU was using these negotiations to establish itself on the world stage, and seek relevancy through an international global warming cap-and-tax regime. He further argued that their policies were more political than scientific considering the abject failure of the Kyoto Protocol to achieve its desired objectives.

Dr. Derek Scissors, Research Fellow for Asia Economic Policy at The Heritage Foundation, stated that futility of the Copenhagen summit will be solidified in the [lack of participation by China](#): China uses over 40 percent of the world's coal and maintains 20 percent of the world's population. Clearly, it is the world's leader on carbon emissions, but Beijing is equally determined not to reduce its carbon emissions at the cost of economic development.

- Author: [Morgan Roach](#)

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Obama Commits Government To Major Cuts In Global Warming Pollution (*Wonk Room*)

By [Brad Johnson](#) on Jan 29th, 2010 at 3:30 pm

Today, President Barack Obama announced that “[the federal government will reduce](#) its greenhouse gas (GHG) pollution by 28 percent by 2020.” These cuts are long overdue, and promise a sea change in government procurement and practices, with the promise of major savings from energy efficiency. In a statement, Obama emphasized the goal of shifting “federal energy expenses [away from oil](#) and towards local, clean energy”:

As the largest energy consumer in the United States, we have a responsibility to American citizens to reduce our energy use and become more efficient. Our goal is to lower costs, reduce pollution, and shift federal energy expenses away from oil and towards local, clean energy.

Putting Obama’s State of the Union “[dirty fuels are clean](#)” gaffe behind them, the White House made it clear that “clean energy” means renewable sources like “solar, wind, and geothermal,” not oil, coal and nuclear.

The 28 percent target is a compilation of [commitments from 35 departments and agencies](#), submitted to the White House by January 4, in accordance with Obama’s October 5 [executive order 13514](#). The Treasury Department “is hoping to [cut its emissions by a third](#),” Daniel Tangherlini, assistant secretary for management and chief financial officer, told reporters.

The scale of this commitment is immense. The federal government “runs 600,000 vehicles and 500,000 buildings” — 160,000 vehicles and 300,000 buildings in the Defense Department alone. Defense is committing to cutting emissions in non-combat areas by 34%. These non-combat installations and fleet “account for around a quarter of Defense’s energy consumption and

roughly 40% of its emissions,” according to Dorothy Robyn, deputy undersecretary for installations and the environment:

In 2008, the department spent \$20 billion on its energy bill, and another \$14 billion in 2009 after oil prices slipped. While the department will report energy use from its combat, or operational activities, Robyn said the sector would not be subject to a reduction target.

Today’s announcement is a key first step for the government, especially in the realm of national security — so we won’t be sending money to terrorist havens even as our military are fighting there.

Why The IPCC Needs Fixing (*The New Republic*)

Bradford Plumer January 31, 2010 | 3:31 pm

Over at *Dot Earth*, Andy Revkin has a [smart story](#) about the growing pressure to change how the Intergovernmental Panel on Climate Change (IPCC) operates, especially after the [recent scandal](#) over glaciers. (In the IPCC's 2007 report, there was a line about how glaciers in the Himalayas could vanish by 2035; it turns out that line had zero basis in peer-reviewed science, yet still got past reviewers.) This is a worthy topic: The IPCC has done terrific work over the years, and its reports are considered the best summaries of the state of knowledge about climate change, but they're not perfect and could stand to be improved.

For one, the safeguards obviously need to be strengthened. That glacier line should've never made it through the review process. Same thing, it seems, goes for [this bit](#) about rainforests. Better safeguards are especially crucial for [the sections](#) on potential *impacts* of global warming. This is an area of keen interest, but it also involves some of the murkiest research and can span multiple disciplines—sometimes even social science. (By contrast, the IPCC's Working Group 1 [report](#), which deals with the physical basis for climate change—how we know that greenhouse gases are warming the planet, etc.—is more straightforward and gets the heaviest scrutiny from the physical-science community.)

Another criticism of the IPCC, raised by UC San Diego's David Victor, is that the panel is overly cautious and doesn't deal with outliers very well. Case in point: The IPCC's 2007 report projected that, at most, sea levels would rise 26 to 59 centimeters by 2100. Except the problem was the IPCC [explicitly left out](#) the full range of potential effects from melting ice sheets in Antarctica and Greenland, because that ice-sheet behavior can be difficult to model. Leaving out those sorts of uncertainties may make for a stronger "consensus," but it can also give a

misleading picture of the risks we're actually facing. Since the 2007 report, plenty of research has suggested (e.g., [1](#), [2](#), [3](#)) that the IPCC seriously low-balled its sea-level prediction.

Beyond that, there's another critique of the IPCC that Revkin doesn't mention, but which seems important. The IPCC moves very slowly, and it's usually a few steps behind the leading edge of climate research. The panel stops taking scientific input a year or two before the report comes out, and the lag often shows: Apart from sea levels and ice sheets, the 2007 IPCC reports [badly underestimated the rate](#) at which greenhouse gases were rising, because it didn't incorporate recent rapid growth in countries like China and India. So the emissions scenarios were obsolete almost as soon as they were published.

Looking ahead, there's another dilemma: The next IPCC reports [won't be out](#) until 2013 and 2014, even though a number of major policy decisions on greenhouse gases will likely need to be made before then. Now, it's understandable why the IPCC takes so long to assemble its big reports, since it needs to do a careful review of all the relevant science, survey a bunch of complex and often heated debates, and put everything in context. Plus, the scientists working on the IPCC are volunteering their time, and it's a lot of work and a diversion from their own research. Still, the sluggish pace is out of sync with both the needs of policymakers and the rapidly advancing state of climate science.

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Feb. 16, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Climate Change Alliance

Three Major Firms Pull Out of Climate Change Alliance

Posted by: [foxnewspolitics](#) 6:25 pm Full post: <http://fxn.ws/br7QIm>

Frustrated, ConocoPhillips, Caterpillar and BP America Leave Climate Coalition

Posted by: [Edmunds](#) 6:15 pm Full post: <http://bit.ly/aZyQxs>

(Note: Company officials said legislation pending in Congress does not do enough to promote expanded natural gas consumption as a hedge against climate change. Moreover, the legislation puts the transportation sector, including oil and gas producers, at a disadvantage compared with coal)

Greenhouse Gas Emissions Regulation

Texas governor sues EPA; we cite him for endangering Texans

Posted by: [citizenangela](#) 6:30 pm Full post: <http://bit.ly/ccu6uj>

GOP lawmaker accused of plagiarizing Wash Times' anti-climate change rant

Posted by: [washdcnews](#) 6:32 pm Full post: <http://dlvr.it/21kr>

National Association of Manufacturers & other biz groups petition to challenge EPA endangerment finding.

Posted by: [NAM_Shopfloor](#) 6:00 pm Full post: <http://bit.ly/b001RX>

(NOTE: NAM and other business groups today filed a petition in federal appeals court challenging EPA's decision to regulate greenhouse gas emissions (GHG))

TX Takes Legal Action Against Federal Government Over EPA CO2 Mandates

Posted by: [TexGov](#) 5:53 pm Full post: <http://bit.ly/ax5bJH>

(Note: From Governor's office)

Richmond Times-Dispatch: Atty Gen Cuccinelli asks EPA to reconsider global warming statement

Posted by: [WarmImpact](#) 5:59 pm Full post: <http://bit.ly/9fQ6X1>

Nuclear Power

Obama ups nuclear investment for climate fight

Posted by: [reuters](#) 6:30 pm Full post: <http://link.reuters.com/fag89h>

Olympics and GHG

Going for the Green at Winter Olympics: Real Sustainability Or Just Greenwashing??

Posted by: [Ecocise](#) 6:40 pm Full post: <http://bit.ly/9V93fa>

Making Olympic history! Just announced the Government of Canada's commitment to offset federal GHG emissions for the Vancouver Games.

Posted by: [jimprence](#) 6:10 pm Full post: <http://bit.ly/9fQ6X1>

(Note: Minister of the Environment and Parks Canada Agency)

Stimulus Project Funding

Fresno News Now: \$517M of stimulus for Calif EPA projects to date.

Posted by: [fresnonewsnow](#) 6:05 pm Full post: <http://dlvr.it/21fR>

(Note: The federal government is spending about \$517 million in stimulus dollars to shore up the economy and create green jobs in Calif.)

Open Government Initiative

RT @EPAGov We're looking for your help to make EPA more transparent, find ways to work better w/you

Posted by: [toyohara](#) 6:16 pm Full post: <http://go.usa.gov/IUu>

(Note: Toyohara is an engineer in Japan)

ROUND-UP OF MAJOR BLOGS

AIR

Texas Takes Aim at EPA Regulating CO2 as Pollutant - Files Petition in Court of Appeals (*TreeHugger*)

by Matthew McDermott, New York, NY on 02.17.10

Here's another group opposed to the [EPA calling CO2 a danger to human health](#) and potentially regulating it under the Clean Air Act. The US Chamber of Commerce has come out against it (big surprise), and now [Reuters](#) reports that the state of Texas has tossed its ten gallon carbon emitting hat into the ring:

The state has filed a petition to review the so-called 'endangerment finding' with the US Court of Appeals for the DC Circuit because, to paraphrase Texas governor Rick Perry, Texas' big polluters are going to have to change their ways, that is going to cost them, and potentially lose jobs.

Governor Perry called the EPA finding "misguided" and that it "paints a big target" on the backs of Texas energy producers.

Putting a Target on the Back of Polluters is a Good Thing

The Governor isn't wrong in thinking this. Setting a price on carbon, regulating it through the Clean Air Act or otherwise, does paint a target on the back of polluters. Indeed, that is the very intent of it. It is designed to make polluters clean up their act and transform the way the United States generates its electricity and power supply more broadly. Texas and other states heavily dependent on fossil fuel and chemical manufacturing will certainly have to adapt. This is a good thing in the long term, even if it means growing pains in the short term.

Environmental Issues Gunning For Us All

Not to mention that the Governor doesn't seem to realize that the nexus of environmental problems we're now facing--climate change, declining fossil fuels, biodiversity losses, overconsumption of natural resources--are painting a target on all our backs, not just the companies and people in his state. Continuing to push off addressing these issues, as the EPA endangerment finding is a solid first step in doing, only will make it worse.

Also filing petitions on Tuesday challenging the EPA were the National Association of Manufacturers, the American Petroleum Institute, and the National Petrochemical and Refiners Association.

CLIMATE CHANGE/GLOBAL WARMING

Last Best Chance for Climate Legislation Before 2013? (*The Huffington Post*)

Richard L. Revesz and Michael A. Livermore

Posted: February 17, 2010 11:34 AM

The climate change bill that passed the House last summer looks likely to die in the Senate. So, with the political machinery in Washington grinding to a halt, and an upcoming mid-term election cycle that looks bad for Democrats, is climate change legislation dead for the foreseeable future?

Maybe not. A sleeper bill by Senators Cantwell and Collins that places a cap on carbon, auctions permits, and put a check into every American's pocket has been picking up steam (see positive editorials in the [Economist](#), [Washington Post](#), and [Denver Post](#)). It might just strike the right balance of job creation, simplicity, and populism to take off.

There are several reasons why this bill is a smart way to reduce our dependence on polluting emissions. First, it is a market-based approach--the cap ensures we get the emissions reductions we need, but businesses are free to achieve those reductions the way that works best for them. Companies aren't burdened by the government dictating how they must comply, and the strong economic signal will help generate innovation, investment and jobs rather than red tape.

Second, economists agree that auctioning pollution credits under a cap is more efficient than giving them to polluters for free. Rather than picking winners and losers before the game even starts, this bill sets a level playing field.

Third, auctioning the credits means returning the money to American families. The vast majority of the revenue raised from the auction will be divided up equally and returned to households in a monthly check. The refund they get will be bigger than the new energy costs that will inevitably come as companies pay more to pollute.

Finally, and in this political climate most importantly, the Cantwell-Collins approach is transparent, simple, and cuts out the special interests that are the object of (legitimate) populist backlash. The bill is short (less than 40 pages), has a straightforward mechanism to cut

emissions, rather than a labyrinth set of policies that very few can decipher, and can be monitored by every American to see exactly who is getting what for how much.

It is clear that the United States needs to move away from polluting fuels, and do so in a way that creates jobs for American workers. The cap, auction, and refund minimize the total cost to the American economy, because it does not dull price signals through convoluted giveaways, pass-throughs, or freebies. This keeps costs down by giving everyone the incentive to take advantage of the cheapest tools available to reduce energy use or clean up energy production.

Our reliance on fossil fuels imposes a complex set of environmental and economic problems: national security threats; rising sea levels that will raise our insurance premiums; and droughts that could threaten our food supply. Tackling these problems will require ingenuity, hard work, and foresight on both sides of the aisle and from all corners of our country. We cannot put off dealing with these issues because politicians in Washington want to close their ears and pretend they aren't happening.

But with problems this complicated, and skepticism of the American public this deep, we need to simplify the solutions. By cutting out the special interest, and focusing on the public interest, the Cantwell-Collins approach gives Senators from both parties, representing states as diverse as Washington and Maine, a reason to come together. If we want climate change legislation in the near future, it may be time for the rest of us to join the bandwagon.

ENERGY

Black Water Rafting: When Will the EPA Enforce Coal Ash Laws in Alabama? (*The Huffington Post*)

[Jeff Biggers](#)

Author, "Reckoning at Eagle Creek: The Secret Legacy of Coal in the Heartland"

Posted: February 17, 2010 11:34 AM

What is the EPA's excuse now? Waiting for more torrential rain to host Olympic Black Water rafting competitions?

As heavy rains and snow worsen landfill conditions, this is the sentiment of besieged residents in Perry County, Alabama, who have been designated as the official keepers of toxic coal ash from the nation's worst environmental disaster--the TVA coal ash pond break in 2008.

Two weeks ago, the Public Employees for Environmental Responsibility (PEER) released a [startling study](#) that found that the EPA had allowed coal ash industry representatives to blatantly rewrite and water-down the potential dangers of coal ash in official government reports. PEER concluded:

During the Bush administration, EPA entered into a formal partnership with the coal industry, most prominently, the American Coal Ash Association, to promote coal combustion wastes for industrial, agricultural and consumer product uses. This effort has helped grow a multi-billion dollar market which the industry worries would be crimped by a hazardous waste designation.

The documents obtained by PEER under the Freedom of Information Act show how this partnership gave the coal ash industry a chance to change a variety of EPA draft publications and presentations, including -

Removal of "cautionary language" about application of coal combustion wastes on agricultural lands in an EPA brochure to be replaced with "exclamation point ! language" "re-affirming the environmental benefits...that reinforces the idea that FGD [flue gas desulfurization] gypsum is a good thing" in the word of an American Coal Ash Association representative;

A draft of EPA's 2007 Report to Congress caused industry to lobby for insertion of language about the need for "industry and EPA [to] work together" to weaken or block "state regulations [that] are hindering progress" for greater use of the coal combustion wastes; and EPA fact-sheets and PowerPoint presentations were altered at industry urging to delete significant references to certain potential "high risk" uses of coal combustion wastes.

"For most of the past decade, it appears that every EPA publication on the subject was ghostwritten by the American Coal Ash Association," stated PEER Executive Director Jeff Ruch, who examined thousands of industry-EPA communications. "In this partnership it is clear that industry is EPA's senior partner.

That was then--the Bush administration. This is now--the Obama administration.

Last year, the Obama administration released a previously held Bush administration EPA study on coal ash that demonstrated the clear dangers of coal ash, including cancer. Among many issues, the [EPA concluded](#):

The coal ash threat could linger for 100 years -- Because some of the EPA data go back to the mid-1990s, it is possible that some of the listed dumps are no longer in use. The EPA warns,

however, that peak pollution from ash ponds can occur long after the waste is placed and is likely to result in peak exposures about 78 to 105 years after the pond first began operation.

- Higher cancer risk for up to 1 in 50 nearby residents -- The EPA estimates that up to 1 in 50 nearby residents could get cancer from exposure to arsenic leaking into drinking water wells from unlined waste ponds that mix ash with coal refuse. Threats are also posed by high levels of other metals, including boron, selenium and lead.

In a formal complaint lodged yesterday with the EPA, Alabama Hurricane Creekkeeper John Wathen charged the formal agreement with EPA and TVA says no ash can be shipped to any landfill that does not meet compliance standards.

Wathen and Perry County residents called on the EPA "to immediately halt the dredging of the Emory River in Kingston, Tennessee -- and hauling wet TVA coal ash to the Arrowhead Landfill in Perry County, Alabama -- until the landfill comes into full compliance with state and federal laws."

"We therefore respectfully request that EPA order a complete stopping of disaster ash to Perry County until this landfill is in complete compliance as certified by EPA national headquarters," Mr. Wathen writes in the letter.

"EPA Region 4 and ADEM have failed us," he says. "The situation here grows more dire with every rain event. Excessive water in the landfill is causing off-site violations, some intentional it seems."

Here are the photographs from Wathen that show pumps diverting liquid waste off the landfill property into adjoining ditches near residential homes:

Up to now, both EPA and ADEM are taking the operators word that no violations exist," he says. "I am presenting you now with overwhelming evidence that this landfill is not and has never been in complete compliance since the disaster ash started coming."

Here are some concerned residents:

According to Wathen,"arsenic and other pollutants of concern have been reported to EPA and ADEM, but no action has been taken."

Collection of material in the ditch has rendered two separate arsenic levels that exceed EPA safe drinking water standards, Wathen says, and one value much higher than the water quality criterion for aquatic life.

"While people do not drink from the ditch," he concedes, "it leads through private land where farm animals do drink from the surface water."

Mr. Wathen says EPA and ADEM have produced no reports showing evidence that any oversight has been conducted by the federal and state agencies charged with that by law. There are no reports of agency sampling or toxic releases data for the required inventory.

"I personally informed Mr. John Hagood, interim director ADEM, of these illicit night time discharges but he has chosen not to investigate," Wathen says. "Instead, all the report says is that Mr. Cook, landfill manager denies the claim. No tests, no samples, no interviews of employees or nearby residents effected, just a simple denial by the manager was good enough to refute hundreds of photos, certified lab results, anecdotal stories from the community, or first hand eye witness account by me."

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Feb. 1, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

FY 2011 Budget Announcement

EPA 2010 Budget: \$60 million proposed to support state implementation of updated Air Quality Standards -

Posted by: [TeamECA](#): 7:20 pm Full post: <http://bit.ly/af9qZE>

EPA 2010 budget includes 1.1 billion in categorical grants to states and tribes

Posted by: [TribalLaw](#): 7:10 pm Full post: <http://bit.ly/9sF7dN>

Budget Proposes \$47 Million for EPA to Regulate CO2

Posted by: [co2news](#) 7:12 pm Full post: <http://ow.ly/12LZx>

AP: Obama seeks \$300 million for Great Lakes cleanup EPA chief Lisa Jackson described the \$300 million request as "robust" in a call with reporters, ...

Posted by: [Chicago CP](#): 6:40 pm Full post:

<http://www.chicagotribune.com/news/chi-ap-mi-budget-greatlakes,0,1651275.story>

Bloomberg: Obama Scraps \$646 Billion in Cap-and-Trade Revenue

Posted by: [GreenEnergyPol](#) 6:16 pm Full post: <http://bit.ly/cpgl85>

Obama Budget: Moving tax dollars away from big oil and investing in clean energy jobs, technology & small biz...

Posted by: [MarkeyMemo](#) 6:15 pm Full post: <http://bit.ly/9BN9K9>

The White House asked Congress for \$43 million to pay for new GHGs regulation within a \$10 billion FY-11 budget request for EPA.

Posted by: [plattsoil](#) 6:20 pm Full post:

(Note: Plattsoil covers oil markets)

RT @ToxicJustice: Yea! EPA's Budget Prop. seeks to assure safety of chemicals & green, clean, healthy schools!

Posted by: [greenvenues](#) 5:20 pm Full post: <http://tiny.cc/5pTdP>

(Note: Greenvenues: educating community and corporations on smart sustainability)

Budget warns Congress on EPA climate rules: The White House budget proposal unveiled Monday reminds Congress that ...

Posted by: [E2Wire](#) 4:00 pm Full post: <http://bit.ly/9IUVMl>

(Note: The Hill blog. "The White House budget proposal unveiled Monday reminds Congress that EPA is prepared to regulate greenhouse gases under its existing authority if lawmakers do not craft a new climate change law.")

EPA #budget sets strong tone: committed to environment AND fiscal responsibility. Increases in targeted areas, decreases where ARRA worked

Posted by: [M RD Mullin](#) 3:45 pm Full post:

EPA requests \$847 mill for science budget! In part For air toxics and fracking for natural gas effects on drinking water. Love Lisa Jackson!

Posted by: [GreenMidwest](#) 3:55 pm Full post:

First time in 5 years state consortium happy with EPA budget, not proposing their own alternative budget!

Posted by: [RD Mullin](#) 3:55 pm Full post:

ROUND-UP OF MAJOR BLOGS

BUDGET

Obama's Energy Budget: A Revenue Neutral Cap and Trade System? (*The Heritage Foundation*)

Posted February 1st, 2010 at 4:16pm in [Energy and Environment](#)

President Obama released his fiscal year 2011 budget this morning; his budget provides \$28.4 billion for the Department of Energy (DOE) and \$10 billion for Environmental Protection Agency (EPA). Both [sections in the budget reflect](#) the president's message in the State of the Union address delivered last week: a government attempt to facilitate America's transition to a clean energy economy.

Highlights of the [DOE budget](#) include:

\$36 billion for Nuclear Loan Guarantees: Many are writing that nuclear is one of the big winners this year because of the \$36 billion in new loan guarantees, but \$18.5 billion in authorized loan guarantees already exists to provide predictability after years of erratic regulatory hurdles. Extending the loan guarantee program is not only unnecessary but will also crowd out technological development within and across the nuclear industry by artificially

reducing the capital cost for large, lightwater reactors. In reality, a loan guarantee extension could prevent a dynamic, robust nuclear industry by reducing the need to innovate and create private sector solutions to financing.

\$4.7 billion for Clean Energy: Obama's budget calls for a five percent increase for the energy efficiency and renewable energy section which includes funding for solar, biofuels, advanced vehicle technologies and energy efficiency improvements in buildings. Research and development may be a plausible role for the government, but much of this money is being spent on private sector responsibilities. The reason the private sector isn't investing in these technologies (without help from the government) is a telling sign that these energy sources aren't economical. One project that is still many years away from commercialization is carbon capture and sequestration (CCS). The clean energy section also includes \$545 million for clean coal technologies, most notably carbon CCS. Even after the extraordinary technological and economic hurdles have been cleared, the political and environmental obstacles to storing tens or hundreds of millions of gallons of liquid CO₂ each day must be overcome.

Elimination of Tax Credits for Coal, Oil and Natural Gas: The budget also plans to reduce the [deficit by eliminating \\$36.5 billion](#) in tax breaks to the oil and natural gas industry. Without removing tax breaks and subsidies to other sources of energy, this is [essentially a tax increase](#) on our proven sources of energy. Removing government support isn't necessarily a bad thing, but it should be done across the board.

Highlights of the [EPA budget](#) include:

Revenue Neutral Cap and Trade: Last year, President Obama's Budget said a cap and trade system would generate \$646 billion in revenue from 2012 to 2019 from higher energy taxes. This year, a footnote in the President's budget says that cap and trade will be deficit neutral since "proceeds from emissions allowances will be used to compensate vulnerable families, communities, and businesses during the transition to a clean-energy economy." The reason a cap and trade bill is revenue neutral is because most of the energy tax revenue was handed out to big businesses lobbying for a slice of the pie. The Heritage Foundation's analysis of the Boxer-Kerry Senate cap and trade bill found that the government [will collect \\$4.6 trillion in higher energy taxes](#) from 2012-2035. While all this would likely be given away, a cap and trade bill would actually increase a family's share of the debt because an energy tax will lower Americans' incomes. Lower incomes generate lower tax revenues and have a real impact on government expenditures and debt levels. Heritage analysis found a family of four's share of the [national debt would actually rise](#) by an additional \$27,000.

Mitigating Climate Change: The EPA's [section of the budget](#) also includes \$21 million to implement a Mandatory Greenhouse Gas Reporting Rule and "\$56 million – including \$43 million in new funding – for the EPA and states to address climate change effectively through regulatory initiatives to control greenhouse gas emissions." With the EPA set to move forward with its backdoor global warming policy, beginning with new regulations for vehicle tailpipe emissions, it appears the administration is willing to provide the funding. [Congress should amend](#) the Clean Air Act in order to prevent unelected government bureaucrats from bankrupting the nation.

In his opening message in the budget President Obama [said](#), “Because we know the nation that leads in clean energy will be the nation that leads the world.” There are a few countries [that have gone down this road](#) and would beg to differ.

CLIMATE CHANGE/GLOBAL WARMING

Copenhagen Deadline Comes And Goes. Now What? *(The New Republic)*

- *Bradford Plumer*
- February 1, 2010 | 6:37 pm

January 31 was the deadline under the Copenhagen accord for the world's countries to formally submit their plans to reduce greenhouse-gas emissions and help address climate change. So what happened? Well, the deadline came and went, and the vast majority of nations (more than 130) didn't submit anything at all. On the upside, though, the handful of countries that actually pump out most of the world's carbon-dioxide *did* submit plans. [Here](#) were the major pledges for cutting emissions:

- **United States:** 17 percent below 2005 levels by 2020 (i.e., 4 percent below 1990 levels—and this is pending legislation)
- **European Union:** at least 20 percent below 1990 levels by 2020 (they were promising to go to 30 if other countries did more, but that's looking unlikely)
- **Canada:** 17 percent below 2005 levels by 2020 (i.e. a 2.5 percent rise from 1990 levels)
- **Japan:** 25 percent below 1990 levels by 2020
- **Brazil:** 39 percent below 1990 levels by 2020 (mostly by preventing deforestation)
- **China:** reduce carbon intensity by at least 40 percent below 2005 levels by 2020
- **India:** reduce carbon intensity by at least 20 percent below 2005 levels by 2020
- **New Zealand:** at least 10 percent below 1990 levels by 2020
- **Australia:** at least 3 percent below 1990 levels and as much as 23 percent below them (depending on what other countries do)
- **Maldives:** carbon-neutral by 2020

These are all tangible steps, but still minor ones. Add up the promises, and it's not enough to avert serious warming: Ecofys, a consulting firm, [estimates](#) that if all those countries actually met to their targets, global temperatures would be on course to rise 3.5°C (6.3°F) above pre-industrial levels. The agreed-upon goal, recall, was 2°C. What's more, even these goals aren't guaranteed: The U.S. pledge, for instance, would depend on Congress passing legislation that looks like the House climate/energy bill, and the prospects in the Senate are growing dim.

So where does that leave things? Dave Roberts has a [fantastic post](#) at *Grist* on the state of play. The most notable part is that the Copenhagen framework moves away from the old notion of a global treaty with legally binding targets. Instead, under Copenhagen, countries will voluntarily set their own national targets (usually based on domestic legislation). In some ways, this is a more realistic approach—plenty of countries had obligations to cut emissions under the Kyoto Protocol, but they never actually followed through (the EU was a [big exception](#)).

On the other hand, without a legally binding treaty, it's unclear whether there will be any outside pressure on countries if they're not doing enough to tackle the problem. Experts have argued, for instance, that China's carbon-intensity goals are [barely an improvement](#) on business-as-usual. [Same goes](#) for India. And in the United States, Congress could end up passing even weaker targets than Obama's promised—or no targets at all. What, if anything, could push these countries to go further? Roberts sees two possible incentives for countries: "a) clean energy becomes an economic prize, and b) the impacts of climate change threaten to become crippling." I'd add a third—countries could find that cutting carbon pollution turns out to be easier and cheaper than expected (that's [a big reason why](#) environmental legislation has historically started off weak and then been strengthened over time). But that about sums it up.

Pentagon: 'Climate Change, Energy Security, And Economic Stability Are Inextricably Linked' (*Work Room*)

By [Brad Johnson](#) on Feb 1st, 2010 at 12:45 pm

For the first time, the Pentagon's primary planning document addresses the threat of global warming, noting that it will accelerate instability and conflict around the globe. Former Senators John Warner (R-VA) and Hillary Clinton (D-NY) added language requiring the department to consider the effects of climate change on its facilities, capabilities, and missions to the 2008 National Defense Authorization Act. The Department of Defense's [Quadrennial Defense Review](#), officially released today, discusses the department's "strategic approach to climate and energy":

Climate change and energy are two key issues that will play a significant role in shaping the future security environment. Although they produce distinct types of challenges, climate change, energy security, and economic stability are inextricably linked. The actions that the Department takes now can prepare us to respond effectively to these challenges in the near term and in the future.

The QDR notes that climate change affects the Department of Defense “in two broad ways”: first, global warming impacts and disasters will “act as an accelerant of instability or conflict,” and second, military installations and forces around the globe will have to adapt to rising seas, increased extreme weather, and other effects of global warming:

Assessments conducted by the intelligence community indicate that climate change could have significant geopolitical impacts around the world, contributing to poverty, environmental degradation, and the further weakening of fragile governments. Climate change will contribute to food and water scarcity, will increase the spread of disease, and may spur or exacerbate mass migration. **While climate change alone does not cause conflict, it may act as an accelerant of instability or conflict, placing a burden to respond on civilian institutions and militaries around the world.**

The military is working on not just responding to the impacts of global warming, but also mitigating the threat by reducing global warming emissions. Increased use of renewable energy and energy efficiency not only lessens the military’s enormous carbon footprint, but also delivers immediate security benefits:

Energy efficiency can serve as a force multiplier, because it increases the range and endurance of forces in the field and can reduce the number of combat forces diverted to protect energy supply lines, which are vulnerable to both asymmetric and conventional attacks and disruptions.

The military’s overall agenda is backed up by specific action. In line with President Obama’s executive order to devise a greenhouse pollution reduction plan, the Department of Defense has committed to cutting emissions from its non-combat facilities by [34 percent by 2020](#). The Air Force, long dependent on billions of gallons of imported oil, is investing deeply in [all forms of renewable energy](#). The Army is making major investments in battery technology, renewable energy, and electric drive vehicles.

As Vice President Gore has noted repeatedly, the “[climate crisis](#), the security crisis and the economic crisis have a common thread” — our dependence on fossil fuels. If we continue the status quo, threats will continue to multiply on every front — a fact our military, if not our politicians now in the Senate, now recognizes.

ENERGY

Kentucky Lawmakers Demonstrate How To Defend Dirty Coal Subsidies (*Wonk Room*)

By [Brad Johnson](#) on Feb 1st, 2010 at 7:06 pm

President Barack Obama's 2011 budget would cut \$2.28 billion in coal subsidies over the next decade. These \$228 million-a-year cuts are dwarfed by the [\\$545 million-a-year subsidies](#) for carbon capture and sequestration technology, which Obama insists on calling "[clean coal technology](#)." How are Kentucky lawmakers responding to this effective doubling of subsidies for the coal industry? By using Orwellian language — "coal" becomes "domestic energy production" — to [defend the existing subsidies](#) and attack Obama for destroying jobs.

Rep. **Ben Chandler** (D-KY), who has received [\\$91,042](#) from oil and coal interests.

We'll have to examine the new budget proposal we received this morning, but we are very concerned about any **possible impact this repeal could have on Kentucky jobs**.

Rep. **Hal Rogers** (R-KY), who has received [\\$691,565](#) from oil and coal interests:

The president can't have it both ways. You can't seek to end our dependence on foreign oil and get America working, while at the same time imposing policies that harm domestic energy production and kill jobs. This is just another politically motivated assault that takes dead aim at coal, **severely limiting coal companies in their ability to create jobs** and keep production lines open. Worst of all, it hurts Appalachia's hardworking coal mining families at a time when the commonwealth faces over 10.7 percent unemployment.

Sen. **Jim Bunning** (R-KY), who has received [\\$782,449](#) from oil and coal interests.

These new taxes will mean **less domestic energy production**, a substantial increase in the price of power for American homes and businesses, less revenue, as well as jeopardizing thousands of jobs. I would encourage the administration to refocus their attention on funding clean coal technologies, along with the commercial deployment of advanced technologies that are necessary to ensure the United States has clean, reliable, and affordable energy.

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Feb. 19, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Great Lakes Clean Up Announcement

SUNDAY: EPA Administrator Jackson to Announce Great Lakes Restoration Initiative Action Plan: Jackson, Great Lakes ...

EPOne 7:15 pm Full post: <http://ow.ly/16Cvo9>

Minn. Public Radio: Administration readies Great Lakes cleanup plan (AP)

wzzm13 7:00 pm Full post: <http://bit.ly/9aZjj7>

(Note: lots of retweets of AP story.....)

Greenhouse Gas Emissions Regulation & Science

Climate Change Blog: Texas, US Chamber of Commerce and other groups challenge EPA endangerment finding

DavisLLP 7:30 pm Full post: <http://ow.ly/16Cti6>

KSL.com - Utah Senate rejects EPA global warming policies...

mommybridget 7:00 pm Full post: <http://bit.ly/9W78IW>

Climategate: EPA plows forward even tho climate science torn 2 shreds Corrupt!

<http://www.climategate.com> 7:10 pm Full post: <http://tinyurl.com/yhnl56c>

Utah Senate rejects EPA global warming policies

SaltLakeNews 6:50 pm Full post: <http://bit.ly/bnrJYn>

FOX: EPA Counters Critics of Greenhouse Gas Findings

brk_news_now 6:45 pm Full post: <http://bit.ly/9G0oMi>

(Note: EPA, responding to complaints about its December findings about the threat of greenhouse gases, issued a statement Friday saying that the "science is settled" and "greenhouse gases pose a real threat to the American people." The statement comes after Virginia Attorney General Ken Cuccinelli filed a petition with the EPA and a challenge in federal appeals court over the EPA's conclusions.)

Obama explains to conservatives how climate change works and how it's consistent with the East Coast Snowpocalypse

[NRDC AF](#) 6:20 pm Full post: <http://bit.ly/b5sDVI>

Texas and Pollution Regulations

The Environmental Protection Agency has kicked a proverbial fire ant mound in Texas. The agency's campaign to tighten pollution regulations has led to a ...

Posted by: [Rob Madden](#) 6:40 pm Full post: <http://bit.ly/cXvjcR>

(Note: Also in story: Texan Al Armendariz's appointment with the EPA recently prompted an environmental lovefest at a Mexican restaurant in downtown Austin. "We'd like to welcome you to a celebration of the appointment of Al Armendariz as the regional administrator of Region 6 of the Environmental Protection Agency," said Tom Smith, director of the Texas chapter of Public Citizen, a consumer advocacy organization.)

ROUND-UP OF MAJOR BLOGS

AIR

Can Lawsuits Stop The EPA's Carbon Rules? (*The New Republic*)

Bradford Plumer February 21, 2010 | 5:30 pm

Quick recap: The EPA is moving ahead with its own regulations for greenhouse gases. (See [this recent piece](#) I did for a look at what those rules might look like.) The EPA isn't just doing this because it feels like it—back in 2007, the Supreme Court [ruled](#) that the agency was *required* to regulate carbon-dioxide and other heat-trapping gases under the Clean Air Act if it found that those gases posed a threat to health and public welfare. Last year, the agency reviewed the evidence and found that, as the bulk of scientific evidence suggests, yes, they do.

Anyway, as expected, a bunch of industry and political groups—along with the state of Texas—[recently sued](#) the EPA, asking the courts to stop the regulations. Their rationale? The petitioners are arguing that the "Climategate" e-mails, along with the errors recently uncovered in the IPCC's 2007 report, undermine the science on which the EPA based its endangerment finding.

Now, few independent observers seem to think this lawsuit will get very far. As I've discussed before, those East Anglia e-mails [don't weaken](#) the broader body of climate research, while the two errors that were discovered in the IPCC report (so far) have been [incredibly minor](#). But even setting that aside, Nathan Richardson of Resources for the Future [explains](#) why it's very unlikely that the courts will strike down the endangerment finding:

The court would review the agency's action under the Administrative Procedure Act's "arbitrary and capricious" standard. In practice, this is similar to rational basis review. Agencies win unless they fail to provide any basis for their action or that basis is extraordinarily flawed.

In the context of the endangerment finding and the science behind it, this is the right approach. The IPCC report and mainstream climate science in general are widely but not universally accepted. This is normal. Science is never perfect and even when there is "consensus" in a field

it is not universal. This is true of all of the science on which regulatory agencies rely to support their regulation, not just climate science. Regulatory agencies are designed to be able to deal with this uncertainty and however imperfectly they may do so, there is no reason to think that a court would do any better and every reason to think that a court would probably do worse. The D.C. circuit simply isn't equipped, either in terms of expertise or procedure, to pick winners in climate science debates. The arbitrary/capricious standard of review—which is specified by statute but in reality defined by courts themselves—reflects this. The result, in this and many similar cases in the past, is substantial deference to the agency.

Unless the petitioners can show the EPA failed to support its conclusions at all, failed to consider some body of evidence, or engaged in some misconduct, the court will rule in the EPA's favor. The petitioners have not alleged anything close to this.

Now, that doesn't mean the EPA's greenhouse gas rules won't bump up against more significant legal challenges down the road. Industry groups almost certainly won't be able to challenge climate science in courts, but they can still challenge the specific rules that the agency devises. For instance, as I [mentioned in my piece](#), the EPA wants certain rules to apply only to polluters that emit more than 25,000 tons of carbon-dioxide per year—but this "tailoring rule" may be vulnerable to a legal challenge. So this isn't the last lawsuit we're likely to see.

Meanwhile, there's another entity that's working to stop the EPA—namely, Congress. Late on Friday night, eight coal-state Democrats, led by West Virginia's Jay Rockefeller, [sent a letter](#) to EPA head Lisa Jackson asking her to suspend regulations for coal-fired utilities and industrial facilities until Congress passes its own climate legislation. This is in addition to the 39 senators who are supporting Lisa Murkowski's bill to strip the EPA of its authority over greenhouse gases. That's not enough votes to stop the agency (especially since Murkowski's bill would likely have to overcome an Obama veto), but the push to stop the EPA does seem to be gaining momentum.

CLIMATE CHANGE/GLOBAL WARMING

Completing Global Warming Flip-Flop, Pawlenty Calls Cap-And-Trade A 'Disaster' (*Wonk Room*)

By [Brad Johnson](#) on Feb 21st, 2010 at 12:46 pm

Gov. Tim Pawlenty (R-MN), a potential candidate for the GOP presidential nomination in 2012, completed the [reversal of his stance](#) on global warming today on Meet the Press. When asked by NBC's David Gregory if climate change is real, the [former champion](#) of strong climate action

questioned “how much of it is man-made,” charging climate scientists with “data manipulation and controversy.” He then said a cap-and-trade system of market-based limits on global warming pollution would be a “disaster”:

The climate is obviously changing, David. The more interesting question is how much of it is man-made and how much is as a result of natural causes and patterns. Of course, **we have seen data manipulation and controversy**, or at least debate within the scientific community. . . . And the way you address it is we should all be in favor of reducing pollution. We need to do it in ways that don’t burden the economy. **Cap and trade, I think, would be a disaster in that regard.**

Pawlenty’s charge of “data manipulation” is based on the [libelous claims](#) of [fossil-fueled](#) conspiracy theorists.

Like Sen. John McCain (R-AZ), Pawlenty was one of the nation’s chief Republican champions of cap and trade [until recently](#), but now is [mimicking Sarah Palin](#) instead. In 2007, Pawlenty [supported a cap-and-trade system](#) to reduce Minnesota’s global warming pollution by 80 percent by the year 2050. [“Maybe we can lead them,”](#) Pawlenty then said about Congress passing cap and trade, “or even shame them into action. It’ll become de facto national policy.”

Transcript:

GREGORY: Is climate change real?

PAWLENTY: The climate is obviously changing, David. The more interesting question is how much of it is man-made and how much is as a result of natural causes and patterns. Of course, we have seen data manipulation and controversy, or at least debate within the scientific community.

GREGORY: Three years ago you said anyone who questions it is not right.

PAWLENTY: There is no question the climate is changing. The more interesting question is how much of that is man-made versus natural causes. And the way you address it is we should all be in favor of reducing pollution. We need to do it in ways that don’t burden the economy. Cap and trade, I think, would be a disaster in that regard. The real breakthrough here is transformative technologies, moving forward with nuclear, moving forward with the technologies that will give us batteries to move forward with fuel cell technology or hybrid technology for battery-powered cars. We also need to have an appreciation for clean coal.

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Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Feb. 22, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

LPJ Response to Congress on GHG Permitting Requirements

EPA Delays Start of New Emissions Rules

Posted by: [WSJPolitics](#) 7:15 pm Full post: <http://on.wsj.com/bAsbEd>

Jackson: EPA Climate Regs Coming in 2011

Posted by: [kate sheppard](#) 7:05 pm Full post: <http://bit.ly/aLtTVy>

(Note: The Obama administration on Monday sent an ultimatum to the Senate: regulate carbon dioxide this year, or we'll do it for you. In her response to a missive from coal-state Democrats raising questions about impending regulations of greenhouse-gas emissions, EPA administrator Lisa Jackson for the first time laid out a clear timeline for pending rules from the agency.)

Bloomberg: Climate Rules Won't Take Effect This Year, EPA Head Jackson Says

Posted by: [smtaber](#) 6:45 pm Full post: <http://bit.ly/adeuKo>

WSJ: Senate Democrats Add Weight To GOP Challenge Of EPA CO2 Rules

Posted by: [money4business](#) 6:45 pm Full post: <http://bit.ly/cfjtkD>

The Wonk Room: Lisa Jackson Announces EPA Will Delay and Weaken Proposed Greenhouse Standards

Posted by: [climatebrad](#) 6:40 pm Full post: <http://bit.ly/cICWWk>

Reuters: U.S Green Business EPA may soften greenhouse gas permit requirement:

Posted by: [EVERYDAYNEWZ](#) 6:30 pm Full post: <http://goo.gl/fb/Ts8h>

EPA announces "modifications" to prior GHG regulatory proposals. Some backing off on timing and coverage. Anyone have the full story?

Posted by: [chinaenvirolaw](#) 6:20 pm Full post:

(Note: Environmental lawyer in China)

Petition to Reduce Soot Pollution

Group petitions EPA to reduce soot pollution... Latest Science News

Posted by: [abnews](#) 7:00 pm Full post: <http://twirhl.com/u/6AO>

AP: Group petitions EPA to reduce soot pollution

Posted by: [HeyThere81](#) 6:50 pm Full post: <http://bit.ly/bd6QZm>

(Note: The Center for Biological Diversity called Monday for the regulation of black carbon pollution under provisions of the CW, saying it accelerates the melting of glaciers and sea ice)

Great Lakes Clean Up Announcement

EPA plans to spend \$2.2bn to protect the Great Lakes:

Posted by: [goplanit](#) 6:30 pm Full post: <http://goplanit.com/l/yws>

Obama Pledges \$475 Million to Rescue Great Lakes -

Posted by: [beneutral](#) 5:20 pm Full post: <http://tinyurl.com/yz8sny6>

U.S. Plan Targets Revitalization of Great Lakes from Yale e360

Posted by: [cytokyne](#) 5:10 pm Full post:

<http://e360.yale.edu/content/digest.msp?id=2285>

(Note: Wisconsin Gov. James E. Doyle described the plan as “what we would have laid out as Great Lakes governors if we could have written it ourselves.”)

New blog post: EPA releases action plan to clean up the Great Lakes

Posted by: [esa_org](#) 5:00 pm Full post: <http://bit.ly/aapNkp>

ROUND-UP OF MAJOR BLOGS

ADMINISTRATOR JACKSON

Lisa Jackson Announces EPA Will Delay And Weaken Proposed Greenhouse Standards (*The Wonk Room*)

By [Brad Johnson](#) on Feb 22nd, 2010 at 6:32 pm

Environmental Protection Agency administrator Lisa Jackson today announced she expects the EPA to weaken its proposed standards for global warming pollution from stationary sources and delay implementation until 2011. Responding to a [letter from eight Democratic senators](#) with strong ties to coal, oil, and industrial polluters, Jackson [previewed changes to the rule](#) to regulate greenhouse gases which her agency proposed last September she expects to make in its final form. Under the Clean Air Act, the finalization of the greenhouse gas endangerment finding originally expected in March — now, according to Jackson’s letter, in April — will trigger permitting requirements for stationary sources.

Jackson’s [proposed “tailoring” rule](#) would have limited permitting requirements to emitters of 25,000 tons of carbon dioxide a year, instead of the automatic statutory amount of 250 tons. The 25,000-ton threshold covers only 14,000 industrial pollution sources nationwide, 11,000 of which are currently covered by the Clean Air Act permitting requirements already.

However, today Jackson announced that the “decision-making process has moved far enough along that I can make several central points based on [modifications I expect to make](#) in finalizing EPA’s previous proposals,” including a 2011 start date and a “substantially higher” threshold than 25,000 tons:

- **No stationary sources will be required to get a Clean Air Act permit to cover its greenhouse gas emissions in calendar year 2010.**
- EPA will phase-in permit requirements and regulation of greenhouse gases for large stationary sources **beginning in calendar year 2011.**
- In the first half of 2011, only those facilities that must apply for Clean Air Act permits as a result of their non-greenhouse gas emissions will need to address their greenhouse gas emissions in their permit applications.
- Greenhouse gas emissions permit for other large sources will phase in starting in the latter half of 2011.
- Until 2013, **the threshold for permitting will be substantially higher than the 25,000 ton limit that EPA originally proposed.**
- The EPA will not subject the smallest sources to Clean Air Act permitting **any sooner than 2016**, after Obama has left office, even if he wins a second term.

Many of the world’s top climate scientists have warned that global emissions of greenhouse gases “[almost certainly need to decline extremely rapidly after 2015](#)” if there is to be a good chance of avoiding catastrophic warming.

The conservative Democratic senators who [questioned the economic consequences](#) of the EPA’s endangerment finding were led by Sen. Mark Begich (D-AK) and Sen. Jay Rockefeller (D-WV) and included Robert C. Byrd (D-WV), Sherrod Brown (D-OH), Pat Casey (D-PA), Claire McCaskill (D-MO), Carl Levin (D-MI), and Max Baucus (D-MT). Senators Ben Nelson (D-NE), Blanche Lincoln (D-NE), and Mary Landrieu (D-LA) joined numerous Republicans in [supporting a bid to overturn the scientific endangerment finding](#) entirely.

If the endangerment finding is overturned, Jackson notes in her letter, “it would undo the [historic agreement](#) among states, automakers, the federal government, and other stakeholders” for higher fuel-economy standards, “leaving the automobile industry without the explicit nationwide uniformity that it has described as [important to its business.](#)” Not to mention the health and economic costs of failing to reduce our deadly dependence on oil.

Download [Jackson’s letter to conservative Democratic senators.](#)

CLIMATE CHANGE/GLOBAL WARMING

Climate Scientists Withdraw Journal Claims Of Limit To Rising Sea Levels (*The Wonk Room*)

By [Brad Johnson](#) on Feb 22nd, 2010 at 1:26 pm

Scientists who challenged the possibility of catastrophic sea level rise in coming decades have retracted their argument. Mark Siddall, whose paper claimed sea level rise from global warming could not be more than 82 centimeters (32 inches) by 2100 — despite other estimates of up to 1.9 meters — asked for the conclusions published in 2009 in *Nature Geoscience* [to be retracted](#), accepting corrections from researchers who had made the higher estimates. The Guardian misleadingly presented the news with the headline, “[Climate scientists withdraw journal claims of rising sea levels](#)“:

Study claimed in 2009 that sea levels would rise by up to 82cm by the end of century – but the report’s author now says true estimate is still unknown.

If all one read was the introduction, a reader might get the false impression that sea level rise from global warming is in doubt. The misleading Guardian headline was picked up — as per usual — by the Drudge Report and Marc Morano’s [conspiracy site Climate Depot](#). Right-wing bloggers, unsurprisingly, [latched on to the headline](#) without any comprehension of the story:

[Betsy Newmark](#): Another global warming claim that has had to be retracted because of problems with the data.

[Sammy Benoit](#): OOPS Never-mind! Climate scientists withdraw IPCC-related article claiming sea is rising.

[JammieWearingFool](#): Another global warming myth comes crashing down. No warming since at least 1995, no melting glaciers and now no rising sea levels.

[Jules Crittenden](#): Warmal scientists are compelled to admit (again) that they don’t know what they’re talking about, retract study that predicted up to a nearly three-foot sea level rise by 2100.

Law professor [William A. Jacobson](#): But now the seas are not going to rise? My dream of a waterfront home is melting away faster than the glaciers.

[Caleb Howe](#): Yet another card removed from the geodesic dome of cards that is AGW hysteria.

However, the retraction instead admits that the paper’s calculations for an upper bound to future sea level rise were incorrect, and sea level rise could be much worse. Siddall’s study, “[Constraints on future sea-level rise from past sea-level change](#),” used paleoclimate reconstructions to predict that sea level rise from global warming would be constrained to between 7 cm and 82 cm (3 to 32 in) by the end of the century, in line with the estimated sea

level rise in the 2007 Intergovernmental Panel on Climate Change (IPCC) report, which excluded possible effects from ice sheets.

Unfortunately for the future of human civilization, the best scientific estimates of future sea level rise continue to worsen, as it becomes evident that the Greenland and Antarctic ice sheets are [losing mass much more rapidly](#) than estimated before 2007. December's "[Global sea level linked to global temperature](#)," published by Martin Vermeer of the Helsinki University of Technology, Finland and Stefan Rahmstorf of the Potsdam Institute for Climate Impact Research in Germany in *Proceedings of the National Academy of Sciences* projects a [catastrophic rise](#) of 0.75 to 1.9 m (2.5 to 6 feet) by 2100:

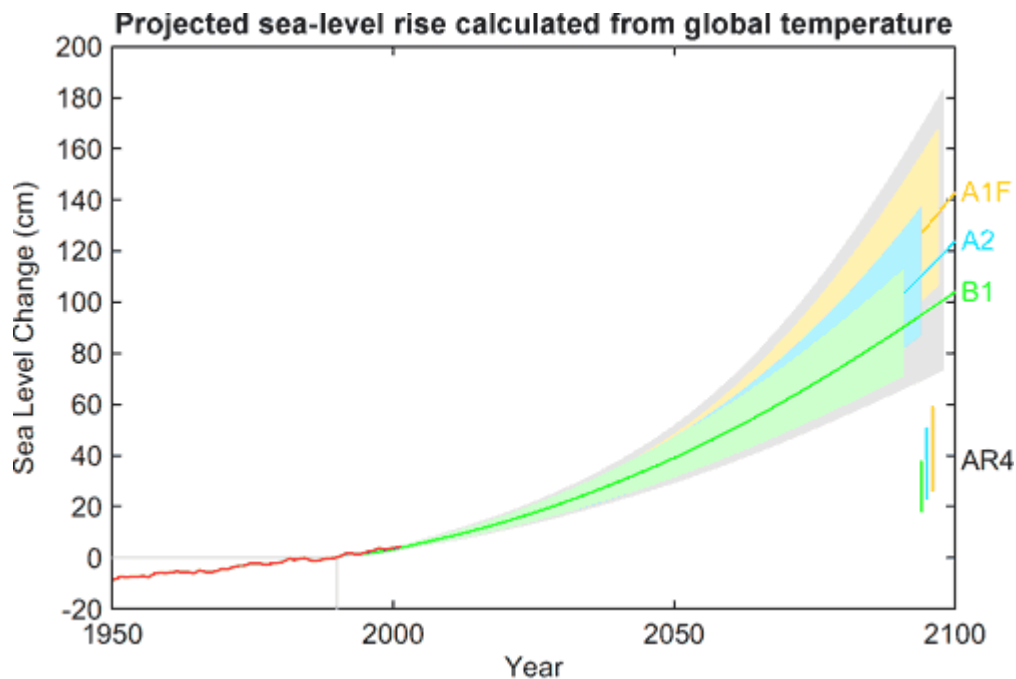


Figure 3: Projection of sea-level rise from 1990 to 2100, based on IPCC temperature projections for three different emission scenarios. The sea-level range projected in the IPCC AR4 for these scenarios are shown for comparison in the bars on the bottom right. Also shown in red is observed sea-level (Vermeer 2009). The estimate from Siddall 2009 that contradicted Vermeer has been retracted.

Over the past twenty years, actual sea level rise has been at the [top of estimated limits](#) since the first IPCC report in 1990. By 2200, scientists warn, the [oceans could rise by more than three meters](#), submerging [cities like Los Angeles](#), Amsterdam, St. Petersburg, and lower Manhattan.

Federal Agencies Now Have To Start Thinking About Climate Change (*The New Republic*)

Bradford Plumer February 22, 2010 | 1:14 pm

There's still plenty of uncertainty about what—if anything—Congress will do on the climate-policy front this year. But, in the meantime, the Obama administration is pushing to do as much as it can on its own to address the issue, through the executive branch. The latest move? [Proposed rules](#) that would require all federal agencies to consider the climate-change effects of their actions:

The Obama administration announced Thursday that it has drafted rules ([pdf](#)) that would require federal government to take climate change into consideration for the first time when judging actions under the National Environmental Policy Act (NEPA).

NEPA, a 40-year old law, requires the federal government to evaluate the environmental impact of any activity it takes part in or sanctions, whether it's providing funds for a highway or allowing snowmobile riders into Yellowstone National Park.

[Here's](#) an overview of how NEPA works. According to the latest proposal, any federal agency that took an action that could be reasonably expected to produce 25,000 tons or more of carbon-dioxide per year would come under scrutiny. As well, agencies would have to consider how future warming might impact certain projects—for instance, whether infrastructure built on the coast would be affected by sea-level rise. These reviews would apply to any project regulated by—or, in many cases, significantly financed by—the federal government.

Now, these rules won't amount to a direct regulation of greenhouse gases. And the White House has also carved out some exceptions: For instance, the proposed rules don't apply to land-management actions, such as oil and gas drilling on public lands. (That's something environmentalists have been pushing for.) Mainly, this is just guidance from the White House so that the agencies don't have to figure out for themselves how to approach various climate questions (some agencies have already started to do that on an ad hoc basis, which isn't exactly ideal).

Still, even if this isn't a monumental change by itself, it's part of a broader strategy by the administration to carry out a decent chunk of environmental policy through the regulatory agencies, at least so long as Congress dithers. Mike Soraghan of Greenwire has a [good piece](#) looking at this trend and contrasting it with the Bush administration's unilateral moves to promote fossil-fuel development. The main downside to this approach, of course, is that a lot of these moves would be relatively easy to reverse by a new president.

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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February 24, 2010**

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Feb. 23, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

Looking forward to EPA head Lisa Jackson appearing with Biz Markie at Hip-Hop Caucus event...

Posted by: [kate sheppard](#) 4:30 pm Full post: <http://schmap.it/9WVkyI>

GHG Regulation and Senate Hearing

TIME.com: Regulation of Greenhouse Gases May Fall to EPA: With the cap-and-trade bill mired in the Senate, regulation of gre...

Posted by: [TIMETopStories](#) 7:00 pm Full post: <http://bit.ly/9mClkr>

Treehugger: Don't Be Afraid of the EPA! The 5 Facts You Need to Know About the Plan to Curb US Greenhouse Gas E..

Posted by: [GCI_uchicago](#) 7:05 pm Full post: <http://bit.ly/aAZxmJ>

Tackling climate change urgent, Hu says

Posted by: [China Daily](#) 7:10 pm Full post: <http://tinyurl.com/yIaqfln>

(Note: China's highest leadership Tuesday began considering proposals from the country's senior researchers in an attempt to help achieve the country's ambitious goal of cutting carbon intensity by 40 to 45 percent by 2020.)

(Environment News Service) Climate Science Controversy Flares in EPA Budget

Posted by: [EarthAdapt](#): 6:50 pm Full post: <http://bit.ly/91tx6G>

Christian Science Monitor: Senate battles EPA in Greenhouse gas showdown.

Posted by: [new_headline](#) 6:40 pm Full post: <http://tinyurl.com/yk3xbe4>

ENS: EPA's Jackson: Senate Face Off with Climate Change Skeptics: unEARTHED, from Earthjustice (blog) EPA Supreme Court...

Posted by: [earthjustice](#) 6:30 pm Full post: <http://bit.ly/d7WaYq>

HuffPost - EPA Backs Down On Emissions Regulation, Dirty Energy Lawmakers Rejoice -

Posted by: [beneutral](#) 4:55 pm Full post: <http://tinyurl.com/ya4jw8b>

ACC: New EPA proposal on GHG regulation at stationary sources insufficient to protect U.S. jobs....

Posted by: [AmChemistry](#) 4:50 pm Full post: <http://ow.ly/1auK7>

(Note: American Chemistry Council)

A crack in the wall; EPA administrator distances the agency from IPCC report -- Evidence of climate change become...

Posted by: [amthinker](#) 4:40 pm Full post: <http://j.mp/cPC7yh>

NYT: EPA's Gradual Phase In of GHG Regs Garner Qualified Praise From Senators

Posted by: [nytimes](#) 4:50 pm Full post: <http://nyti.ms/dgQxj2>

Great Lakes Clean Up Announcement

ESPN Outdoors News Regional news: Feds have Great Lakes plan

Posted by: [DougCavin](#) 5:44 pm Full post: <http://ow.ly/16E90U>

ROUND-UP OF MAJOR BLOGS

ADMINISTRATOR JACKSON

Jackson Lays Out Timetable For EPA Regs (*The New Republic*)

Bradford Plumer February 23, 2010 | 5:32 pm

At last, a little more clarity on what the EPA is planning to do in terms of greenhouse-gas regulations. (Riveting topic, huh?) Last Friday, West Virginia's Jay Rockefeller and seven other Senate Democrats from coal states [sent a letter](#) to EPA head Lisa Jackson expressing "serious economic and energy security concerns" about the agency's plans to regulate carbon-dioxide and other heat-trapping gases on its own. (If you missed it, [here's](#) a primer on what those EPA rules would likely entail.)

So that prompted Jackson to [fire off a response](#) today, laying out the EPA's likely timetable for moving forward. In her letter, she explained that the agency's regulations for power plants and industrial facilities would phase in slowly, starting in 2011. Only about 400 plants would have to apply for permits by the first half of next year—and that just includes those plants that already have to apply for permits for *non*-greenhouse-gas emissions. After that, the largest polluters—facilities that emit more than 25,000 tons of CO₂ per year—would start getting regulated between 2011 and 2013. Smaller polluters, meanwhile, wouldn't get regulated until at least 2016.

Jackson also told Rockefeller et. al. that if Congress ended up blocking the EPA's authority over greenhouse gases, that would imperil the fuel-economy rules that the Obama administration drew up alongside the states and automakers last year. At our TNR energy event today, White House climate adviser Carol Browner [said much the same thing](#). And if the national fuel-economy rules

fall apart, that means we'd almost certainly go back to the earlier system where California is pushing ahead with tighter standards that are different from other states—a patchwork approach that car companies all seem to hate.

In any case, some of those coal-state Dems seem to be [partly mollified](#) by the EPA's relatively slow timetable. "It helps," said Rockefeller, although he noted that he may want to pass legislation that pushes back the agency's timetable back even more, in order to give Congress enough time to pass a climate bill of its own. (Of course, if Congress passes a climate bill this year, Jackson's timetable won't be a problem.) That said, none of those Dems concerned about the EPA's plans sound like they're quite ready to join Lisa Murkowski's efforts to nullify the agency's authority over greenhouse gases.

Timing is Everything: EPA Delays CO2 Regulations (*The Heritage Foundation*)

Posted February 23rd, 2010 at 5:30pm

Let's wait until the economy recovers a little before we step on it with costly environmental regulations. That was the message from Environmental Protection Agency's (EPA) Administrator Lisa Jackson in a response to eight Democratic senators from industrial coal states the authority of the EPA to regulate greenhouse gases. Administrator Jackson [said](#) by April she will "take actions to ensure that no stationary source will be required to get a Clean Air Act permit to cover its greenhouse gas emissions in calendar year 2010."

As the Clean Air Act is currently written, the EPA could regulate sources or establishments that emit 100 or 250 tons or more of a pollutant per year. The EPA is proposing a "tailoring rule" that would amend the CAA so that only entities that emit 25,000 tons of carbon dioxide equivalent per year would be affected. But even the 25,000 ton threshold is subject to change said Jackson: "I expect the threshold for permitting will be substantially higher than the 25,000-ton limit that EPA originally proposed." These regulations for the largest of emitters are expected to take place between the latter half of 2011 and 2013.

Smaller entities would be exempt from carbon dioxide regulations – for now. Schools, farms, restaurants, hospitals, apartment complexes, churches, and anything with a motor—from motor vehicles to lawnmowers, jet skis, and leaf blowers—could be subject to regulations – but no sooner than 2016 said Jackson.

Although Jackson is delaying the regulatory pain, the business uncertainty the EPA is creating is preventing economic recovery today. Lisa Murkowski (R-AK), in a response to Lisa Jackson's statement, [said](#), "Until the specter of command-and-control regulations goes away, it will remain a counterproductive threat hanging over the work that must be done to find common ground." A

December 2009 National Federation of Independent Business (NFIB) [survey of small and independent business owners asked](#) owners to rank the single most important problem they faced. Behind poor sales, taxes and government regulations/red tape finished second and third, respectively. Government regulations and red tape jumped three spots from a year ago.

Even without regulations, the prospect of them is enough to impose economic harm. Rising uncertainty can drive down investments in riskier projects and prohibit expansion. The EPA may be delaying carbon dioxide regulations but they're also delaying a quicker economic recovery with looming uncertainty.

Sen. Merkley: 'We're Going To Create Jobs By Cleaning Up Carbon Dioxide Pollution' (*Wonk Room*)

By [Brad Johnson](#) on Feb 23rd, 2010 at 2:05 pm

Today, the Senate Committee on Environment and Public Works considered the 2011 budget request for the Environmental Protection Agency. EPA administrator Lisa Jackson spent most of the hearing [listening to Republicans deny the science of global warming](#), as Democrats talked about protecting their constituents from toxic pollution and creating new clean jobs. In his opening statement, Sen. Jeff Merkley (D-OR) lashed out at the Republican attacks that regulation of greenhouse gas pollution would destroy the economy:

Every single time in this nation, when we have confronted great damage to our air or to our water, it is always the same mantra: "it will kill jobs." And every single time when we look back 10 years later, 20 years later, we're so thankful that we actually created jobs by cleaning up our waterways, we created jobs by cleaning up our air, and **we're going to create jobs by cleaning up carbon dioxide pollution as well.**

Merkley said "it absolutely infuriates me that we're spending a billion dollars a day on oil from the Middle East and countries like Venezuela" so that "dictators in far-away countries can build shiny new towers." Borrowing a turn of phrase from Sen. John Barrasso (R-WY), Merkley argued we should create "red, white, and blue jobs" in this country by "creating renewable energy and keep those dollars in our economy."

As the Center for American Progress has found, our [oil dependence is a dangerous habit](#).

Transcript:

MERKLEY: As I'm listening to this conversation, I'm reflecting back on how every single time in this nation, when we have confronted great damage to our air or to our water, it is always the same mantra: 'it will kill jobs'. And every single time when we look back 10 years later, 20 years

later, we're so thankful that we actually created jobs by cleaning up our waterways, we created jobs by cleaning up our air, and we're going to create jobs by cleaning up carbon dioxide pollution as well.

I can tell you it absolutely infuriates me that we're spending a billion dollars a day on oil from the Middle East and countries like Venezuela that don't share our interests. Now, I just came back through Kuwait, and they're building gorgeous towers with our American money. And if you want our dollars to go out of this country and build towers in Kuwait, then go on fighting for that policy. But if you want to create jobs in America, let's keep that money here. Let's create red white and blue jobs in America creating renewable energy and keep those dollars in our economy, rather than sending them overseas so that dictators in far-away countries can build shiny new towers.

I think we need to have a direct conversation about the damage to our national security of dependence on oil overseas. We need to have an honest conversation about the hemorrhaging of our dollars going overseas rather than creating jobs here in America. And we need to have an honest conversation about the impact of carbon dioxide pollution. The EPA is right at the middle of that conversation, and thank you for putting together a budget that presents a responsible and honest and straightforward approach to taking on this challenge and the challenge of creating jobs here in America. We can create jobs as we work to change the use of carbon dioxide being produced by our vehicles. We can take and produce a tremendous number of jobs as we pursue energy saving retrofits in our buildings.

We absolutely have the chance to take and develop energy here, so that we are making our energy payments to Americans, not to Kuwaitis.

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PEOPLE ARE TALKING

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Lisa Jackson

EPA Administrator Lisa Jackson to speak at March 8 NPC lunch. More info

Posted by: [NPCPresident](#) 7:10 pm Full post: <http://bit.ly/9ZRfK>
(Note: National Press Club)

GHG Regulation and House Hearing

Kentucky House Passes Resolution to Push U.S. Congress to Block EPA Regulations|Kentucky lawmakers are urging

Posted by: [CLEEVN](#) 7:20 pm Full post: <http://oohja.com/x7yTb>

Pediatrician looks at climate change health risks for kids:

Posted by: [EcoSteward](#) 6:55 pm Full post: <http://bit.ly/cgkS5J>
(Note: Children are among those most vulnerable, and often most likely to be grievously hurt by shifting environments caused by increased air pollution or weather extreme associated with climate change.)

Take Action: Stop Texas Governor Rick Perry from Challenging the EPA CO2 Regulation

Posted by: [change](#) 6:40 pm Full post: <http://bit.ly/c9X8BU>

Calvert to EPA chief: Show me the money: Inland Rep. Ken Calvert locked horns with Environmental Protection Agency...

Posted by: [PEcom_politics](#) 6:00 pm Full post: <http://bit.ly/cnh0Ya>

15 years of no global warming doesn't mean there's no global warming, says EPA chief..

Posted by: [websmith1](#) 5:55 pm Full post: <http://bit.ly/aSkd9k>

The Hill: California, other states bash GOP-led plan to block EPA greenhouse gas rules

Posted by: <http://www.thehill.com> 3:21 pm Full post: <http://thehill.com/blogs/e2-wire/677-e2-wire/83341-states-bash-gop-led-plan-to-block-epa-climate-rules>

Coal Ash Regulation

New-Coal Ash Waste Contamination Report: 31 New Water Pollution Sites in 14 states

Posted by: [RiverFox1](#) 6:20 pm Full post: <http://bit.ly/csPwsY>

EPA Chief: Working Towards Coal-Ash Proposal For April

Posted by: [Harmony07iz](#) 6:00 pm Full post: <http://cli.gs/TmtTN>

Debate Intensifying Over Whether To Regulate Coal Ash

Posted by: [nc5investigates](#) 5:20 pm Full post: <http://ow.ly/16EG3q>

Reducing Smokestack Emissions a Top Enforcement Goal

EPA: Curbing smokestack emissions tops 2011-2013 enforcement goals

Posted by: [envirolib](#) 6:10 pm Full post: <http://cli.gs/yz3nu>

NYT: Curbing Smokestack Emissions Tops EPA's 2011-2013 Enforcement Goals

Posted by: [Sawiris_info](#) 6:00 pm Full post: <http://bit.ly/bup4FY>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Study: Fewer, But Fiercer, Hurricanes In Our Future (*The New Republic*)

Bradford Plumer February 24, 2010 | 1:51 pm

I'm not a fan of the phrase "the science is settled" with regards to climate change. It's nearly impossible to find an actual climatologist who would ever say such a thing, and with good reason: It's a horribly vague statement. Sure, there are lots of things that the vast majority of the scientific community believes with very high confidence—for instance, that the Earth is warming and that human activity (particularly greenhouse-gas emissions) is causing it. You could call *that* question "settled." But there are also plenty of other areas marked by sharp debate and uncertainty. Like hurricanes.

When Hurricane Katrina hit in 2005, there was still plenty of disagreement among researchers about whether global warming would make hurricanes more frequent or more powerful in the future—and whether this trend might be already occurring. One camp argued that warmer ocean temperatures would provide more energy for tropical storms. Other researchers pointed out that hotter temperatures would create stronger wind shear and inhibit the formation of tropical cyclones. And so on. Chris Mooney's book [Storm World](#) is a terrific overview of hurricane research and disputes over this issue.

Anyway, there's a [new paper](#) in *Nature Geoscience*, written by ten key hurricane researchers from various camps that tries to arrive at a consensus position on this question. Their conclusion? For now, it's too difficult to say whether hurricane patterns have already changed as a result of human activity—past patterns may just be a result of natural variation, especially in the Atlantic basin. Note that this updates the 2007 IPCC report, which concluded that it was "more likely than not" that global warming has made tropical cyclones more frequent. Better research has moved that back to the "it's unclear" camp.

But what about future hurricanes? This new study notes that research advances over the past two years have allowed a lot more confidence in projections going forward. The overall number of tropical storms is expected decrease by 6 percent to 34 percent, but the strongest storms that *do*

form are likely to get quite a bit more intense. So, fewer storms, but stronger. The new conclusion almost splits the difference between the various sides of previous debates.

It's also worth noting that the *Nature Geoscience* study doesn't assess whether a "fewer but stronger" trend would cause more or less hurricane damage on balance. But the paper's lead author, Thomas Knutson, co-authored a [different study](#) in *Science* last month projecting that the Atlantic basin could see twice as many category 4 and 5 Atlantic hurricanes by the end of the century, despite fewer storms overall—and that this could increase total damage in the United States. Then again, the level of damage likely depends far more on how future coastal infrastructure is built.

Climate Science Exposed: New Report on the CRU Controversy (*The Heritage Foundation*)

Posted February 24th, 2010 at 7:00pm in [Energy and Environment](#)

“The science behind climate change is settled, and human activity is responsible for global warming. That conclusion is not a partisan one.” – [Environmental Protection Agency Administrator Lisa Jackson](#).

Forget being partisan or not. That conclusion of settled science isn't existent. It hasn't been for a long time, but they are especially bold words in light of the climate scandal involving the University of East Anglia's Climatic Research Unit (CRU) and the flaws uncovered in the Intergovernmental Panel on Climate Change report. Yesterday, the Senate Minority Committee on Environment and Public Works (EPW) [released a new report that scrutinizes the climate scandal](#) and CRU and its connection with the IPCC and U.S. government policy.

The report delves into the email trail, the IPCC consensus of “unequivocal warming”, the legal and policy issues of Climategate and the EPA's reliance on the IPCC to make regulatory decisions in order to reduce greenhouse gas emissions. The EPA's endangerment finding, which took effect January 14, gives the EPA authority under section 202(a) of the Clean Air Act (CAA) to regulate greenhouse gases (GHGs). Sen. James Inhofe (R-Okla.), Ranking Member of the Senate Committee on Environment and Public Works, said:

“So this administration has said, “All right. We couldn't go it legislatively so we're going to do it on our own. We're going to do the damage, inflict the economic damage to this country that would have come under cap and trade the same as if we had been able to pass it.” Now, I think that's interesting. I would like to say this one thing. The chairman made the statement that the Supreme Court's mandating this stuff. They're not mandating a thing. The Supreme Court said you have three choices. You can either, well, either find an endangerment finding or do not find it, or you can say that the science is uncertain.

And I think what we're going to be asking you to do, during the question and answer time is to find that it's not certain. You can have an endangerment finding. That can change because you didn't know at the time that you were basing this on the IPCC flawed science, that the science was flawed. You didn't believe that, but nonetheless that's where we are today. We're going to be making the request, Madam Chairman, that we go back, relook at this and also that — that — and the EPA have their I.G. (Inspector General) looking into this just the same as all the other nations are doing at this time all throughout Europe.”

You can find the full report [here](#). What's most interesting is that it's the politicians arguing that the science is settled while the climatologists suggest otherwise. Even Phil Jones, former director of the East Anglia's CRU [admitted](#), “I don't believe the vast majority of climate scientists think this. This is not my view. There is still much that needs to be undertaken to reduce uncertainties, not just for the future, but for the instrumental (and especially the palaeoclimatic) past as well.”

The EPA needs to reevaluate the science before it moves forward [on a long road of expensive and expansive](#) environmental regulations.

ENERGY

Republican Stimulus Opponents Brag About Clean Energy Spending (*Wonk Room*)

Our guest blogger is Sarah Collins, intern with the Energy Opportunity team at the Center for American Progress and a graduate of the University of Michigan Gerald R. Ford School of Public Policy.

By [Guest Blogger](#) on Feb 24th, 2010 at 6:20 pm

The Congressional Budget Office's new analysis determined that the American Recovery and Reinvestment Act (ARRA) created [up to 2.1 million jobs](#) and boosted the economy by up to 3.5 percent in the last three months of 2009. This assessment disproves the claims of nay-saying conservative lawmakers who voted against ARRA and continue to claim that it has not created jobs while wasting money. Despite their opposition to and untrue claims about the nationwide benefits of ARRA, many Congressional Republicans continue to seek funds for clean energy projects and programs that would create jobs in their state or district.

For instance, every member of the Illinois congressional delegation signed a letter urging Gov. Pat Quinn to provide “Recovery Act (ARRA) funding to [expand the Illinois Community College Sustainability Network](#).” Among the signers were Republican Reps. Mark Kirk, Don Manzullo, Peter Roskam, Tim Johnson, Aaron Schock, and John Shimkus. They [received \\$1.7 million](#) for campus energy projects such as green skills development, decreasing campus energy consumption, energy technology demonstration, and green collar jobs creation. Yet all of these members have attacked ARRA:

- [Kirk](#): **Out of control federal spending and borrowing** is not sustainable and threatens to dramatically increase the long-term tax burden of our children.
- [Manzullo](#): The original bill was **chock full of spending that would neither create jobs nor stimulate our economy**, and very little was focused on job-creating infrastructure improvements and putting money back in people’s pockets so they could re-invest it in the economy.
- [Roskam](#): By spending over \$1 trillion, the non-partisan Congressional Budget Office estimated that **this legislation will have zero impact on our gross domestic product by 2013**, and a negative impact on GDP by 2019 — greatly weakening our economy over time.
- [Johnson](#): **This plan was flawed from the outset and nearly everything in it runs contrary to common sense.**
- [Schock](#): And while our unemployment continues to hover around 10 percent, **Speaker Pelosi and the Administration continue trumpeting this failed plan as a success story** despite the fact they know it has failed to meet the goals they set.
- [Shimkus](#): **I have expressed my discontent with how much money is being spent in Washington, and my votes reflect that position.**

Rep. Judy Biggert (R-IL) applauded the spending of \$10.9 million from ARRA to upgrade Naperville’s public utility with over 57,000 smart energy meters and a revamped grid technology. Spokesman Zachary Cikanek was [quick to note](#) that although Biggert still believes the stimulus plan is a waste of federal tax dollars, “this was a worthy initiative that she thought did have a [strong potential to create green jobs](#).”

Rep. John Mica (R-FL), meanwhile, congratulated himself for the [\\$1.25 billion](#) that went to fund a high speed rail in the state. “I applaud President Obama’s recognition that high-speed rail should be [part of America’s future](#),” he wrote in a press release. But last November, Mica offered a scathing comment on the Administration’s effort to track stimulus spending and jobs created or saved, saying “every day brings [more examples of how this stimulus failed](#) to create jobs and how the Administration’s claims of jobs created or saved are exaggerated.”

Reps. Jean Schmidt (R-OH) and Sue Myrick (R-NC) asked for money so that local organizations could train workers for energy-efficiency projects. But last November, Ms. Schmidt said in a statement, “it is time to recall the stimulus funds that have not been spent before the [Chinese start charging us interest](#).” Her district [received \\$11 million](#) for the project.

Myrick, meanwhile, asked, “why are we going to spend \$825 billion on a plan that [won’t achieve its goals?](#)” Yet just a few months later, she wrote a letter praising the stimulus as “a critical step in bringing economic opportunities to my congressional district” and that it would “lead to solar energy related jobs in an area hit hard by unemployment.”

Rep. Dan Lungren (R-CA) [praised the \\$127.5 million](#) received by the Sacramento Municipal Utility District for installing “smart meters” in every home and business as a solution to “energy, environmental, and security issues, while previously, he claimed that the stimulus package “didn’t work” and called it a “[terrible tragedy.](#)”

Rep. Zach Wamp (R-TN) rejoiced when Oak Ridge Laboratory in Tennessee received \$71.2 million. “Secretary Chu’s announcement means more jobs and more economic development opportunities are coming to Oak Ridge. This modernization effort will help keep ORNL as one of [our nation’s premier laboratories,](#)” Wamp said. But fewer than three weeks earlier, he said, “we cannot spend our way into prosperity or borrow our way out of debt. This massive spending bill adds a mountain of new debt [without incentives for job creation.](#)”

These are just some of the cross dressing conservatives who demagogue about the American Recovery and Reinvestment Act in front of microphones, but quietly seek funds for local projects because they know the funds will create badly needed clean energy jobs.

‘American Treasure’ Van Jones Rejoins Center For American Progress To Build Green Opportunity (*Wonk Room*)

By [Brad Johnson](#) on Feb 24th, 2010 at 8:35 am

Green jobs leader Van Jones is [returning to the Center for American Progress](#) as a Senior Fellow and leader of the new Green Opportunity Initiative. Van Jones, the founder of the Ella Baker Center for Human Rights and Green for All, [resigned from the White House](#) last summer under a storm of [fossil-fueled right-wing accusations](#) that he was a “communist-anarchist radical” infiltrating the government, based on [misrepresentations](#) of Jones’ past activism.

Jones will also be the recipient this Friday of an NAACP Image Award, celebrating Jones’ achievements as “one of America’s most effective and inspiring bridge-builders” to find “creative solutions to the ecological and economic crises.” According to NAACP president Benjamin Todd Jealous, Van Jones is an “[American treasure](#)”:

Van Jones is an American treasure. He is quite simply one of the few Americans in recent years to have generated powerful new ideas that are creating more jobs here. He penned the national bestseller, “The Green Collar Economy,” which provided the definitive blueprint for retooling American industry to create pathways out of poverty and generate a national economic recovery. He was a driving force behind passage of the 2007 Green Jobs Act. In fact, **Van’s ideas have helped lead to the creation of tens of thousands of jobs** across the industrial Midwest and throughout the nation’s decaying urban and rural areas.

John Podesta, President and CEO, Center for American Progress explains the Green Opportunity Initiative to be led by Van Jones:

Van is a pioneer in the effort to promote a clean, sustainable economy that works for all Americans. **I’m proud that he’s coming back to CAP to focus on creating economic opportunity in distressed communities** through the Green Opportunity Initiative and that he will be giving voice to those issues once again.

Jones will also have “a one-year joint appointment as a distinguished visiting fellow at Princeton University’s Center for African American Studies and Woodrow Wilson School of Public and International Affairs, where he will teach a seminar on environmental and economic policy.” Eddie Glaude Jr., chair of the Center for African American Studies, told the Washington Post that Van Jones is “[the leading voice](#) in the environmental justice movement.”

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Prepared by the Office of Public Affairs

Friday, January 11, 2013



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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Feb. 25, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

GHG Regulation and Climate Change

UN and U.S. Officials Mount Defense of Science Behind Global Warming - undeniable proof of our affecting climate change -

Posted by: [DibNathTechMktg](#) 7:00 pm Full post: <http://ow.ly/1boXH>
(UN Sec. Gen. Ban Ki-moon and Lisa P. Jackson, head of the U.S. EPA reasserted that the science behind global warming is incontrovertible and that gov't officials should reject attempts to derail climate change initiatives because of errors by the UN panel on global warming.)

NHTSA Says Federal Fuel Economy Rules Jeopardized by Bid to Void GHG Ruling:

Posted by: [edmunds](#) 6:55 pm Full post: <http://bit.ly/cPKE4o>

Let companies know climate change matters to you by sending an email or tweet from ClimateCounts.org

Posted by: [EndOvershoot](#) 7:05 pm Full post: <http://ow.ly/1bp0x>

Mother Jones: EPA Block Bad for Auto Industry, Says DOT

Posted by: [kate_sheppard](#) 6:50 pm Full post: <http://bit.ly/bY5B9Q>
(Note: A federal plan is better than "the pre-existing patchwork of standards that would have required companies to build separate fleet for different states," wrote O. Kevin Vincent, chief counsel of NHTSA, in a letter to Sen. Dianne Feinstein provided to Mother Jones.)

Belief In Climate Change Hinges On Worldview

Posted by: [nprpolitics](#) 4:00 pm Full post: <http://su.pr/8QoIe>
(Note: Polls show that fewer Americans say they believe humans are making the planet dangerously warmer, despite a raft of scientific reports that say otherwise. This puzzles many climate scientists — but not social scientists, whose research suggests that facts may not be as important as one's beliefs.)

The New American: EPA Fast-tracks Greenhouse Gas Regulations. Obama's Environmental Protection Agen...

Posted by: [blognew](#) 3:00 pm Full post: <http://reduce.li/jbiuyz>
(Note: Obama's EPA has announced its [timetable](#) to start regulating industrial GHGs under the Clean Air Act. Responding by [letter](#) to lawmakers' requests, EPA Administrator Lisa Jackson

said the agency will target large facilities beginning in 2011 but will wait until 2016 to require smaller plants to comply. However, automobile manufacturers will receive new greenhouse-gas emission standards late next month.)

Puerto Rico Cleanup

AP: EPA orders cleanup to resume at PR fuel depot - AP - The owners of a Puerto Rican fuel depot that exploded i...

Posted by: [HumanityNews](#) 6:30 pm Full post: <http://dlvr.it/2zmR>
(Note: lots of retweets)

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Can Wal-Mart Use Its Power For Good? (*The New Republic*)

Bradford Plumer February 25, 2010 | 4:15 pm

Wal-Mart's enormous leverage over its suppliers has attracted plenty of attention in recent years. Usually, critics home in on the negative impacts. The retailer can dictate prices to factories around the world (after all, a single producer needs Wal-Mart more than vice versa), which encourages ruthless cost-cutting that, in turn, can lead to lower wages and shoddier working conditions. And that's not even the half of it. Barry Lynn wrote a [long piece](#) for *Harper's* in 2006 exploring the pros and cons of Wal-Mart's vast "monopsony" power.

But there's a flip side, too. If Wal-Mart decides, say, to start wringing the carbon pollution out of its supply chain, everyone perks up. So it's a fairly big deal that, earlier today, the company [announced plans](#) to reduce 20 million tons of greenhouse-gas emissions from its suppliers by 2015. That's equal to taking 3.8 million cars off the road for a year—not a bad start. The effort, developed in partnership with Environmental Defense Fund, will focus on those products that cause the most total carbon pollution, and the cuts will be verified by an outside firm to make sure these aren't actions that would've happened anyway. (In recent months, Wal-Mart's suppliers [have had to fill out](#) surveys disclosing the full environmental costs of their products.)

In theory, this move could create major ripple effects. Last year, Wal-Mart declared that its 200 biggest factories would have to become 20 percent more energy efficient by 2012, and, as *BusinessWeek* [reported](#), a number of facilities in China responded almost immediately. One dye factory slashed coal consumption by 10 percent, and various energy-efficiency tactics spread

from factory to factory (not least because Wal-Mart typically divides up any given order among eight different manufacturers).

Still, it's easy to wonder how committed Wal-Mart will be to seeing this effort through. The store's ongoing green initiatives—from buying up gobs of solar power to rooting out wasteful packaging—have all been impressive. But becoming cleaner or more efficient can sometimes involve hefty upfront costs, and even if it saves money over the long-term, that may prove hard to square with Wal-Mart's focus on constantly hammering prices downward. That's why some observers are skeptical. Nelson Lichtenstein, a labor historian at UC Santa Barbara and author of [*The Retail Revolution: How Wal-Mart Created A Brave New World Of Business*](#), worries that many of the store's suppliers may end "paying for" their green initiatives by cracking down on workers even further.

Lichtenstein also offers up a theory as to why Wal-Mart is putting such heavy emphasis on going green in the first place. Partly, it's about politics: Wal-Mart, unnerved by the prospect of a Labor Department crackdown, has been trying to ingratiate itself with the Obama administration since late 2008. But the green turn is also about business. "Sales at Wal-Mart's existing stores are flat, and they badly need to break into the more affluent areas of the country—somewhere between 20 percent and 40 percent of U.S. consumer dollars are currently off-limits to the company," says Lichtenstein. "So if they can develop this environmental image, that helps."

Meanwhile, some Wal-Mart critics argue that this latest initiative doesn't even begin to offset the broader environmental damage the store's business model has caused. Via e-mail, Stacy Mitchell, a senior researcher at the [New Rules Project](#), points out that Wal-Mart has helped seed an "auto-oriented form of big-box shopping that is highly polluting." (Lichtenstein agrees that this is the company's main ecological impact.) What's more, says Mitchell, while the store's attempts to reduce packaging may be laudable, it's overall focus on cutting costs has forced suppliers to create less-durable products with much shorter life spans that need to be replaced more frequently. "What's the greenhouse gas impact of that?"

HAZARDOUS WASTES

Vermont Senate Pulls Plug On Nuclear Plant (*The New Republic*)

Bradford Plumer

- February 25, 2010 | 11:22 am

The state of Vermont is [voting to close down](#) its lone nuclear plant—the first time in 20 years that a legislative body in the United States has done such a thing:

In an unusual state foray into nuclear regulation, the Vermont Senate voted 26 to 4 Wednesday to block operation of the Vermont Yankee nuclear plant after 2012, citing radioactive leaks, misstatements in testimony by plant officials and other problems. ...

Plant officials had testified under oath to two state panels that there were no buried pipes at Vermont Yankee that could leak tritium, although there were. No tritium has turned up in drinking water, but even plant supporters expressed dismay at the leak and the misstatements.

I don't think this spells doom for that nuclear renaissance we keep hearing about. (Obama, recall, just announced \$8.3 billion in loan guarantees for two brand-new reactors down in Georgia.) Essentially, the Vermont Senate voted to close the Yankee plant on schedule rather than grant it a 20-year extension—which, given that it was an older reactor and Entergy officials had provided misleading answers about the leaks under oath, seems more like a decision about this particular plant than a broader sign that nukes are unpalatable.

One pressing question, though, is how Vermont will replace all that nuclear power going forward—the plant provides about [three-quarters](#) of the state's electrical generation. When the Yankee plant had to shut down temporarily in 2008 because of a leak in its cooling tower, the regional power system operator, ISO New England, [had to flip on](#) a bunch of fossil-fuel-fired "peaker" plants to keep the electricity flowing. And it'd be a huge step back, from a carbon-emissions perspective, if the state ended up building, say, a new coal-fired plant for its power.

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Feb. 3, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

RFS2 Standards

UCS supports new EPA rules for the Renewable Fuel Standard - EPA new rules for the Renewable Fuel Standard, the nat...

Posted by: [ussee](#) 7:20 pm Full post: <http://ow.ly/16uDZm>
(Note: Union of Concerned Scientists)

US EPA plan gets praise from biofuels, fire from petrochemicals....

Posted by: [ICISNewsAmerica](#) 6:15 pm Full post: <http://bit.ly/aqmhVv>

EPA Biofuel Rule Keeps Real Renewables in Energy Mix

Posted by: [NRDC](#) 4:08 pm Full post: <http://bit.ly/bsnHfi>
(Note: Nathanael Greene, NRDC: "The final rule confirms that some biofuels reduce global warming and some pollute more than gasoline and diesel. This proves how important it is to put policies in place to make sure public dollars go to support real renewable energy instead of going after options that do not work and could actually do more harm than good.)

Reuters: EPA sets 2010 renewable fuel standard at 8.25 percent: WASHINGTON (Reuters) - The U.S. Environmental...

Posted by: [whatgreeninvest](#) 4:03 pm Full post: <http://bit.ly/cvEREi>

EPA Admin Lisa Jackson says life-cycle analysis of corn ethanol meets 20% threshold for RFS2 in press conf today.

Posted by: [GrowthEnergy](#) 4:00 pm Full post:

This is HUGE news for the upper Midwest: Des Moines Register: "EPA: Ethanol, biodiesel meet green standards"

Posted by: [ustplainbob](#) 3:55 pm Full post: <http://tinyurl.com/yhqugup>

EPA/Jackson: goal to reduce GHG emissions by 2020 amount comparable to taking 27 million cars off the road by 2020.

Posted by: [PacNW_PPRC](#) 3:30 pm

Open Government

New! Spotted on our Transparency Tracker: <http://www.epa.gov/open/> - Keep watching:

Posted by: [propublica](#) 4:15 pm Full post: <http://bit.ly/bjv1GC>

(Note: An independent, non-profit newsroom that produces investigative journalism in the public interest)

GHG Regulation (con't)

HuffingtonPost: House Trio Moves To Block EPA Greenhouse Gas Regulation

Posted by: [politicalfever](#) 7:00 pm Full post: <http://bit.ly/dp9Yso>

Canadian Press: - BreakingNews - Greenhouse gas targets difficult but ... WASHINGTON —

Posted by: [addsmore](#) 5:23 pm Full post: . <http://bit.ly/93kYiR>

(Note: Gary Doer, Canada's envoy to US says it's going to be difficult to reduce greenhouse gas emissions on both sides of the border by 17 per cent in 10 years in order to honor the Copenhagen deal on climate change. "This is not going to be a walk in the park.")

House Ag chairman co-sponsors bid to block EPA regs: A trio of House lawmakers yesterday introdu...

Posted by: [freerepublic](#) 5:05 pm Full post: <http://bit.ly/d9rieV>

Senior Democrats floating bill to block EPA on plans for greenhouse gas rules:

Posted by: [chemicallygreen](#) 5:03 pm Full post: <http://bit.ly/aCHtP5>

ROUND-UP OF MAJOR BLOGS

AIR

House of Representatives Faces Its Own 'Dirty Air' Act (*TreeHugger*)

by Brian Merchant, Brooklyn, New York on 02. 4.10

You may have read about [Senator Lisa Murkowski's efforts](#) to stop the EPA from regulation greenhouse gas pollution: known as the 'Dirty Air' Act, the amendment would block the EPA from following the guidance of [a Supreme Court ruling](#) and prevent them from clamping down on the nation's 2,000 biggest polluting companies. Now, another attempt to halt the EPA from finally clamping down on the worst CO2 spewers has arisen--a bill has just been filed in the House of Representatives would do exactly that.

[Reuters reports](#) that "two House committee chairmen have filed a bill to block the government from regulating greenhouse gases under its own power."

The two committee chairmen are Armed Services Committee Chairman Ike Skelton and Agriculture Committee Chairman Collin Peterson. Perhaps Skelton was forgetting, in his capacity as Armed Services Committee chair, that the [Pentagon itself has documented the dangers](#) that climate change poses to national security.

The sponsors of the bill claim that regulating greenhouse gas pollution of the biggest polluters in the country will cripple the economy. "I have no confidence that the EPA can regulate greenhouse gases under the Clean Air Act without doing serious damage to our economy," said Agriculture Committee Chairman Collin Peterson, according to Reuters. This is far from being true--the jobs created from retrofitting polluting power plants to make them cleaner alone would number in the thousands. And the innovation and development in cleantech that a shift away from a carbon based economy would bring would grow millions more.

Of course, a more efficient solution would be to pass clean energy and jobs reform--then the EPA wouldn't need to get involved in what would potentially be a daunting, but necessarily bureaucratic slog.

CLIMATE CHANGE/GLOBAL WARMING

Climate Change Scientific Consensus Cloudy as Ever (*The Heritage Foundation*)

Posted February 4th, 2010 at 12:55pm in [Energy and Environment](#)

We're a few days before a massive snowstorm whitewashes the District of Columbia, but the Climategate and Intergovernmental Panel on Climate Change storms are already here and as fierce as ever. Earlier this week, *The Guardian* [shed a little more light](#) on the flawed and hidden data from University of East Anglia's Climate Research Unit:

The apparent attempts to cover up problems with temperature data from the Chinese weather stations provide the first link between the email scandal and the UN's embattled climate science body, the Intergovernmental Panel on Climate Change, as a paper based on the measurements was used to bolster IPCC statements about rapid global warming in recent decades.

Wang was cleared of scientific fraud by his university, but new information brought to light today indicates at least one senior colleague had serious concerns about the affair. It also emerges that documents which Wang claimed would exonerate him and Jones did not exist. The revelations come at a torrid time for climate science, with the IPCC suffering heavy criticism for its use of information that had not been rigorously checked – in particular a false claim that all Himalayan glaciers could melt by 2035.”

The Environmental Protection agency heavily [relied on the IPCC report](#) to suggest there was a scientific consensus on global warming. The Himalayan glacier gaffe is just the tip of the iceberg when it comes to flaws in the IPCC report. Senior Policy Analyst Ben Lieberman [expands](#),

Similar shenanigans appear to have gone on with the IPCC's claim that damage from hurricanes, floods and other natural disasters has worsened because of global warming. Like the Himalayan glacier melt assertion, it was based on the claim of a single researcher who had not published it in the scientific literature, and who now disassociates himself from the way it was used in the IPCC report. Indeed, when he did publish the study, he concluded that there was “insufficient evidence” of a link between warming and natural disaster damage.”

Further, the IPCC's assessment of reductions in mountain ice in the Andes, Alps and Africa came from two sources. One [was from a magazine](#) that discussed anecdotal evidence from mountain climbers and the [other came](#) from a student's dissertation. The student was pursuing a master's equivalent in geography and used interviews with mountain guides for his research.

Some are suggesting the Climategate storm is subsiding with the [recent exoneration](#) of Penn State University professor Michael Mann, one of the notorious climate researchers at CSU involved in the email threads. But the university's internal investigation is being called into question by the Commonwealth Foundation [who feels an independent investigation](#) would provide more credibility. Chris Horner of the Competitive Enterprise Institute [has serious issues](#) with Penn State's initial report of the Mann investigation.

We're not sure what's worse: The fact that some Members of Congress want to implement a cap and trade policy based on these reports [that would result in](#) \$4.6 trillion in higher energy taxes, job losses exceeding 2.5 million and nearly \$10 trillion lost in gross domestic product (GDP). Or, the reduction in carbon dioxide from a cap and trade bill (and the economic pain that comes with it) [would not make a dent](#) in the earth's temperature. You can decide.

Graham Calls Energy-Only Idea "Half-Assed" (*The New Republic*)

Bradford Plumer

February 3, 2010 | 4:08 pm

In recent weeks, a bunch of conservative Senate Democrats have suggested that, instead of trying to go for broke this year with a big climate bill that curbs carbon emissions, Congress should just pass an "energy-only" bill instead.

What would that entail? As Kate Sheppard [reports](#), one possibility is the legislation that passed out of the Senate energy committee last June, which would lavish subsidies on a variety of energy sources, including oil and gas. That bill could probably snag 60 votes, even in this Congress, but it wouldn't put much of a dent in the country's greenhouse-gas emissions. (Indeed, without a cap on carbon, the bill might even end up *increasing* emissions—especially if the proposed new transmission lines merely gave coal-fired plants [access to new markets](#), allowing them to boost output.)

In any case, President Obama caused a stir yesterday when he [said](#) that its "conceivable" the Senate could take this approach while scuttling cap-and-trade. Obama then went on to make a case for pricing carbon, saying that subsidies alone wouldn't provide enough incentives to shift the economy toward cleaner energy. Still, it was hard to shake the nagging feeling that he was talking about a carbon cap the way he once talked about the public option: something he's in favor of, sure, but also willing to abandon if need be.

So is *anyone* going to mount a full-throated defense of carbon pricing? Actually, yes. [Here](#) was Republican Lindsey Graham earlier today:

There was this idea floating around yesterday – don't know how serious it is – that somehow it would be wise for Congress to do energy bill only. I don't think that's wise. The reason I don't think that's wise is that it is a kick-the-can-down-the-road approach. It's putting off to another Congress what really needs to be done comprehensively.

I don't think you'll ever have energy independence the way I want it until you start dealing with carbon pollution and pricing carbon. The two are connected in my view – very much connected. The money to be made in solving the carbon pollution problem can only happen when you price carbon in my view. **So if the approach is to try to pass some half-assed energy bill and say that is moving the ball down the road, forget it with me.**

Graham's right. Ultimately, only a price on carbon, rippling through the economy, will be able to spur all the myriad little changes needed to shift away from dirty energy. Having Congress just draw up a list of its favorite technologies and hand those companies money isn't even close to a workable alternative (subsidies and efficiency standards and new transmission are a good complement to a carbon price, but not a substitute). That said, no one knows yet what Graham's preferred approach actually *is*, especially since he dislikes the cap-and-trade bill that passed the House last summer. This Greenwire [piece](#) tries to make sense of where Graham's at in his negotiations with John Kerry and Joe Lieberman, but the picture's still muddled.

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ROUND-UP OF MAJOR BLOGS

MINING

The Case Against Blowing Up Mountains (*The New Republic*)

Bradford Plumer

- January 8, 2010 | 5:34 pm

Since the 1960s, mining companies in Appalachia have increasingly relied on [mountaintop removal](#) to get their coal. The process is just what it sounds like: Miners buzz down the trees and blow up the tops of mountains with dynamite to get at the coal seams underneath, and then dump the excess rock and soil in nearby valleys. You end up with the scenic vistas pictured at right. On the plus side, this method is a lot cheaper and less dangerous for workers than underground mining. But as for the minuses, well... where to start?

How about here: In the latest issue of *Science*, a group of ecologists, hydrologists, and engineers [do the first thorough review](#) of all the evidence to date on the effects of mountaintop removal, and it's a ghastly picture. More than 700 miles of Appalachian streams have been filled in by debris, and as a result, contaminants and heavy metals have seeped into waterways and wells. Heavy mining areas are associated with higher rates of lung cancer, chronic heart disease, and mortality. And the loss of trees and topsoil has made the region much more vulnerable to heavy flooding. (See Kate Sheppard's [story](#) for even more gory details.)

Now, the mining industry, for its part, has occasionally [tried to soften the impacts](#) by planting new trees after they're done blowing stuff up, or by being more careful about where they drop the excess dirt and rock. Trouble is, the *Science* study concluded, there's no evidence that these mitigation projects actually work. So the scientists are calling for a halt to *all* new mountaintop

mining until "new methods can be subjected to rigorous peer review and shown to remedy these problems."

It's a significant report, the first wide-lens look at what happens when you rip open a bunch of mountains. Coal-industry reps are already [dismissing the paper](#) as biased (it was prompted by a request from environmental groups, although the researchers didn't receive any outside funding), but the study itself was intensively peer-reviewed and hard to refute. Granted, that doesn't mean everyone will listen: The EPA just approved a brand-new mountaintop mining permit on Monday after a few months' moratorium—despite the fact that the agency [says](#) it *agrees* with the study. That's sort of hard to reconcile.

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Jan. 11, 2010:**

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

GHG Endangerment Finding And Regulations

Climate Generation: what would it look like for our generation to have a defining and motivating experience?

(Note: called green fire, a reference to an Aldo Leopold essay on the love of wilderness and the spark that makes us fight to protect what we love.)

Posted by: [mogmaar](#) 6:55 pm Full post: <http://bit.ly/8AXQi8>

ND Democrat Introduces Bill To Prevent EPA GHG Regs

Posted by: [JDMI](#) 6:55 pm Full post: <http://enewsusa.blogspot.com/2010/01/north-dakota-democrat-introduces-bill.html>

California wants EPA to slow down climate rules: As part of California's plan to build more wind and solar ..

Posted by: [solar power](#) 6:45 pm Full post: <http://bit.ly/82r6bw>

Et Tu, California? State urges EPA to slow down on greenhouse gas regs

Posted by: [kate sheppard](#) 6:35 pm Full post: <http://bit.ly/8TivxR>

Breaking: Murkowski amendment to gut EPA CO2 action was written by polluter lobbyist extraordinaire JEFFREY HOLMSTEAD.

Posted by: [bdemelle](#) 6:30 pm Full post: <http://ow.ly/Vj84>

Rep. Pomeroy touts bill to block 'boneheaded' EPA emissions rules

Posted by: [smtaber](#): 5:25 pm Full post: <http://bit.ly/7wfmGO>

[@LisaMurkowski](#) - top recipient of utility \$ - co-wrote amendment to block EPA CO2 regs w/ dirty energy lobbyists

Posted by: [drgrist](#): 5:20 pm Full post: <http://bit.ly/6SCBxS>

Stormwater, CAFO Announcement

EPA to regulate stormwater runoff. Pretty interesting concept. See details here:

Posted by: [NWFGreatLakes](#) 6:40 pm Full post: <http://bit.ly/3FPki8>

EPA announces storm water, animal farm waste rules: EPA administrator Lisa P. Jackson said the rules governing ..

Posted by: [SallyBarnett](#) 6:38 pm Full post: <http://bit.ly/5f21Ix>

Action! Of some kind. Maybe. EPA announced it will start writing new pollution control rules for farms and burbs.

Posted by: [BayDaily](#) 6:40 pm Full post: www.cbf.org/baydaily

EPA announces storm water, animal farm waste rules: EPA administrator Lisa P. Jackson said the rules governing sto...

Posted by: [brianvinay](#): 6:30 pm Full post: <http://bit.ly/5f21Ix>

EPA announces storm water, animal farm waste rules

Posted by: [mywatersource](#) 6:32 pm Full post: <http://bit.ly/8naHFw>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Outside the Beltway: California Dreamin' Up Ways to Avoid Economic Disaster (*The Heritage Foundation*)

Posted January 11th, 2010 at 4:25pm

California, the land of sunshine, surfing, soaring unemployment and ballooning deficits, may be making moves to strip itself of one of its most costly and draconian environmental regulations: the cap-and-trade carbon tax. Meanwhile, the City of Los Angeles is turning to private industry for help in digging out of a financial hole.

[As reported in The Wall Street Journal](#), California Assemblyman Dan Logue started a campaign to suspend the state's Global Warming Solutions Act, which [The New York Times calls the "nation's furthest-reaching global-warming law."](#) It was designed to reduce the state's carbon emissions and is set to take effect in 2012. However, all indications are that the law would have devastating effects on the state's already dismal economy.

From [The Wall Street Journal](#):

This feel-good law to reduce the state's carbon footprint was enacted with great hoopla by the Democratic legislature and Republican Governor Arnold Schwarzenegger in 2006 when the state's economy was growing and the jobless rate was 5%. The law requires that starting in 2012 the state must ratchet down its carbon emissions to 1990 levels by 2020. The politicians and green lobbies told voters this energy tax would create jobs—the same fairy tale many in Washington are repeating today.

Now the jobless rate is 12.3%, 2.25 million Californians are unemployed, and the state government is broke. So Republican Assemblyman Dan Logue has begun collecting signatures for “The Global Warming Solutions Act,” a ballot initiative that would suspend California’s cap-and-trade scheme until the unemployment rate falls below 5.5%. He’s aiming to get it on the November ballot.

According to The Wall Street Journal, [recent studies have predicted](#) that implementing the cap-and-trade legislation “could easily exceed \$100 billion” and would cost the average household \$3,857 per year. Logue’s Web site says the legislation will cost small businesses \$49,691 per year, lead to a loss of 1.1 million jobs, and “result in a total loss of output of \$182.649 billion.”

In other words, the environmental law would create an entirely poisonous business environment.

Regulations abound in California. The Wall Street Journal cites a study by the Governor’s Office of Small Business Advocacy which estimates that “the direct cost of current California regulation is \$175 billion, or nearly twice the size of the state general fund budget and about \$134,000 per small business each year.”

Los Angeles, too, is recognizing the cost of regulations (not to mention budget deficits and plunging revenue.) [The Wall Street Journal reports](#) that the city could face a \$1 billion budget deficit in two years and is currently suffering a 12.6% unemployment rate (it has lost 150,000 jobs since 2008.) Now, the city’s mayor is turning Austin Butner, a private-equity executive, to help make the city “more business friendly.” The Wall Street Journal says [Butner “faces a daunting task.”](#)

Los Angeles business owners have long complained they are trapped in a tangle of regulations and taxes that make doing business in the city difficult and expensive. In a November survey of Los Angeles business owners, 74% characterized the city as unfriendly to business.

“We have a city government that thinks last about the effects of laws and regulations on the business community, and how [those laws and regulations] affect businesses staying in Los Angeles and new business coming into the city,” said David Fleming, founder of the Los Angeles County Business Federation, an association of business chambers that conducted the survey.

Extreme environmental regulations are costly and crippling to the economy? Deficit spending can cause fiscal catastrophe? Maybe California’s woes should be a message to Congress.

WATER

Can't We Just Eat All Those Pesky Asian Carp? (*The New Republic*)

Bradford Plumer January 11, 2010 | 4:35 pm

Last week, *The New York Times* had a [great piece](#) about how Asian carp have been making their way up the Mississippi River and are threatening to invade Lake Michigan. If that happens, the Great Lakes would be screwed—the carp would overrun the ecosystem, eat all the food, and devastate the area's \$7 billion fishing industry. So far, the carp haven't made it past electric barriers in Illinois, but they're coming unnervingly close, and states like Michigan and Wisconsin are suing to shut down Chicago waterways until a good solution can be found. (Illinois isn't a fan of this idea.)

Anyway, that brings up an [offbeat suggestion](#), courtesy of Louisiana state: Why don't we just start *eating* Asian carp? Sure, the carp isn't a hit with diners, but neither was the Patagonian toothfish—until some clever marketer rebranded it "Chilean seabass" and it became so popular that it's now severely overfished. Same thing happened to the slimehead when it was recast as "orange roughy." If there's one thing humans are good at, it's scarfing down fish so quickly [that stocks collapse](#). So why not put this superpower to good use and rebrand the Asian carp something like the "silverfin"?

Alas, as NRDC's Josh Mogergerman [points out](#), that won't be enough to save the Great Lakes. The Asian carp are now just six miles from Lake Michigan; not enough time for a "silverfin sushi" campaign to work its magic. Plus, there are downsides to having a new industry with a vested interest in keeping Asian carp around, given that they're causing chaos up and down the Mississippi. (The carp was brought to the United States in the 1970s to control algae in aquaculture ponds, but they soon escaped and now pretty much own big chunks of the river.) Guess we're back to closing down the Chicago waterways.

P.S. Check out [this video](#) of Asian silver carp leaping high out of the water—something they have a habit of doing when startled. It's a cool trick, except that the fish can weigh up to 40 pounds and have been known to smash into the faces of unsuspecting boaters and water-skiers.

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PEOPLE ARE TALKING

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**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Jan. 12, 2010:**

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LPJ Priorities for EPA

Seven priorities for EPA's future. No matter your job, these issues affect all of us.

Posted by: [jjlawless](#) 7:00 pm Full post: <http://bit.ly/6ydZno>

Seven Key Priorities for the EPA, from Administrator Jackson

Posted by: [planet_connect](#) 5:55 pm Full post: <http://ow.ly/VMmq>

(Note: Planet Connect is a site for teens who care about the environment. Info about green grants, colleges and jobs)

Environmental Protection Agency's (EPA) director Lisa Jackson just announced in their blog her seven ...

Posted by: <http://theenergycollective.com> 5:23 pm Full post:
<http://theenergycollective.com/TheEnergyCollective/56426>

WOOT! Go Administrator Jackson!! Seven Priorities for EPA's Future

Posted by: [greenandhealthy](#) 5:15 pm Full post: <http://ow.ly/VN81>

EPA announces 7 priorities for future

Posted by: [classroomearth](#) 4:05 pm Full post: <http://tiny.cc/muVoo>

(Note: **Classroom Earth** is a joint project of the **National Environmental Education Foundation** and **The Weather Channel**, designed to enhance and strengthen environmental education in high school classrooms nationwide.)

7 priorities for EPA's future...and brownfields cleanup is on there

Posted by: [EDRcommonground](#) 4:18 pm Full post: <http://ow.ly/VM5X>

EPA administrator Lisa Jackson outlines 7 priorities for the agency's future

Posted by: [EEWeek](#) 4:15 pm Full post: <http://bit.ly/6A7BWp>

(Note: Connecting educators with resources to promote K-12 students' understanding of the environment)

GHG Endangerment Finding And Regulations

Chamber Mulls Legal Challenge to EPA's Emissions Rules: Chamber of Commerce President and CEO Tom Donohue indicate...

Posted by: [terriferic](#) 6:50 pm Full post: <http://bit.ly/5NA1Ug>

Chamber Mulls Legal Challenge to EPA's Emissions Rules

Posted by: [kate_sheppard](#) 6:45 pm Full post: <http://bit.ly/5eoyRr>

Don't let [lisamurkowski](#) put our natural world in danger. Support the EPA

Posted by: [wildlifeaction](#) 6:30 pm Full post: <http://bit.ly/4rfX5o>

American Farm Bureau Federation : Stop EPA on greenhouse gases

Posted by: [smtaber](#) 6:25 pm Full post: <http://bit.ly/4Vk2xR>

ROUND-UP OF MAJOR BLOGS

AIR

Murkowski's Campaign Against EPA Carbon Regs Hits A Snag (*The New Republic*)

- *Bradford Plumer*
- January 12, 2010 | 12:51 pm

One of the big reasons a cap-and-trade bill could still pass Congress this year is the fact that the EPA is making preparations to put forward its *own* carbon regulations on power plants and other industrial sources. (I wrote a primer on what those rules would entail [here](#).) That puts pressure on reluctant senators: Either they write a bill to deal with carbon emissions or else the EPA will use the clumsy tools under the Clean Air Act and do the job itself. Many businesses would prefer Door #1.

Of course, there's a third alternative, too: Congress could just weaken or abolish the EPA's authority over greenhouse gases. Alaska Republican Lisa Murkowski had a plan to do just that, in an amendment she was planning to introduce on January 20. (She's even found a House ally: North Dakota Democrat [Earl Pomeroy](#).) Granted, it's doubtful her amendment could muster 60 votes and overcome a filibuster, but if she narrowed its scope—say, by simply postponing EPA regulations for a year—then who knows?

Except now it's unclear what Murkowski's going to do. Yesterday, *The Washington Post* [revealed](#) that two industry lobbyists had helped her craft the beta version of her EPA amendment back in September (that one failed because automakers pointed out it would also scotch the new fuel-economy rules for vehicles). So Murkowski's staff is playing defense with the press and reportedly might hold off on any new amendments for now.

Then there are other complications: Even if Murkowski does move ahead, some industry types worry that Democrats could tack on their own "second-degree" amendments that actually boost the EPA's efforts. For instance, the agency is trying to tailor its greenhouse-gas rules so that they only apply to the largest polluters (if every small source of CO₂ was regulated, it'd be a

nightmare). Opponents of regulation are trying to fight this move in court—they *want* the nightmare scenario. But congressional Dems could just pass their own tailoring rule and put an end to the lawsuits. So there's a lot of scrambling, and this will be the first big climate-related story to watch when Congress comes back from recess.

ENERGY

Coming Back for Renewable Energy Thirds In Colorado (*Wonk Room*)

Our guest blogger is [Tom Kenworthy](#), a Senior Fellow at the Center for American Progress.

By [Guest Blogger](#) at 10:50 am

In 2004, Colorado became the first state to pass a renewable energy standard (RES) [by popular vote](#), a measure requiring large utilities to produce 10 percent of their electricity from renewable sources by 2015.

Three years later, after it became clear the RES goal of 10 percent was going to be achieved nearly eight years ahead of schedule, the state legislature doubled down with a new 20 percent mandate by 2020.

Now it looks like Xcel Energy, the state's largest utility, [will be able to meet the 20 percent five years ahead of schedule](#). So Gov. Bill Ritter (D) and legislative leaders are uping the ante once again, making a [30 percent RES by 2020](#) a priority for the legislative session that begins today.

If approved that would be one of the most ambitious renewable standards in the nation, and well in excess of the federal standard included in the energy and climate bill passed by the U.S. House last June that calls for a combined renewable energy and energy efficiency standard of 20 percent. Only California has a higher standard, 33 percent by 2020, according to the Department of Energy.

In announcing that the higher RES would be near the top of his legislative agenda, Ritter said he was committed to “maintaining Colorado as a national leader” on energy.

PESTICIDES

Eco Etiquette: How Can I Avoid Genetically Modified Foods? (*The Huffington Post*)

[Jennifer Grayson](#)

Founding Editor of The Red, White, and Green

Posted: January 13, 2010 11:12 AM

I'm on a kick to boycott all GMOs [genetically modified organisms] because I don't want to support environmentally toxic agricultural policies. But how do I know for sure that the food I'm buying doesn't somehow contain genetically modified ingredients?

-Mary

This week's headline-grabbing news that agriculture giant Monsanto's genetically modified corn was found to [cause organ failure in rats](#) is sure to send panicked shoppers into an anti-frankenfood frenzy. The good news is that this is precisely the kind of damning study (GM corn + animals = death) that will help bring to light the potentially catastrophic consequences of scientifically altered crops. The bad news is that even those who see that light will have a difficult time completely boycotting [genetically modified organisms](#), or GMOs as they've come to be known.

That's because GMOs aren't just limited to the foods we eat; they're also in the clothes we wear (cotton is one of the most prevalent GMO crops) and in the everyday household products we use. Those who buy giant jugs of distilled white vinegar to make [DIY eco-friendly cleaning products](#) might be interested to know that their vinegar may, in fact, be distilled from GMO corn. I say *may*, because if you live in the United States, there's no proof that the products you buy or the food you serve your children hasn't been genetically tampered with. While the EU, Japan, China, Korea, Australia, and New Zealand have labeling laws for GMO foods, there are no such requirements in the US, despite the fact that a [2008 CBS News poll](#) found that an overwhelming 87 percent of Americans would like GMO foods to be labeled.

As usual, lawmakers are light-years behind the American consumer. And with a [GM crop pioneer](#) now firmly planted in the Obama administration as director of the National Institute of Food and Agriculture, I'm not holding my breath for GMO crops to be restricted in the US anytime soon. Here's how you can take charge in the meantime:

Buy organic. Under USDA guidelines, organic foods must be produced without bioengineering. Keep in mind, however, that for multi-ingredient or processed organic foods (counterintuitive though that may sound), the label *organic* means only that the product is at least 95 percent organic. Translation: While the tomatoes in that "organic" spaghetti sauce may, indeed, be organic, the soybean oil it contains may be from GMO crops. Play it safe by looking for products that are labeled *100 percent organic*, and stick to unprocessed foods whenever possible.

If you can't afford to buy everything organic, at least make sure that the animal products you purchase -- meat, dairy, eggs -- are. With conventional beef, for instance, you can be pretty sure that mountains of [Roundup Ready](#) corn were fed to those cows. That conventional zucchini? Not as looming a threat, at least where GMOs are concerned.

Beware the SCCC. No, it's not some new government agency (though maybe it should be). That stands for soy, cotton, canola, and corn, which are among the most common GMO crops. The statistics are startling: 91 percent of soy, 87 percent of cotton, 75 percent of canola, and 73 percent of corn crops grown in the US are GMO, according to the USDA. So unless the label specifically says organic, you can pretty much bet that any food or product you buy that contains any of the big four have been genetically changed. We're not just talking tofu and tortilla chips, either: It's the sheets on your bed, those potato chips fried in cottonseed oil, and the aspartame in your Diet Coke (made using a fermentation process that involves soy and corn).

Avoid processed, packaged foods. Thanks to farming subsidies that have produced unimaginable surpluses of cheap (mostly GMO) corn, we now have dozens of corn-based ingredients served up to us in increasingly creative ways by the processed food industry. As Michael Pollan points out in *The Omnivore's Dilemma*, "Corn is in the coffee whitener and Cheez Whiz, the frozen yogurt and TV dinner, the canned fruit and ketchup and candies, the soups and snacks and cake mixes...there are some 45,000 items in the average American supermarket and more than a quarter of them now contain corn." Bottom line: If you're concerned about GMOs, [don't eat anything with an advertising budget](#).

Check out the [Non-GMO Shopping Guide](#). The site just launched last month, and offers more tips on how to avoid GMOs. The guide also includes lists of common name-brand foods that may contain them, as well as ones that are GMO-free.

Finally, the most important thing you can do, beyond voting with your dollars: Call your Congressperson to say that you want to see mandatory GMO labeling laws. If the jury is still out as to whether GMOs cause organ failure, then we shouldn't have to play this guessing game every time we go to the supermarket.

Send all your eco-inquiries to Jennifer Grayson at eco.etiquette@gmail.com. Questions may be edited for length and clarity.

Follow Jennifer Grayson on Twitter: www.twitter.com/jennigrayson

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Lisa Says, Let Alaska Melt (*The Wonk Room*)

Our guest bloggers are Daniel J. Weiss, a Senior Fellow and the Director of Climate Strategy at the Center for American Progress Action Fund, and Jaren Love.

Jan 13th, 2010 at 7:28 pm

Alaska Senator Lisa Murkowski (R) plans to offer [an amendment](#) that would block enforcement of the Clean Air Act. Her “Dirty Air Act” amendment would delay progress in reducing pollution. Meanwhile, global warming continues to plague Alaska, threatening its people, economy and even the oil industry. So why would Lisa Murkowski promote a Dirty Air Act that ignores her state? Big oil and other special interests have loaded her campaign coffers with cash and even helped with an earlier version of her proposal.

Her amendment would [block action required by the Clean Air Act](#) and mandated by the US Supreme Court [three years ago](#). Her spokesperson “acknowledged that the chances of actually stopping EPA global warming rules are minimal,” which suggests that her efforts are brazenly political, and designed to curry favor with big oil rather than address our energy needs.

Murkowski’s efforts to block pollution reductions conflicts with Alaska’s interests. Her state is on the front lines of global warming impacts in the United States. Over the past 100 years, [some parts of Alaska](#) have experienced temperature increases of up to 4°F, which is [more than twice](#) the rate of the rest of the United States. The U.S. Global Change Research Program [determined](#) that “climate change impacts are much more pronounced [in Alaska] than in other regions of the United States.”

Alaska’s warming threatens its people. A 2009 Government Accountability Office report determined that global warming has “[imminently threatened](#)” 31 Alaska villages because of coastal erosion, flooding and climate change. Twelve of [these villages](#) are already beginning a relocation process. In 2006, the U.S. Army Corps of Engineers [estimated](#) that relocating Shishmaref (a barrier island town of 600 residents on the state’s west coast) would cost \$200

million. The cost for relocating other villages would be similar, so it could cost up to \$2.4 billion to move all of these villages.

Climate change in Alaska could also harm the oil industry. Oil exploration and production are threatened by warmer temperatures that have shortened the winter season necessary for construction of ice roads essential for exploratory and drilling activities. The Alaska Department of Natural Resources found the ice road season [has dropped from 200 days](#) per year to 100 days per year over the last 30 years. The Global Change Research report found that “this results in a 50 percent reduction in days that oil and gas exploration and extraction equipment can be used.” Oil production has also [decreased in the summer](#) due to warmer temperatures, reducing compressor efficiency.

Global warming could further harm Alaska’s economy by damaging its infrastructure. Evidence shows that [roads, buildings, pipelines and power lines](#) built on top of permafrost may shift, warp or collapse from the thawing. These damages could add [\\$3.6 to \\$6.1 billion](#) (10-20%) to future costs of public infrastructure between now and 2030.

Despite the global warming threat to Alaska, Senator Murkowski launched efforts to weaken the Clean Air Act last September. She consulted big oil and other special interest lobbyists to advise her on this legislative assault. Jeffrey R. Holmstead and Roger R. Martella Jr [have clients](#) who would gain from a weaker Clean Air Act and status quo energy policies. The Anchorage Daily News [reported](#) that “Holmstead’s clients include the CSX railroad, Arch Coal, Duke Energy and Progress Energy...Martella’s clients include the National Alliance of Forest Owners and the Alliance of Food Associations.”

Senator Murkowski [attempted to diminish](#) the assistance provided by these lobbyists. The Washington Post, however, [reports](#) that both Holmstead and Martella briefed a number of staffers from other Senate offices on the draft Murkowski amendment.

“Holmstead and Martella dominated the opening of the meeting by describing how the revised amendment had answered the attacks lodged by some Democrats and environmental groups.”

Senator Murkowski’s staff [did not contradict](#) this report that big oil and coal lobbyists briefed other staffers on her amendment at a meeting convened by her office.

Why would Lisa Murkowski neglect threats to her state, and instead offer the Dirty Air Act favored by [big polluters](#)? It may be that big oil has been kind to her. Beginning with her first Senate race in 2004, she received [\\$365,813](#) from oil and gas interests. This election cycle, Murkowski is the [third largest recipient](#) of big oil campaign cash in the Senate. Now that big oil has [denounced](#) pollution reductions, Murkowski is listening.

Senator Murkowski [claims](#) that her Dirty Air Act is designed “to allow the legislative process to proceed. I’m hopeful that we’ll be able to have a vote that will allow for that discussion.” Yet she has done nothing in the 111th Congress to support pollution reductions. She [voted against](#) the American Recovery and Reinvestment Act that invests \$90 billion in clean energy jobs and research. Previously, she [voted against](#) bipartisan global warming legislation authored by

Senators John McCain (R-AZ) and Joe Lieberman (D-CT), and [skipped the vote](#) on a bill by Senators Barbara Boxer (D-CA), John Warner (R-VA), and Lieberman (I-CT).

Clean energy reform and global warming pollution reductions would spur new investments, create jobs, increase American energy independence and cut global warming pollution. It could help the Alaska oil and gas industry, and protect Alaska villages from erosion and floods linked to warmer temperature. Rather than attempt to weaken the Clean Air Act, Senator Murkowski should join Senators John Kerry (D-MA), [Lindsey Graham](#) (R-SC), and Joe Lieberman (I-CT) in their efforts to develop and pass comprehensive legislation that would achieve these goals.

Coming Back for Renewable Energy Thirds In Colorado (*Wonk Room*)

Our guest blogger is [Tom Kenworthy](#), a Senior Fellow at the Center for American Progress.

By [Guest Blogger](#) on Jan 13th, 2010 at 10:50 am

In 2004, Colorado became the first state to pass a renewable energy standard (RES) [by popular vote](#), a measure requiring large utilities to produce 10 percent of their electricity from renewable sources by 2015.

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If approved that would be one of the most ambitious renewable standards in the nation, and well in excess of the federal standard included in the energy and climate bill passed by the U.S. House last June that calls for a combined renewable energy and energy efficiency standard of 20 percent. Only California has a higher standard, 33 percent by 2020, according to the Department of Energy.

In announcing that the higher RES would be near the top of his legislative agenda, Ritter said he was committed to “maintaining Colorado as a national leader” on energy.

Just Don't Say The T-Word (*The New Republic*)

- *Bradford Plumer*
- January 13, 2010 | 3:04 pm

No matter what you might think about the merits of a carbon tax for reducing emissions, it's pretty widely accepted in Washington that the word "tax" has magical radioactive powers, and, for that reason alone, it's impossible to get a policy like that through Congress. (That partly explains the momentum behind cap-and-trade.) But is this true? Do people really have some incurable aversion to the word "tax"?

Seems like it. [Via](#) Julia Whitty, [here's](#) a new study from a trio of Columbia psychologists that tries to settle this question. Test subjects were broken up into two groups, and each group was allowed to pick between pricier and cheaper versions of various items like airline tickets. Group A was told that the more expensive items included the price of a "carbon tax," whose proceeds would go toward clean-energy development. Group B was told that the costlier items included the price of a "carbon offset," whose proceeds would go toward clean-energy development. Exact same policy, just different names for each.

You can guess what happened next. In the "offset" group, Democrats, Republicans, and independents all flocked toward the pricier item. They were perfectly happy to pay an extra surcharge to fund CO2 reduction—even Republicans gushed about the benefits of doing so. Not only that, but most of the group supported making the surcharge mandatory. In the "tax" group, however, Democrats were the only ones willing to pay for the costlier item. Republicans in this group were much more inclined to grumble about how much more expensive the tax made things. Labels really do matter.

Global Warming Insurance: Don't Buy It (*The Heritage Foundation*)

Author: [Nick Loris](#)

Posted January 13th, 2010 at 5:13pm in [Energy and Environment](#)

The reason insurance exists is because risk does too. For instance, with car insurance, an insurance company calculates the risk of a driver getting into an accident by considering a number of variables including age, location, type of vehicle, etc. Consumers buy insurance to protect against unexpected events that could jeopardize their financial well-being such as a serious car accident where someone needs serious medical attention.

Global warming also poses a risk. Climate change was sold in a way that the scientific consensus on global warming is so well established, it might as well be considered a law like gravity. And the insurance companies bought it. They bought that global warming will cause more frequent and severe hurricanes, floods, fires and earthquakes and since the risk of global warming is higher, the premiums ratepayers pay will also be higher. But as more evidence comes out against the consensus and in light of Climategate, insurance companies [are beginning to fight back](#):

A major trade group for the insurance industry is warning that it is “exceedingly risky” for companies to blindly accept scientific conclusions around climate change, given the “serious questions” around the extent to which humans cause atmospheric warming.

The assertion was made in a letter (pdf) to insurance regulators, who will administer the nation’s first mandatory climate requirements on corporations in May. Large insurers will have to answer about a dozen questions related to the preparations they are taking to safeguard themselves from climatic hazards.

The National Association of Mutual Insurance Companies believes that the new regulation leaves little room for companies to cast doubt on widely accepted assumptions about global warming. Insurers are hamstrung to provide answers that dovetail with the perception of key regulators who believe climate change threatens the industry’s financial strength, said Robert Detlefsen, the group’s vice president of policy.”

Joel Ario, a state insurance commissioner in Pennsylvania, [said](#), “The insurers are perhaps the one group that is more concerned about climate change than the environmentalists. If climate change does pose the risk that environmentalists say it does, then guess who’s going to bear that risk on their business? It will be the insurers.”

Even if climate change doesn’t pose the risk that the AI Gores of the world pose it to be, and there’s plenty of reasons for that to be the case, it’s already taking its toll on the insurance industry and the business landscape in general. Regulatory uncertainty on energy policy, among other things, is preventing businesses from making long term decisions, expanding growth and creating jobs.

What can increase risk for investors and businesses? Bill Beach, Director of the Center for Data Analysis at The Heritage Foundation [answers](#), “Many factors, of course, but public policy commonly looms largest. For example, tax increases, especially on capital, increase the cost of capital and lower investment returns. When investors are uncertain about whether taxes will increase or stay the same, they can still act as though taxes have risen if they judge the risk of an increase to be nearly equal to an actual increase. And rising uncertainty can have the effect of driving down investments in riskier undertakings.”

Nothing says tax increase like a national energy tax [imposed through a cap and trade](#) system or the Environmental Protection Agency’s [proposed global warming regulations](#). Even an energy bill that doesn’t include cap and trade but imposes a renewable portfolio standard that mandates a certain percentage of our electricity come from renewable sources as well as additional

subsidies and tax credits for renewable energy change the way businesses invest in energy and distort the market in a way that directs capital away from its most efficient use.

Even without passing energy legislation, the threat of doing so is having real consequences today and preventing our economy from recovering faster than it could be.

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**U. S. Environmental Protection Agency
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Prepared by the Office of Public Affairs

Friday, January 11, 2013



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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

\$541,000 in Stimulus Money Creates 1.62 Jobs and a Climate Scandal (*The Heritage Foundation*)

Posted January 14th, 2010 at 3:43pm in [Energy and Environment](#)

Penn State University professor Michael Mann, [creator of the infamous hockey stick curve](#) and one of the climate scientists under attack in Climategate, is not only warning people of catastrophic global warming, but he's using tax dollars to [stimulate the economy at the same time](#):

“Climategate scientist Michael Mann received a \$541,000 National Science Foundation grant under the stimulus bill passed by Congress in February. According to the government’s transparency website on stimulus spending, the grant has generated 1.62 jobs and is less than 50 percent complete (that’s \$334,000 per job).”

Increased skepticism is evolving into full-fledged investigation. Mann is currently under investigation by Penn State University. Our friends at The Commonwealth Foundation in Pennsylvania [have more on this](#).

Phil Jones, the head scientist at University of East Anglia’s Climate Research Unit (the organization where the leaked emails came from) [stepped](#) down. The evolution of Climategate occurred well before the \$541,000 grant took effect. But it does show how profoundly wasteful the stimulus spending has been as well as something P Diddy has been saying for years: It’s [all about the Benjamins](#):

“Consider the case of Phil Jones, the director of the CRU and the man at the heart of climategate. According to one of the documents hacked from his center, between 2000 and 2006 Mr. Jones was the recipient (or co-recipient) of some \$19 million worth of research grants, a sixfold increase over what he’d been awarded in the 1990s. Why did the money pour in so quickly? Because the climate alarm kept ringing so loudly: The louder the alarm, the greater the sums. And who better to ring it than people like Mr. Jones, one of its likeliest beneficiaries?”

And it doesn’t stop at global warming research, you can follow money when it comes to energy investments. [John Broder’s piece](#) in the *The New York Times* details how Al Gore’s financial profit is tied to his global warming alarmism and push for renewable energy. Gore’s venture capital firm invested in Silver Spring Networks, a company that makes hardware and software to improve efficiency in the nation’s electricity grid.

Are We Ready For The Rising Seas? (*The New Republic*)

Tom Laskawy January 14, 2010 | 12:04 pm

One aspect of climate change that's already affecting people in various parts of the world is the slow but steady rise in sea level (via [YaleE360](#)):

Pacific and Indian Ocean atoll nations are already being abandoned because of the direct and indirect effects of sea level rise, such as saltwater intrusion into groundwater. In the Marshall Islands, some crops are being grown in abandoned 55-gallon oil drums because the ground is now too salty for planting. New Zealand is accepting, on a gradual basis, all of the inhabitants of the Tuvalu atolls. Inhabitants of Carteret Atoll have all moved to Papua, New Guinea.

Orrin Pilkey and Rob Young, authors of the book [The Rising Sea](#) observe that mainstream climate-change reports like the IPCC's have vastly underestimated the amount of sea-level rise we're likely to see this century. That's because most climate models don't account for the contributions from the melting of two of Earth's largest ice sheets in Greenland and Antarctica. Newer estimates, say the authors, suggest we're likely to see at least a three-foot rise—and should prepare for up to seven feet. (Bear in mind that a seven-foot vertical rise in sea level would translate into thousands of square miles of coastal land inundated, as any land below that elevation will be underwater.)

It's not as if U.S. government entities are ignoring the problem entirely, though they too are underestimating it—Rhode Island, California and Florida have all put out reports

anticipating a three to five foot rise by 2100. The problem is that no one is bothering to change laws that would alter development practices:

Miami tops the list of most endangered cities in the world, as measured by the value of property that would be threatened by a three-foot rise. This would flood all of Miami Beach and leave downtown Miami sitting as an island of water, disconnected from the rest of Florida. Other threatened U.S. cities include New York/Newark, New Orleans, Boston, Washington, Philadelphia, Tampa-St Petersburg, and San Francisco... [M]ost coastal states continue to allow massive, irresponsible development of the low-lying coast. ...

Ironically, low-elevation Florida is probably the least prepared of all coastal states. Hundreds of miles of high rises line the state's shoreline, and more are built every year. The state pours subsidies into coastal development through state-run insurance and funding for coastal protection. If a portion of those funds were spent adapting to sea level rise rather than ignoring it, Florida might be ready to meet the challenge of the next century.

This doesn't include the impacts on the Gulf Coast and the Mississippi River Delta, which will be devastated as well. Pilkey and Young recommend that the United States put a ban on construction in areas subject to inundation by future sea-level rise, relocate critical but threatened infrastructure, end government support for post-disaster coastal redevelopment, and take responsibility for addressing sea-level rise away from the Army Corps of Engineers, which has a "we can fix it" methodology.

But it's hard to see Congress stepping up to this challenge, mostly because it would require acknowledgement from all parties that climate change is real and altering the planet in significant ways. This may prove even harder than addressing carbon emissions, since you can't justify a ban on coastal development as boosting "energy independence." The deniers and skeptics will no doubt claim that addressing sea-level rise is ludicrous. In all likelihood, the West Antarctic ice shelf may have to collapse (something that could happen [sooner than we think](#)), before state and federal governments do more than publish reports.

Reid: Senate has time for climate bill (*The Hill*) This also appeared: *TPM*

By Ben Geman - 01/14/10 05:51 PM ET

Majority Leader Harry Reid (D-Nev.) on Thursday said that there is room on the busy Senate calendar to bring up a sweeping energy and climate change bill this spring.

His comments – in a speech before a geothermal energy group in New York – come amid speculation that tackling controversial plans to impose limits on greenhouse gases may fall by the wayside.

“We have a lot on our plate. We have to finish reforming health insurance and Wall Street, and also must help bring Americans out of unemployment. But we are not so busy that we can’t find the time to address comprehensive energy and climate legislation,” Reid said, according to his prepared remarks.

“Senators Kerry, Graham and Lieberman have taken a lead in trying to craft a framework that would get more than 60 votes. We will need at least that many for two reasons: One, because any bill that seeks to rein in global warming pollution will be fought very hard by the same companies that profit most heavily from polluting. And two, because the rules of the Senate make it easy for a determined minority to stand in the way of all the good ideas you’re hearing at this forum,” he added.

Reid also spelled out his energy priorities, including a nationwide renewable electricity standard.

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Hot Seat (*The New Republic*)

The Democrats are doomed. What better time to tackle climate change?

The Editors January 16, 2010 | 12:00 am

Democrats in Congress have a lot to juggle in the year ahead. If they want to avoid a slaughter at the polls, they'll need to boost job growth. Not only that, but Wall Street remains poorly regulated, and key allies are growing impatient for labor-law and immigration reform. So it's hardly a shock to hear that some Dems would prefer to set aside tackling climate change--especially so soon after a grueling health care fight. "We need to deal with the phenomena of global warming," Indiana Senator Evan Bayh recently grouched, "but I think it's very difficult in the economic circumstances we have right now."

Difficult, but maybe less so than Bayh thinks. The House has already passed its own climate bill, complete with a cap on heat-trapping greenhouse gases, and, in the Senate, Democrats have begun to get some welcome support from the other side of the aisle. Susan Collins is co-sponsoring a cap-and-dividend bill, which would essentially tax carbon dioxide at the source and refund most of the proceeds to households, while a few Republicans (like Lisa Murkowski) had positive things to say about last month's Copenhagen accord, which put key developing countries on a path to curtailing their own emissions. Interestingly, one of the most forceful advocates for a Senate climate bill in recent weeks has been Republican Lindsey Graham. "All the cars and trucks and plants that have been in existence since the Industrial Revolution, spewing out carbon day-in and day-out, you'll never convince me that's a good thing for your children and the future of the planet," he told a crowd in South Carolina, the day after being censured by Charleston County's GOP for working with Democrats on the issue. "Whatever political pushback I get," he added, "I'm willing to accept, because I know what I'm trying to do

makes sense to me.” Lately, he’s been huddling with John Kerry and Joe Lieberman on a “tripartisan” bill to reduce emissions.

Some have argued that Congress would be crazy to take on an issue as divisive as climate change in an election year, but the Senate, with only one-third of its members up for reelection, is less susceptible to that calculus than the House. And election-year timidity may be more an invention of pundits than historical fact. After all, welfare reform passed in the summer of 1996, while the most recent Clean Air Act amendments—including a cap-and-trade system for sulfur dioxide—passed the Senate in 1990. Besides, most senators realize that, if they don’t act soon, the Environmental Protection Agency will start regulating carbon-dioxide emissions on its own, cutting Congress out of the process entirely.

Of course, the Senate should act to curb greenhouse gases not to avoid being trumped by the EPA, but to avert an ecological catastrophe that will affect the lives of millions. In the United States, as Bayh’s hesitation shows, much of the debate around climate policy has focused on whether we can shift to cleaner forms of energy without harming the economy in any way. Green groups have taken pains to cite stat-heavy reports from the Congressional Budget Office showing that a cap-and-trade system for carbon emissions would have a minimal impact on family budgets and little effect on economic growth. But there’s a large ethical aspect to climate change, too. Hundreds of millions of people in places like Bangladesh and sub-Saharan Africa are set to suffer from the storms, floods, and crop failures that a hotter planet will bring. And future generations of Americans will have to contend with unstable weather patterns, water shortages, and rising sea levels if we don’t get our emissions under control.

On both scientific and political grounds, time is of the essence. Every year we put off curbing emissions is another year more carbon accumulates in the air, deepening the risks of disaster and making eventual action more difficult. A delay could also shatter the fragile progress made on global emissions over the past few months--both China and India have pledged to rein in their carbon pollution, but they could easily backslide if we do. Worst of all, Democrats are likely to lose at least a few seats in November--and with them, their chances of overcoming a GOP filibuster--so this may be their last chance for some time to set limits on greenhouse gases.

Recently, some senators have talked about breaking up the House bill and passing only the most popular portions, such as the mandate for electric utilities to buy renewable power, or loans for green technology. But those items can’t substitute for a carbon-pricing regime, whether a cap or a tax, that will shift companies away from dirty energy. And splitting off the easy items now could make it more difficult to attract votes for emission limits down the road. The White House seems to recognize this and has so far committed to a major push on carbon-capping legislation in the spring. The bill that emerges won’t be perfect, but its timing may never get better.

Reid Sticks To Spring Climate-Bill Schedule (*The New Republic*)

Bradford Plumer January 15, 2010 | 11:46 am

Last week, I mentioned that it's too soon to start writing obits for the climate bill. A cap on greenhouse gases will face a lot of hard obstacles in the Senate, no question (especially if Republicans snag that Massachusetts seat), but energy and climate change still appears to be on the agenda for the spring. Here's Harry Reid, confirming that point in a speech to the Geothermal Energy Association this week:

As you know, the House has passed a comprehensive clean energy and climate bill that does many of these things. I support addressing each of these issues in the Senate's version, and I expect that to happen this spring.

We have a lot on our plate. We have to finish reforming health insurance and Wall Street, and also must help bring Americans out of unemployment. But we are not so busy that we can't find the time to address comprehensive energy and climate legislation.

Senators Kerry, Graham and Lieberman have taken a lead in trying to craft a framework that would get more than 60 votes. We will need at least that many for two reasons: One, because any bill that seeks to rein in global warming pollution will be fought very hard by the same companies that profit most heavily from polluting. And two, because the rules of the Senate make it easy for a determined minority to stand in the way of all the good ideas you're hearing at this forum.

You can read the full speech [here](#). Reid also said he was focused on defeating Lisa Murkowski's upcoming amendment to strip the EPA of its authority over greenhouse gases, calling it "misguided." (More on Murkowski's move [here](#).)

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Jan. 20, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

LPJ Interview in Rolling Stone

Meet Lisa Jackson, the most progressive EPA chief in history

Posted by: [stevesilberman](#) 6:30 pm Full post: <http://bit.ly/6QKUJd>

EPA's Greenversations

Green Government 2.0: Federal blogs on environmental issues

Posted by: [sustainablog](#) 4:30 pm Full post: <http://su.pr/2HycZY>

(Note: **EPA's Greenversations is the cream of the crop of federal-level blogs with an environmental focus.** It's frequently updated by a variety of authors from within the agency, hosts a couple of regular features ([Science Wednesday](#) and "[Pick 5 for the Environment](#)"), and provides a wide range of content: from policy discussions to educational suggestions to action tips. It also publishes occasional posts in Spanish.)

GHG Endangerment Finding And Regulations

RT New TV ad from Alaska groups criticizes Murkowski Dirty Air attack. Will she listen?

Posted by: [nwfpacific](#) 6:10 pm Full post: <http://bit.ly/5d2X5z>

WaPo to Congress: Work to end paralysis on clean energy & climate - not condemn gov't to inaction.

Posted by: [repoweramerica](#) 6:00 pm Full post: <http://j.mp/82xEzC>

New Foundry post: Cold Feet on Climate ... and the EPA

Posted by: [Heritage](#) 5:30 pm Full post: <http://bit.ly/8P1xWw>

Update: Murkowski leaning toward EPA climate resolution over amendment: I missed this earlier – Sen. Lisa Murkowski...

Posted by: [E2Wire](#) 4:45 pm Full post: <http://bit.ly/8lnmCp>

(Note: Murkowski probably won't offer an amendment to debt ceiling legislation to block EPA from regulating GHG. Instead – may introduce a formal “resolution of disapproval” under the rarely used Congressional Review Act that allows Congress to overturn agency rules.)

RT Business Groups Plot Legal Challenge to EPA Regs: The Senate could vote on Thursday on an amendment ..

Posted by: [motherjones](#) 4:10 pm Full post: <http://bit.ly/8rLiBK>

Live in the USA? Help stop two US Senators from blocking EPA action on climate change

Posted by: [350](#) 4:00 pm Full post: <http://bit.ly/7WEgda>

News Release - January 20, 2010: AFBF Supports Halt to EPA Regulation of Greenhouse Gases

Posted by: [FarmBureau](#) 3:35 pm Full post: <http://bit.ly/8Zefhu>

Murkowski EPA Amendment Expected Tomorrow

Posted by: [kate sheppard](#) 3:30 pm Full post: <http://bit.ly/7deOu6>

Don't let lisa Murkowski put our natural world in danger. Support the EPA

Posted by: [wildlifeaction](#) 3:20 pm Full post: <http://bit.ly/4rfX5o>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE.GLOBAL WARMING

Did Scott Brown Kill Off Any Hope Of Tackling Climate Change? (*The New Republic*)

Bradford Plumer January 20, 2010 | 1:18 pm

After Scott Brown's win in Massachusetts, everyone's been pondering the fate of health care reform. But to gaze even further ahead, where does this leave climate and energy legislation? Is that just going to get scrapped? Or could it still survive in some form?

The optimistic take comes from Harry Reid, who [told](#) the Senate earlier this morning that he still plans to push the issue: "We will tackle our daunting energy and climate challenges, and by doing so will strengthen our national security, our environment and our economy." Republican Lindsey Graham, who's helping craft Senate legislation, [also sounds](#) undeterred: "If people think that [Brown] got elected and the message to us was 'don't do anything on pollution or energy independence,' that's absurd."

But obviously it won't be simple. Brown's victory means Democrats are down yet another vote for any bill that curtails carbon-dioxide emissions. (Back when he was a state legislator, Brown voted for cap-and-trade, but he's [long since reversed himself](#), and who knows if he'll actually tack leftward yet again to keep his seat.) Granted, a Senate climate bill was always going to require a handful of Republican votes, so the fact that Democrats no longer have a supermajority isn't, on its own, a fatal blow. But there's also the fact that a lot of swing senators like Evan Bayh are crawling into the fetal position right now and don't seem inclined to take up *any* major legislation.

So we'll see. Now, for those curious, there are a few alternatives to a major climate bill, though they may not be nearly as effective. Some Senate Dems [have been talking](#) about doing an energy-only bill this year. They'd nix the cap on greenhouse gases and just pass less-contentious items, like renewable-power standards, or energy-efficiency rules, or

loans for green tech. As various policy wonks [have pointed out](#) none of these measures can substitute for a price on carbon, at least not if you want to make a serious dent in emissions. But they *could* potentially garner bipartisan support, especially if subsidies for nuclear power were tossed in. (On the other hand, dispensing all the goodies now makes it harder to attract votes for emission limits later.)

There's also the EPA, which still has the authority under the Clean Air Act to regulate greenhouse gases. See [here](#) for a primer on what that would entail—it's a little clunky, but not a bad failsafe. Except that, as Dave Roberts [explains](#), conservatives will likely try all sorts of tactics to strip the agency of this authority. Lisa Murkowski is leading the charge on this, and she has support from at least two Democrats: [Jim Webb](#) and [Mary Landrieu](#). So environmental groups suddenly need to pivot from passing major legislation to playing defense on the Clean Air Act. But if they can do that, then the Obama administration technically has another option.

Cold Feet on Climate ... and the EPA (*The Heritage Foundation*)

Posted January 20th, 2010 at 5:03pm in [Energy and Environment](#)

Yesterday, as if he knew the results of the Massachusetts Senate race, retiring Senator Byron Dorgan (D-ND) [ruled out the possibility](#) of the Senate considering a cap-and-trade bill. The reluctance of the Senate to take up a comprehensive global warming bill coincides with increasing public skepticism. Despite these obvious warning signs that global warming policies are quickly becoming a third rail in American politics, intelligent insiders [suggest](#) the President will continue to emphasize cap-and-trade and its job creation ability in his State of the Union Address next week.

Of course, readers of the Foundry know that cap-and-trade does not create jobs – it destroys them. [Heritage found](#) that the House-passed cap-and-trade bill would result net job losses approaching 1.9 million in 2012 and 2.5 million by 2035.

Why then is the President pushing an unpopular policy that doesn't help the economy? Conventional wisdom suggests the threat of regulatory action will spur lawmakers to pass a cap-and-trade program of their own. That argument has failed to persuade even a majority of Senators to act.

Now, the Senate is poised to begin a frontal assault on the Administration's failing strategy. Senator Lisa Murkowski (R-AK) plans to introduce a Resolution of Disapproval, which is one of the only ways for elected officials to block regulations enacted by our unelected bureaucracy. The effort is widely considered a long shot because it must be passed by both chambers and signed by the President.

However, it would be dangerous to dismiss the effort as Senators take notice of a changing public mood and the continued economic malaise. It is clear that cap-and-trade is a non-starter in the Senate. The question becomes why is repealing a regulation that costs job, increases the cost of energy and [hurts small businesses](#) a non-starter? In short, it may not be.

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Jan. 22, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

RT The Eco-Warrior: The Most Progressive EPA Chief in History:

Posted by: [the daily green](#) 5:20 pm Full post: <http://digg.com/d31GS5N?t>

The Eco-Warrior : the most progressive EPA chief in history (WOOT!)

Posted by: [greenandhealthy](#) 3:30 pm Full post: <http://ow.ly/ZpiH>

The Eco-Warrior: President Obama has appointed the most progressive EPA chief in history - Rolling Stone

Posted by: [smfootprintfam](#): 3:20 pm Full post: <http://digg.com/d31GS5N?t>

(Note: Eco-Friendly Family Living - Children's Health, Whole Food and Nutrition, Saving Money and the Planet)

GHG Endangerment Finding And Regulations

We Can Lead Launches New TV Ad

Posted by: [cuddlendance](#) 6:50 pm Full post: <http://cli.gs/neRyaS>

(network of over 150 companies and top business leaders from 30 states, launches the second in a series of a \$1 million television advertising campaign. This ad features American business leaders who support job creation through passage of energy and climate legislation.)

UN climate change expert: there could be more errors in report - Times Online:

Posted by: <http://www.timesonline.co.uk> 6:50 pm Full post: <http://bit.ly/7KAYS5>

Climate change skeptics : Last Decade Was The Warmest Ever

Posted by: [TraderBonnie](#): 6:35 pm Full post: <http://bit.ly/8rGtiC>

Weather Channel founder continues attack on climate change theory. Watch the videos:

Posted by: [ClimateExaminer](#) 6:30 pm Full post: <http://bit.ly/7aIoZO>

(Note: John Coleman is one of the most vocal skeptics of human-caused warming climate. Coleman has [said global warming was “the greatest scam in history.”](#) Last week he took to the airwaves of his station in an hour long special titled “Global Warming: The Other Side.”

Sundance film puts human face on climate change (AFP)

Posted by: [eBayItems](#) 6:20 pm Full post: <http://bit.ly/7Fhm0B>

(Note: Michael Nash's film -- "Climate Refugees" looks at millions of humans displaced by disasters arising from incremental and rapid ecological changes to the environment and more frequent extreme weather events such as hurricanes, cyclones, etc.)

Poll results: The People Want a Climate Bill

Posted by: [EnvDefenseFund](#) 3:40 pm Full post: <http://bit.ly/5jmrsI>

(Note: Poll by Lutz: A majority of Americans believe climate change is occurring and is caused at least in part by humans. Only 18 percent do not believe climate change is real. 57 percent agreed with the statement: It doesn't matter if there is or isn't climate change. It is still in America's best interest to develop new clean, reliable sources of energy. National security is the main reason that people support cap and trade to help liberate us from this oil addiction.)

CLIMATE: White House affirms commitment to comprehensive bill- A senior White House adviser rallied to the defense ...

Posted by: [MikeIngels](#): 4:40 pm Full post: <http://bit.ly/6AgrcQ>

("There continues to be very strong support among a range of legislators for comprehensive climate legislation that includes cap and trade," said Gary Guzy, the deputy director of President Obama's Council on Environmental Quality.)

ROUND-UP OF MAJOR BLOGS

AIR

Climate Outlaw Lisa Murkowski Defends Her Dirty Air Act (*Wonk Room*)

By [Brad Johnson](#) on Jan 22nd, 2010 at 5:06 pm

Speaking on the Senate floor, Sen. Lisa Murkowski (R-AK) defended the “Dirty Air Act,” her attempt to overturn the EPA’s greenhouse gas endangerment finding. Murkowski introduced her resolution to overturn the Supreme Court-mandated decision yesterday, with three Democratic and thirty-five Republican co-sponsors. Climate activists have dubbed Senate Joint Resolution 26 the “[Dirty Air Act](#)” for its unprecedented attempt to roll back the Clean Air Act. “A vote for the Murkowski resolution, the Center for Biological Diversity’s Kierán Suckling said, “[is a vote to gut the Clean Air Act](#) and do nothing about global warming.” Murkowski called this label “wildly inaccurate”:

I’d also like to address a rather creative claim that has been made that somehow I’m trying to gut the Clean Air Act or subvert it into a “Dirty Air Act.” I have to admit that when I first saw this **it actually made me laugh because it is so wildly inaccurate. Neither my previous amendment nor this resolution would have any affect on pollution standards and controls.** Neither would change a single word of the current statute. My resolution would simply prevent the massive, unwarranted expansion of this statute by **halting EPA’s efforts to use it to regulate greenhouse gas emissions**, a purpose for which it was never intended and a role that it simply cannot fulfill without serious and detrimental consequences.

Murkowski’s claim that her resolution would not “have any affect on pollution standards and controls” is false.

Murkowski’s previous amendment to [block regulation](#) of stationary-source pollution, which she [first proposed last September](#), was [written by polluter lobbyists](#) who used to be [top officials in the Bush Environmental Protection Agency](#), where they blocked the scientific finding that global warming pollution threatens the health and welfare of the American people. Her new resolution is even more radical, attempting to overturn the entire endangerment finding that greenhouse gases threaten the public health and welfare. As Sen. Murkowski herself admitted: “In April 2007, the Supreme Court declared, in the case of Massachusetts v. EPA, that [carbon dioxide is a pollutant](#) that can be regulated under the Clean Air Act.”

Murkowski’s official policy is that “[climate change is a real threat](#) that must be addressed”:

Our climate is changing, and the impacts are real. Villages in my home state of Alaska are literally falling into the sea because of climate-related erosion. To me, **climate change is not just an abstract threat**, looming on the horizon – it’s something that’s already here. The question is not whether we should reduce emissions, but how we should reduce them. [\[9/23/09\]](#)

The confluence of high oil prices this past summer and a desire to **reduce harmful greenhouse gas emissions** has certainly and justifiably promoted the interest in and development of renewable and alternative forms of energy – from more mature technologies like wind and solar to greater awareness of the potential for geothermal, biomass, and ocean and tidal energy – along with greater energy efficiency and conservation measures. [\[6/2/09\]](#)

The **very existence of the Alaska Native way of life is threatened by the impacts of recent climate changes**. [\[2009\]](#)

Murkowski — who has admitted that greenhouse gas emissions are “harmful” and a “real threat” — is now trying to do the dirty work for her pollution industry contributors, now that George W. Bush’s polluter lackeys are no longer in control of the White House.

CLIMATE CHANGE/GLOBAL WARMING

Climate Talks Still Chugging Along In The Senate, But Are They Leading Anywhere? (The New Republic)

- *Bradford Plumer*
- January 24, 2010 | 4:24 pm

From chatting with people on the Hill these past few days, it's clear that there's a lot of pessimism about the Senate passing a big climate bill this year. (And if nothing passes in 2010, next year won't be any easier, given that Democrats will likely lose a bunch of seats in the midterms.) The dour predictions aren't surprising, given that even health care reform is in peril right now. But it's interesting to note that, via Juliet Eilperin, the Kerry-Graham-Lieberman trifecta [is still working hard](#) to cobble together some sort of climate compromise:

The three lawmakers met with White House chief of staff Rahm Emanuel Thursday afternoon for "a strategy session and to discuss the president's remarks at the State of the Union," in the words of one Senate aide familiar with the meeting. Graham also delivered his assessment of where members of the GOP stood on the prospect of a bill. ...

The troika met this week with officials from the U.S. Chamber of Commerce, one of the most outspoken opponents to the House-passed climate bill. Folks from the Chamber refused to comment.

And the three senators agreed to set aside four hours a week--which could translate into as many as eight separate meetings--to meet as a group with central players in the climate debate, and to recruit new Senate supporters. Next week the three will meet with Environmental Protection Agency administrator Lisa P. Jackson, and Sen. Susan Collins (R-Maine), the author of a competing climate bill.

The big question, of course, is what sort of legislation will emerge from these sessions. Early on, the expectation was that the Kerry-Graham-Lieberman bill would feature an economywide cap-and-trade system for greenhouse gases, plus extra support for offshore drilling and nuclear power to snag GOP votes. Lindsey Graham is still trying to sell his party on this framework, recently [telling](#) Republicans, "You're not going to get the nuclear power provisions you want unless you do something on emission controls."

Lately, though, other approaches have crept into the conversation. The "cap-and-dividend" idea championed by Susan Collins (R-ME) and Maria Cantwell (D-WA) seems to be garnering some interest. (Under this proposal, carbon would essentially be taxed at the source—at the mine or the well—and most of the proceeds would be refunded directly to households. See [this analysis](#) for pros and cons.) Alaska Republican Lisa Murkowski says she hasn't ruled out co-sponsoring the Cantwell-Collins bill. And Graham [recently said](#) he expects a Senate compromise to involve a "hybrid" of cap-and-trade and cap-and-dividend.

Then there are less-ambitious approaches that have support from various factions. Richard Lugar (R-IN) [has been mulling](#) an option that would just cap emissions from electric utilities, which produce about 40 percent of the country's carbon pollution. There's also the lurking possibility of an "energy-only" bill that would include things like renewable-power mandates, efficiency

standards, and money for transmission lines, but no price on carbon. Neither of these approaches would make nearly as big a dent on emissions as an economywide cap, but a lot depends on what can get 60 votes. And, finally, the EPA is still crafting [its own regulations](#) on greenhouse gases, provided they're not blocked by Congress.

So, for now, climate/energy isn't dead as an issue, but it's still very uncertain what the actual policies will look like.

National Security and Global Warming: Never Mind (*The Heritage Foundation*)

Posted January 24th, 2010 at 4:20pm in [Energy and Environment](#)

One of the loudest drumbeats in support of “Cap and Trade” legislation has been if the United States doesn’t tackle climate change with legislation we’ll face a national security catastrophe. Nations will collapse, waves of refugees will sweep the world, and states will war on other states over scarce resources.

The poster child for the national security nightmare argument was melting glaciers in India that would lead to dramatic shortages of fresh water and water wars between nuclear-armed states. Now comes a report from India —never mind. [Apparently the claim from a UN climate panel turns out to be bogus.](#)

I hate to say, “I told you so,” but I did. “While it might feel intuitively appropriate to directly connect the dots between the changing global environment and the human response to global warming,” I testified before a Congressional panel last October that would be a big mistake. We don’t know enough about how human societies or climate work to bet the farm on one big government bill.

In fact, the real national security threat is the “Cap and Trade” bill. You cannot protect the nation without a strong economy. [“Cap and Trade” is an economy killer.](#)

I told Congress, “[w]hile the long-term impacts of climate change on national security can be debated, the short-term impact of legislation to curb emissions is more readily apparent. A study by The Heritage Foundation’s Center for Data Analysis on a similar companion bill proposed in the House finds that the law would make the United States about \$9.4 trillion poorer by 2035. Much of this decline would be from reduced economic productivity and job loss. In particular, under the House legislation there would be 1.15 million fewer jobs on average than without a cap-and-trade bill.”

The Real Holes In Climate Science (*The New Republic*)

- *Bradford Plumer*
- January 23, 2010 | 3:09 pm

In the current issue of *Nature*, Quirin Schiermeier has a [great rundown](#) of some of the liveliest debates within climate science right now. No, none of them involve the question of whether humans are warming the planet—that's very well settled. But there *are* still some major gaps in understanding, and important areas where there's not any consensus at all.

Climate models, for instance, have plenty of blind spots in trying to predict how rising temperatures will impact small areas of the globe—the models aren't very fine-grained, which makes it hard for some countries to know exactly what to prepare for. The same goes for precipitation; everyone agrees that subtropical regions will get drier and higher latitudes will get wetter, but not a whole lot beyond that. The effects of aerosol pollution also still need a lot of study. And, yes, there are still disputes about tree-ring data. It's definitely worth reading for anyone bored by the pseudo-debate over whether global warming's a hoax or not and wants to get a better sense of the actual areas of contention.

Ben Nelson Joins The Global Warming Denial Caucus (*Wonk Room*)

By [Brad Johnson](#) on Jan 22nd, 2010 at 3:11 pm

Sen. Ben Nelson (D-NE) is the third Democrat to co-sponsor a resolution to overturn the scientific finding that greenhouse gases endanger the American public. Yesterday, Nelson joined Sen. Mary Landrieu (D-LA) and Sen. Blanche Lincoln (D-AR) in supporting Sen. Lisa Murkowski's (R-AK) lobbyist-designed resolution, Senate Joint Resolution 26, dubbed the "[Dirty Air Act](#)" by climate activists. Nelson justified his move to [protect polluters](#) from scientific reality by complaining that senators "[don't need EPA](#) looking over Congress' shoulder telling us we're not moving fast enough":

Controlling the levels of carbon emissions is the job of Congress. **We don't need EPA looking over Congress' shoulder telling us we're not moving fast enough.** I am very concerned about the impact on Nebraska if EPA moves to regulate carbon emissions. Many Nebraska agricultural, industrial and energy-related businesses and organizations have warned about the costs they

would have to shoulder from EPA regulations. Because EPA regulations would be a government-directed command-and-control regime, they would raise the price of energy in Nebraska, add greatly to administrative costs, and create new layers of bureaucracy. The burden would fall squarely on Nebraska families, farmers and businesses.

Scientists have been warning Washington D.C. about the dangers of greenhouse gases for over three decades now. Their work was suppressed by George W. Bush and Dick Cheney for eight years. Now it appears Ben Nelson and his ilk are stepping in to take their place.

In reality, nearly all of the pollution sites that would fall under greenhouse gas rules are already subject to Clean Air Act permits for other pollutants, such as mercury, sulfur dioxide, and soot. As the last 40 years of success for the Clean Air Act have proven, its enforcement cleans the air, improves the public's health, and strengthens our economy by rewarding efficiency and innovation instead of pollution.

Meanwhile, the costs of climate damages rise for Nelson's state, falling squarely on Nebraska families, farmers, and businesses. Nearly all of Nebraska has been [declared a disaster area](#) because of drought, severe storms, tornadoes, and flooding.

Nelson further claimed that he believes "carbon emissions should be reduced":

Carbon emissions should be reduced, but not through costly and complicated EPA regulations or a disadvantageous cap and trade proposal in Congress. They should be reduced through a comprehensive energy bill that promotes efficiencies and renewable energy through innovation and new technology that will help our state's economy as we clean up the air.

Nelson has never supported a bill or policy that would achieve those goals. He [opposed Lieberman-Warner](#) in 2008, [voted against](#) McCain-Lieberman in 2005, and [skipped the vote](#) on McCain-Lieberman in 2003.

Nelson seemingly prefers to listen to his [polluter donors](#) than to scientific fact. In 2009 alone, Nelson received \$553,300 from agribusiness, \$164,200 from oil and gas interests, and \$140,199 from electric utilities. Nelson has even taken \$31,500 from the [virulently right-wing Koch Industries](#), the private pollution giant that has mobilized tea party opposition to climate and health care legislation. Berkshire Hathaway, whose subsidiary MidAmerican Energy is one of the nation's largest coal-powered utilities, opposes climate legislation and has given Nelson \$51,800. Coal-hauling Union Pacific is Nelson's number-three contributor at \$49,750.

BEN NELSON'S DIRTY MONEY			
Polluters		Wall Street	
Agribusiness	\$553,300	Insurance	\$644,586
Oil & Gas	\$164,200	Securities	\$277,899
Electric Utilities	\$140,199	Real Estate	\$224,146
Railroads	\$102,150	Banks	\$196,429
TOTAL	\$959,849		\$1,343,060

2010 cycle, Center for Responsive Politics, compiled by Center for American Progress Action Fund.

More Global Warming Gaffes (*The Heritage Foundation*)

Posted January 22nd, 2010 at 5:43pm in [Energy and Environment](#)

First, hackers leaked e-mails and other documents from some of the world's leading climate scientists detailing how they refused to share data, plotted to keep dissenting scientists from getting published in leading journals and discarded original data.

Next, United Nations Intergovernmental Panel on Climate Change (IPCC) admitted the Himalayan glaciers won't disappear by 2035 and that claim was based on speculation. Now, [according to the UK's Times Online](#), head of the IPCC Dr Rajendra Pachauri, "admitted that there may have been other errors in the same section of the report, and said that he was considering whether to take action against those responsible."

Andrew Revkin of the *New York Times* [has more](#) (bold added):

"The sections on the risks of extinction from warming in the report and the panel's summaries are, at the very least, confusing.

In the Summary for Policy Makers of the report on climate impacts, there are different summations of extinction risk within a few pages. On page 6, the summary states: **Approximately 20 to 30 percent of plant and animal species assessed so far are likely to be at increased risk of extinction if increases in global average temperature exceed 1.5 to 2.5°C. * N [4.4, T4.1]**

In a chart on page 16, at a point marking a 2°C warming from the global average temperature through the 1980s and 1990s, a label reads: **Up to 30 percent of species at increasing risk of extinction.**

In the Summary for Policy Makers of the final Synthesis Report drawing on the entire 2007 assessment, the extinction risk is summarized in yet another way (the italics are from the report): **There is medium confidence that approximately 20 to 30 percent of species assessed so far are likely to be at increased risk of extinction if increases in global average warming exceed 1.5 to 2.5°C (relative to 1980 to 1999).**

I asked a half dozen I.P.C.C. scientists about this during a side session at the Copenhagen climate talks and, in particular, asked them to decipher for me the meaning of the nested qualifiers in that final statement. Among other things, how much would extinction risk rise? Basically, they acknowledged there was inconsistency and flawed writing.”

Remember, this is the report that won the IPCC the Nobel Prize in 2007 with Al Gore and the same report the [EPA heavily relied](#) on to suggest there was a scientific consensus on global warming. The EPA used this to make its endangerment finding that says greenhouse gases are dangerous pollutants and thus must be regulated. This report could have large implications for our economy. And it’s turning out that it has more errors than Bill Buckner.

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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January 26, 2010**

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Jan. 25, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

Many issues w/ what Obama has or hasn't done this yr, but one thing is for sure.
Appointing Lisa Jackson = SEA CHANGE in the EPA culture.

Posted by: [ccordero26](#) 3:32 pm Full post:

RT [@neefusa](#): EPA Admin. Lisa Jackson on the road to hear citizen concerns on "Environmental Justice Tour"

Posted by: [ConnectxNature](#) 2:30 pm Full post: <http://ow.ly/10dYX>

New Nitrogen Dioxide Standard

API blasts new air standard: The US Environmental Protection Agency said today it has set a new air quality st...

Posted by: [UpstreamOnline](#) 7:00 pm Full post: <http://bit.ly/67r0bb>

(Note: American Petroleum Institute)

EPA Tightens NO2 Smog Standard: U.S. EPA today strengthened the federal public health standard for nitrogen dioxi...

Posted by: [CleanLantern](#): 5:32 pm Full post: <http://bit.ly/6lvvFh>

(Note: Clean Lantern: "Beacon for Ideas That Can Save the Planet" 5,000 followers)

Scientific American: EPA Tightens NO2 Smog Standard: U.S. EPA today strengthened the federal public health standar...

Posted by: [scienceRSS](#): 5:30 pm Full post: <http://bit.ly/4vrD7m>

EPA Sets Stricter Air-Quality Standards Near Roads - Wall Street Journal:

Posted by: [scienapse](#) 5:17 pm Full post: <http://bit.ly/91xZFn>

EPA strengthens N02 air quality standard

Posted by: [Doubleclutchca](#) 5:10 pm Full post: <http://bit.ly/4NPuZL>

EPA strengthens N02 air quality standard

Posted by: [carspydispatch](#): 4:22 pm Full post: <http://ow.ly/16q1Ks>

EPA focus on freeway pollution could mean more air monitors for Portland: The toxic pollutant is emitted by vehicl...

Posted by: [PortlandORrss](#): 4:10 pm Full post: <http://bit.ly/5SJMNC>

EPA Raises Nitrogen Dioxide Air Quality Standard; First Change to It in 35 Years: (via [@edmunds](#))

Posted by: [GreenKeyFleet](#) 3:10 pm Full post: <http://bit.ly/4TTYHM>

GHG Endangerment Finding And Regulations

Seattle Times: "Muzzle Lisa Mukowski, let the EPA do its job"

Posted by: [RepowerAmerica](#) 6:10 pm Full post: <http://j.mp/8zMxzg>

Global Warming Deniers Ask Court To Help Their Cause: The EPA Clean Air Act endangerment finding, under attack in ...

Posted by: [zaranithin](#): 5:10 pm Full post: <http://bit.ly/5X9h1b>

(Note: Bangalore, India)

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

States Step Up to Defend Endangerment Finding (*TreeHugger*)

by Daniel Kessler on 01.25.10

Last year, the EPA issued a long awaited set of guidelines on regulating large, stationary sources of CO₂. The rules, known as the "Endangerment Finding," used the authority granted to the agency through a Supreme Court ruling that found CO₂ to be a pollutant that the EPA could regulate. While environmentalists, especially those skeptical of Congress' ability to regulate CO₂, rejoiced, some industry groups protested, filing a lawsuit. Today, 16 states and New York City joined the lawsuit on behalf of the government.

Coal and mining companies Massey Energy Co., National Beef Cattlemen's Association and Alpha Natural Resources Inc. are behind the lawsuit. Fighting them, citing the threat of climate change and the need for action, are Arizona, California, Connecticut, Delaware, Illinois, Iowa, Maine, Maryland, Massachusetts, New Hampshire, New Mexico, New York, Oregon, Rhode Island, Vermont and Washington.

Most of these same states were part of the *Massachusetts vs. EPA* case that resulted in the EPA's new authority. The Court said that the Clean Air Act should extend to greenhouse gases, but Sens. Lisa Murkowski of Alaska and Blanch Lincoln of Arkansas are pushing for an amendment to debt legislation that would take away EPA's rights to regulate.

Both Murkowski and Lincoln have been linked to oil and gas lobbyists who have donated generously to each Senator's political campaigns.

According to Greenwire, green groups want to intervene in the case.

The Natural Resources Defense Council, Environmental Defense Fund, Sierra Club and the National Wildlife Federation filed a motion last week to intervene. The New England-based Conservation Law Foundation filed a separate motion.

Joe Mendelson, global warming policy director for the National Wildlife Federation, called the industry groups' challenge a desperate attempt from big polluters to overthrow the science of climate change. "Given that the agency went through an exhaustive review of the science, given what we know about the peer-reviewed science, it seems to be a last-ditch effort by polluters who want to deny that we have a problem," he said.

If the EPA is stripped of its ability to regulate GHGs and Congress fails to act on limiting emissions, the US federal government will have almost no ability to regulate heavy emitters of CO2 and other greenhouse gases.

MINING

Old Senator, New Tricks (*The New Republic*)

What's behind Robert Byrd's surprising smackdown of Big Coal?

- *Jesse Zwick*
-
- January 25, 2010 | 12:00 am

As a rule, politicians in West Virginia don't care for environmentalists. This is, after all, a state that supplies 50 percent of U.S. coal exports, a state where the mining industry is responsible for roughly 30,000 jobs—a state that essentially depends on pollution for its survival. And West Virginia's most prominent coal champion has long been Robert Byrd, who once slammed green critics of mining as "head-in-the-cloud individuals" out to destroy jobs and impoverish the region. In 2008, Byrd was the lone Senate Democrat to vote against even starting debate on a bill to curb carbon-dioxide emissions.

So just about everyone was shocked when, last month, Byrd did an about-face and wrote an [op-ed](#) that criticized modern-day mining practices and accused the coal industry of "having its head in the sand" on climate change. Local pols were sure there must have been some mistake. The state's governor, Joe Manchin, chalked the whole thing up to a "misunderstanding." The local Chamber of Commerce president generously offered to "forgive" Byrd if he'd walk back his comments.

But it wasn't a misunderstanding, and Byrd isn't walking anything back. After 50 years in the Senate, the 92-year-old statesman seems to be revising his views on both coal and global warming. And not because he's suddenly channeling his inner tree-hugger. Rather, Byrd is finding it increasingly difficult to argue that the interests of coal companies and the interests of his state are one and the same.

Last May, a series of floods ripped through the southern coalfield counties of West Virginia, damaging some 3,000 buildings and requiring more than \$60 million in government assistance. Politicians and industry reps were quick to call the disaster an act of God, but Byrd wasn't convinced. For the past few years, environmental groups had been quietly lobbying the senator's office about the destructive effects of mountaintop-removal mining—a widespread process across Appalachia, in which miners use explosives to rip off the tops of hills and mountains in order to get at the coal seams underneath. Not only does this form of mining destroy streams and pollute drinking water in the surrounding areas, but a [host of studies](#) have pointed out that the resulting degradation of forests and topsoil has left the region more vulnerable to severe flooding. When local citizens pled their case that month, Byrd surprised many by agreeing to take a look.

Although Byrd himself was still recovering from a staph infection that kept him in the hospital, he sent several members of his staff to visit the affected areas. They toured the countryside, where locals pointed out roads that had been washed out and homes literally swept away. "The vast amount of damage is not something you can see from a TV camera," observed Howard Branham, a resident of Mingo County who volunteered as a tour guide for Byrd's staff. "I think what they saw was the true extent of the damage."

By the fall of 2009, the prospect of greater federal oversight over mountaintop mining made it likely that the industry would have to start at least mitigating the damage from mountaintop mining. But when the EPA announced that it would delay 79 mining permits in the region for further inspection, coal companies decided instead to go on the attack. Don Blankenship, the CEO of the state's biggest coal producer, Massey Energy, teamed up with the state Chamber of Commerce and other trade groups to hold a Labor Day rally. The theme? How "environmental extremists and corporate America are both trying to destroy your jobs." Blankenship spent more than \$1 million on the event, which took place on a flattened mountain and featured conservatives like Sean Hannity and Ted Nugent.

Blankenship's stunt created a backlash from some key quarters of the state. Massey is a notoriously anti-union firm, and the fact that the rally was being held on Labor Day didn't sit well with many in the United Mine Workers Association (UMWA), still a major political force in the state. Many of West Virginia's union members are already uncomfortable with mountaintop-removal mining, which is less labor-intensive than traditional methods and has led to a steep decline in the size of West Virginia's coal workforce—from 62,500 in 1979 to about 22,000 today. "I don't even like to compare what they're doing to what we're doing," says retired miner and UMWA member Terry Steele. Moreover, the event only underscored the fact that Blankenship has long tried to frame coal as a partisan issue. In a state where registered Democrats still outnumber Republicans by a wide margin, he's devoted more than \$6 million to helping the GOP take over.

As Massey and other coal companies have become increasingly obstreperous, Byrd has begun to notice. At a public hearing on mountaintop-removal mining last October, members of the front group Friends of Coal packed the meeting and shouted down West Virginians trying to lodge their complaints. (Many of the citizens in attendance were convinced that employers had encouraged or paid their miners to show up and disrupt the proceedings. "I've been in unions, I know how the companies fight, and these guys were being stoked," says retired miner Joe Stanley, who was at the meeting.) A Byrd staff member was in attendance, and it appears that the industry's tactics grated. "I think those meetings did play a role [in Byrd's shift]," says one former mining official and close observer of state politics. "Everybody watched the debate and saw the vile nature of it." And the gap between the coal industry and Byrd only widened in November, when the West Virginia Chamber of Commerce called on the state's representatives in Congress to try to block health care reform until the EPA "backs down on its campaign against coal." In his December statement, Byrd called the demand "foolish" and "morally indefensible."

There's also the climate question. Byrd's not about to become an environmentalist; even in his op-ed, he insisted that coal was here to stay. But he seems to recognize that the realities of global warming will force the country to rethink how it uses coal sooner or later and that the state's companies aren't playing a constructive role. (Blankenship, for instance, has criticized coal-heavy utilities in other states, like Duke Energy, for working with Congress on climate issues.) Byrd's longtime mantra, according to political historian Robert Rupp, is that "It's better to be at the table than on the menu." And so he seems willing to spend what's likely his last term in Congress getting West Virginia to realize that, in the end, obstructionism won't serve the state very well.

Jesse Zwick is a reporter-researcher for The New Republic.

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

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PEOPLE ARE TALKING

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Here's a sampling of what was said on Jan. 26, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

EPA Admin. Jackson: Remarks to the Conference on Environmental Justice, Air Quality, Goods Movement and Green Jobs

Posted by: [JHillClinic](#): 5:10 pm Full post: <http://ow.ly/10Hpd>

Building bridges RT [@davidshepardson](#): Dan Becker and Charley Territo chatting at EPA administrator Lisa Jackson speech

Posted by: [auto_alliance](#) 5:00 pm Full post:

State of the Union & Environment

Frances Beinecke: Clean Energy's Prominent Place in the State of the Union

Posted by: [Ebelgreen](#): 4:40 pm Full post: <http://url4.eu/1EXpc>

Fears Barack Obama will omit climate change from State of Union speech

Posted by: [ClimateTimes](#) 4:30 pm Full post: <http://ow.ly/10yKo>

Climate Bill and GHG Endangerment Finding

Tell your Senators to keep the "clean" in the Clean Air Act - fight for the EPA

Posted by: [oceana](#) 6:35 pm Full post: <http://bit.ly/btn1rH>

From The Rundown: Business, Environmental Coalition Among Players Pushing for Climate Change Bill

Posted by: [NewsHour](#) 6:35 pm Full post: <http://ow.ly/16qCDk>
(Note: PBS NewsHour – 15,000 followers)

Watch President Bill Clinton's Presentation at the 2009 ACUPCC Climate Leadership Summit

Posted by: [ACUPCC](#) 6:10 pm Full post: <http://ow.ly/10KVG>

(ACUPCC works to neutralize campus GHG emissions and to accelerate the educational efforts to equip society to do the same)

RT CAPandTRADE: Vital signs weak for climate bill G7R9F climate sustainability !

Posted by: [langlaisbtlf](#) 4:40 pm

John Kerry tells Greenwire PM climate bill is still "on the schedule for this year, and we're on target."

Posted by: [sfbriansmith](#) 5:50 pm

Bill Gates Says Promised Climate Funds May Hit Health Aid

Posted by: [ArmoniaEcologic](#) 5:40 pm Full post: <http://ow.ly/16qBmc>

Climate Bill is Not Dead Yet – It's Getting Hot In Here (blog)

Posted by: [GreenEnergyPol](#) 5:39 pm Full post: <http://bit.ly/9eqVEX>

(Note: Green Energy Politics - the latest and greatest on renewable energy policy and politics)

Kerry and Graham Renew Bipartisan Energy on Climate Bill

Posted by: [revenue_spark](#): 5:35 pm Full post: <http://url4.eu/1EXyT>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Study: Carbon Price May Be Worth It On Health Grounds Alone (*The New Republic*)

- *Bradford Plumer*

January 26, 2010 | 6:02 pm

Debates about the costs and benefits of reducing carbon emissions usually get conducted along very narrow lines. First you add up the amount people will have to pay in higher energy bills and then compare that with the benefits of avoiding big temperature increases. Et, voila. Except the problem with this approach is that it ignores many of the indirect benefits (and, yes, indirect costs) of shifting to cleaner forms of energy. And some of those secondary effects might be very significant.

Case in point: Shifting away from fossil fuels helps cut down on other, more conventional pollutants that cause all sorts of medical problems: SO₂ and NO_x and mercury and particulates. And how much is that worth? That's what [a new study](#) from Gregory Nemet, Tracey Holloway, and Paul Meier at the University of Wisconsin-Madison tried to figure out. The researchers surveyed 48 studies on the subject and found that, while estimates of the health benefits can vary quite a bit, they average \$44 per ton of CO₂ in wealthy countries and \$81/ton in developing countries. That's bigger than the expected carbon price under a U.S. cap-and-trade system (around \$20-\$30 per ton). In other words, the air-quality improvements alone could offset the cost of cutting carbon. A cap could be "worth it" for public health reasons, regardless of how one feels about global warming.

Now, this public health angle is especially likely to make a difference in the developing world, where creaky coal plants and noxious car fumes are rampant—in many poorer countries, the health gains could entirely pay for the price of tackling carbon emissions. Indeed, there have

already been a few examples of governments thinking along these lines. In India, the city of Delhi [recently announced](#) that it would shut down all three of its coal-fired plants and switch to natural gas, even though electricity prices will likely rise as a result. The city's not doing it for climate reasons—officials are trying to chip away at all the smog choking the air. But it's going to have a big impact on greenhouse gases all the same.

Is The Real Action On Climate Policy In The States? (*The New Republic*)

- Bradford Plumer
- January 26, 2010 | 3:14 pm

You don't usually hear a whole lot about what individual states are doing to tackle climate change. Surely those efforts, however noble, are just too small to matter—too local, too patchy. The only people who can *really* make a dent in U.S. energy policy are wandering around Capitol Hill, right? It's Congress or bust? Well, maybe. But that option's not looking too bright these days, given the fog around whether Congress will even pass a climate bill this year (or next year, or...). So maybe it's time to figure out if the states really *could* get together and pick up the slack.

The person to ask would be Terry Tamminen, who advised Arnold Schwarzenegger on climate policy back when California was drafting its plan to reduce carbon emissions 25 percent by 2020. Since then, Tamminen has traveled around the country trying to convince other governors to adopt their own climate plans—Florida's Charlie Crist was another [early convert](#) [1]. When I asked him whether states could step up if Congress didn't pass a bill, he laughed and said I had the premise all wrong. "What they're doing is *already* genuinely significant," he explained. "You have thirty-three states with climate plans. These aren't just vague aspirational plans like you saw under the Kyoto Protocol, but concrete goals on efficiency, renewables—tangible things that are being written in law." Seven different states, for instance, are considering bills to set hard emissions targets, ala California's [AB 32](#) [2].

Indeed, looking around at everything being done on the state level, it *does* start to add up. Already, ten states in the Northeast have put their electric utilities under a cap-and-trade system known as [RGGI](#) [3]. Eleven Western states and Canadian provinces are now laying the groundwork for their own cap-and-trade system, known as the [Western Climate Initiative](#) [4] (WCI), which would begin in 2012 and could well expand further. Right now, there's a lot of cooperation between RGGI and WCI, Tamminen said—so that in the future they could be linked up, possibly with Europe's system, and possible with offset projects in, say, China and India. (Relatedly, Schwarzenegger is putting together an "R-20" for various subnational governments, modeled after the G-20, to get together and coordinate these sorts of regional efforts.)

Okay, but what sorts of cuts are we really talking about? The WCI, after all, [includes](#) [4] some hefty states and provinces—California, Ontario, Washington, Arizona—but it doesn't include some of the heaviest polluters, like Alberta and Texas. Unfortunately, no one's done a full tally of the total impact on U.S. emissions—it's still too early for that. But, Tamminen notes, when you add state efforts to the hundreds of cities that have pledged to reduce their emissions, suddenly we're talking about a big swath of the United States. "Eighty percent of the country's emissions come from cities and industrial areas that are often located near those cities."

And, Tamminen adds, other states will have plenty of incentive to buy into these climate plans. For instance, some of the RGGI states have used revenue from selling carbon permits to help fill in their budget shortfalls (\$100 million in New York's case)—an option that may increasingly look attractive to many governors around the country. It's a move that has a certain logic too it. "When you think about a coal-fired power plant," says Tamminen, "it's not just the greenhouse gases—there are all sorts of other pollutants causing asthma and so forth, and that ends up costing states in medical bills. So it's totally appropriate for states to offset those costs by forcing polluters to internalize them, through a price on carbon."

But that leads to another question: If so many states are *already* capping emissions and boosting alternative energy sources, why is it so hard to get anything through Congress? "Yeah," Tamminen sighs. "You'd think if thirty-three states have climate programs and a bunch of states are now doing cap-and-trade, it wouldn't be so hard for those state legislators and governors—many of whom are Republican, by the way—to convince their representatives. But the debate in D.C. doesn't really reflect the reality at the state level. Climate change has become a partisan issue. Even in Texas, you have guys like Rick Perry who's openly hostile to talk of climate change, even though his state's the largest producer of wind power in the country."

Still, it's hard to think that resistance will last forever. Looking back at the history of domestic policy, a lot of major national programs started out as state efforts, and then slowly ballooned over time until Congress finally took over. The Clean Air Act essentially started out as California smog effort. Likewise, in the 1980s, Ronald Reagan was against the idea of national appliance-efficiency standards until states had passed a jumble of different laws and industry groups finally lobbied for a single national standard. So, no matter what Congress does this year, the pressure from the states is going to continue being hugely important.

What Boxer-Kerry Will Cost the Economy (*The Heritage Foundation*)

by [David Kreutzer, Ph.D.](#), [Karen Campbell, Ph.D.](#), [William W. Beach](#), [Ben Lieberman](#) and [Nicolas Loris](#)

Backgrounder #2365

January 26, 2010

Abstract: *Barbara Boxer and John Kerry are pushing their climate-change legislation in the Senate.*

Like the Waxman-Markey bill, passed by the House last year, Boxer-Kerry is a cap-and-trade bill. Why is that bad? Because severely restricting greenhouse gas emission places an enormous burden on American families--higher gasoline prices, higher heating costs, higher energy taxes, higher unemployment. The Heritage Foundation's team of economic and climate-change experts details the extraordinary costs that will fall on businesses and families across the country should this legislation become law.

A decade of global cooling and the emerging controversy that threatens to undermine the scientific foundation of the Intergovernmental Panel on Climate Change's reports notwithstanding, Senators Barbara Boxer and John Kerry continue to push their proposed Clean Energy Jobs and American Power Act (S. 1733) to severely restrict greenhouse gas emissions. As demonstrated in this paper, this proposal would have significant economic costs in terms of lost income, lost jobs, and higher energy prices, among other detrimental effects.

Should S. 1733 become law, Americans can expect the following to occur between enactment and the year 2035 (all figures are adjusted for inflation):

- Inflation-adjusted losses to gross domestic product (GDP) of \$9.9 trillion;
- More than \$4.6 trillion in higher energy taxes;
- Job losses exceeding 2.5 million for some years;
- Annual family-of-four energy costs rising by \$1,000, including a gasoline price increase of more than \$1.20 per gallon;
- Annual family-of-four energy costs plus increased cost of goods and services totaling more than \$3,000;
- Average GDP loss per family of four above \$4,500 per year;
- Family-of-four net worth dropping by more than \$40,000; and
The family of four's share of the national debt rising by an additional \$27,000.

New Year, Same Story: Global Warming Dead Last on America's Priority List (*The Heritage Foundation*)

Posted January 26th, 2010 at 11:55am in [Energy and Environment](#)

The wheels have been falling off the global warming bandwagon well before Climategate and the recent hole-poking of the much trumpeted Intergovernmental Panel on Climate Change's (IPCC) report. In a national survey last January by the Pew Research Center for the People & the Press, [global warming ranked 20th out of 20](#) as far as top priorities for 2009. Only 30% of Americans felt global warming should be a top priority while 85% rated the economy as a top priority. It's 2010 and not much has changed except that [global warming is even less of a priority](#):

Dealing with global warming ranks at the bottom of the public's list of priorities; just 28% consider this a top priority, the lowest measure for any issue tested in the survey. Since 2007, when the item was first included on the priorities list, dealing with global warming has consistently ranked at or near the bottom. Even so, the percentage that now says addressing global warming should be a top priority has fallen 10 points from 2007, when 38% considered it a top priority."

The economy and jobs rank numbers one and two, respectively. To paraphrase Heritage Senior Policy Analyst Ben Lieberman, why would Congress attempt to address number 20 with a cap and trade system at the expense of numbers 1 and 2? The Boxer-Kerry Senate cap and trade bill would reduce economic activity (GDP) by \$9.9 trillion from 2012-2035. Job losses would exceed 2.5 million by 2031. And cap and trade wouldn't even tackle number 20 as it would have a negligible effect on the global temperature.

Although it's highly unlikely President Obama would sign into law a cap and trade bill this year, there is a good chance an energy bill will reach his desk. Energy [ranks](#) 11th on America's 2010 priority list — falling from 6th [a year ago](#). Gasoline prices continue to rise as global demand increases but Americans are still living in a recessionary environment. Congress's push for renewable energy mandates will only result in pricier energy. Instead, Congress should send clear market signals to the energy industry and peel back unnecessary regulations that prevent drilling for oil, building new nuclear plants and construction of renewable energy sources.

Putting in place an unwavering regulatory environment will do more for the economy, jobs and energy than Congressional planning to tackle these issues. It was economist Milton Friedman who [said](#), "If you put the federal government in charge of the Sahara Desert, in 5 years there'd be a shortage of sand." The same could be said for energy.

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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January 28, 2010**

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Jan. 27, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

EPA Requests Feedback Hazardous Waste Impact on Disadvantaged Communities (New Orleans EJAC Conference)

EPA starting study of environmental justice issues related to heavy industry that Clinton asked for and Bush derailed.

Posted by: [gharman](#) 6:20 pm Full post: <http://is.gd/7bgDr>

EPA Requests Feedback on Plan Analyzing Impact of Hazardous Waste on Disadvantaged Communities

Posted by: [ChangeThruInfo](#) 6:10 pm Full post: <http://dlvr.it/wB7>

(Note: Requesting public input on a precedent-setting effort to evaluate EJ concerns raised by a Bush-era loophole that stripped federal oversight of companies that handle 1.5 million tons of hazardous waste each year from steel. Mostly chemical and pharmaceutical companies and affect low-income communities and communities of color where waste dumps are often situated. EPA will discuss the preliminary plan for the EJ analysis at EJAC Jan. 28)

EPA dist 9 dir Bloomfield speaks to EJ comm. Only 10 days on the job but first EPA rep to ever come out!

Posted by: [njmagel](#) 4:10 pm Full post: <http://yfrog.com/3lxbtuj>

State of the Union & Environment

Join us in a live twitter chat for the State of the Union address:

Posted by: [JaymiHeimbuch](#) 7:18 pm Full post: <http://is.gd/7bx3X>

(Note: writer for TreeHugger and Planet Green)

RT [@EnvAm](#): Here's to enviro issues playing a big role in the State of the Union tonight!

Posted by: [EnvironmentFla](#) 7:15 pm Full post:

Will Obama defy naysayers, renew call 4 passing comprehensive clean energy & climate legislation?

Posted by: [repoweramerica](#) 7:10 pm Full post: <http://dlvr.it/wHg>

Obama to Say Climate Change Bill Will Create Jobs in State of the Union Speech

Posted by: [washdcnews](#) 6:55 pm Full post: <http://dlvr.it/wHg>

ConservaChick: Former Pacific Fleet Commander warns Obama: "Don't Link Climate Change and National Security":

Posted by: [kentuckyBNN](#) 6:50 pm Full post: <http://bit.ly/aS6iet>

State of the Union a key opportunity for Obama to raise profile of climate change impacts

Posted by: [ClimateSciWatch](#) 6:45 pm Full post: <http://bit.ly/arf8xK>

EPA Investigates Birth Defects in Calif. Town

(UPI) EPA to look for link between dump, defects: KETTLEMAN CITY, Calif., -- A U.S. environmental agen...

Posted by: [USRealityCheck](#) 7:00 pm Full post: <http://bit.ly/aeEbW5>

(AP): EPA To Visit Kettleman City |An Environmental Protection Agency official said he will visit a California farm town ..

Posted by: [OrganicGuru](#) 6:15 pm Full post: <http://oohja.com/x5HYi>

(Note: Jared Blumenfeld, administrator for the EPA's Pacific Southwest region, said Wednesday he plans to visit families in Kettleman City next week to discuss the situation.)

EPA investigates Birth Defects near toxic waste dump - --

Posted by: [cbs47](#) 6:08 pm Full post: <http://shar.es/aVEYq>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Ben Nelson's Logically Incoherent Stance On Cap And Trade (*The Wonk Room*)

By [Brad Johnson](#) on Jan 27th, 2010 at 7:31 pm

There seems to be something about climate policy that encourages senators to take positions that are [logically impossible](#). In the latest instance, Sen. Ben Nelson (D-NE) has now managed to simultaneously oppose and support a carbon command-and-control regime. Nelson is [one of three Democrats](#) to co-sponsor Sen. Lisa Murkowski's (R-AK) resolution overturning the EPA's greenhouse gas endangerment finding, supposedly because "[EPA regulations](#) would be a government-directed command-and-control regime":

I am very concerned about the impact on Nebraska if EPA moves to regulate carbon emissions. Many Nebraska agricultural, industrial and energy-related businesses and organizations have warned about the costs they would have to shoulder from EPA regulations. **Because EPA regulations would be a government-directed command-and-control regime, they would raise the price of energy in Nebraska, add greatly to administrative costs, and create new layers of bureaucracy.** The burden would fall squarely on Nebraska families, farmers and businesses.

The EPA's rules will function as a soft cap on large emitters of global warming pollution, most of whom are already covered by Clean Air Act permits for traditional pollution. No new layers of bureaucracy will be created. However, the cost of fossil-based energy would slowly rise. Because it would be legally difficult for the EPA to establish an emissions trading system, companies could not use market means to mitigate those costs.

The ability of trading markets to reduce compliance costs for pollution reduction is the key selling point of a Congressionally established cap-and-trade market as opposed to a command-and-control regime. However, Nelson has also indicated he [opposes a cap-and-trade system](#):

Nelson said he has not had detailed conversations yet with Kerry, Graham and Lieberman. But he said he is open to negotiations on setting a limit on greenhouse gas emissions. "I want to see what the legislation does," he said. **"I said I can support cap. I have trouble with cap and**

trade, the trade part of it. So if it's cap and trade, watered down, and it's only the trade watered down, that won't satisfy me."

A cap *without* "trade" is by definition a command-and-control regime — which Nelson has said he opposes on economic grounds. But he claims to oppose a cap *with* "trade" on [populist grounds](#). In short, he's using logically inconsistent excuses to block both executive branch and legislative branch action on global warming.

Nelson may be trying to pander to polls, which show that the phrase "cap and trade" [is unpopular](#) by comparison to Americans' desire for the government to regulate polluters and support clean energy investment. Or maybe he's pandering to his corporate polluter donors, who need senators like Nelson to maintain the Bush-Cheney status quo.

In 3-2 Vote, SEC Requires Companies To Disclose Climate Risks To Investors (*The Wonk Room*)

By [Brad Johnson](#) on Jan 27th, 2010 at 3:45 pm

In a 3-to-2 vote, the U.S. Securities and Exchange Commission determined today that companies "[must consider the effects of global warming](#) and efforts to curb climate change when disclosing business risks to investors."

Guidelines approved today **require companies to weigh the impact of climate-change laws and regulations** when assessing what information to disclose, the commission said. The SEC is responding to investors who said companies aren't providing enough data on the potential risks to their profits and operations from environmental- protection laws. In the 3-to-2 vote, the commission said companies in the U.S. should also consider **international accords, indirect effects such as lower demand for goods that produce greenhouse gases, and physical impacts** such as the potential for increased insurance claims in coastal regions as a result of rising sea levels.

Ceres, a network of investors and climate activists, hailed the action as "[the first economy-wide climate risk disclosure requirement](#) in the world." More than a dozen investors managing over \$1 trillion in assets, plus Ceres and the Environmental Defense Fund, requested formal guidance in a petition filed with the Commission in 2007, and supported by supplemental petitions filed in 2008 and 2009.

For too long, the reality of climate change has been ignored by American business, exemplified by the U.S. Chamber of Commerce's [denial of global warming](#). This willful ignorance has left American business — from [agriculture](#) to the financial sector — unprepared for the increasing damages of climate change, such as sea level rise, drought and wildfires. Furthermore, these

blindness have kept American business behind international competitors, who have leapt ahead by investing in the coming low-carbon economy.

Update The SEC has [posted its summary](#):

Specifically, the SEC's interpretative guidance highlights the following areas as examples of where climate change may trigger disclosure requirements:

* **Impact of Legislation and Regulation:** When assessing potential disclosure obligations, a company should consider whether the impact of certain existing laws and regulations regarding climate change is material. In certain circumstances, a company should also evaluate the potential impact of pending legislation and regulation related to this topic.

* **Impact of International Accords:** A company should consider, and disclose when material, the risks or effects on its business of international accords and treaties relating to climate change.

* **Indirect Consequences of Regulation or Business Trends:** Legal, technological, political and scientific developments regarding climate change may create new opportunities or risks for companies. For instance, a company may face decreased demand for goods that produce significant greenhouse gas emissions or increased demand for goods that result in lower emissions than competing products. As such, a company should consider, for disclosure purposes, the actual or potential indirect consequences it may face due to climate change related regulatory or business trends.

* **Physical Impacts of Climate Change:** Companies should also evaluate for disclosure purposes the actual and potential material impacts of environmental matters on their business.

Suing Over Climate Change (*The New Republic*)

- *Bradford Plumer*
- January 27, 2010 | 8:22 pm

Could climate policy end up getting thrashed out in the courts? That would be an ugly turn of events, but it could happen. *The New York Times* has [a long piece](#) today about the rise of "nuisance" suits that are being filed against major carbon-dioxide emitters. The Alaskan town of Kivalina, for instance, has sued two dozen fuel and utility companies, including Shell and ExxonMobil, accusing them of contributing to global warming and helping erode the town's shoreline. And these suits are slowly creeping forward.

The obvious analogue here is the spate of lawsuits levied against tobacco companies from the 1950s onward, which eventually led to big settlements and stricter government regulation. The plaintiffs don't even need to *win* their suits to have an impact—in the tobacco cases, the discovery stage, which unearthed all sorts of embarrassing memos, often turned out to be hugely significant. But could these climate lawsuits really achieve similar ends? Maybe—though not in exactly the same way.

As Nathan Richardson of Resources for the Future [explains](#), the EPA can very likely preempt these suits by taking its own actions to regulate greenhouse gases. And since nearly everyone agrees that regulation would be preferable to policy-by-lawsuit, that puts added pressure on the EPA to act. But, on the flip side, if Congress manages to strip the EPA of its authority over greenhouse gases—say, through Lisa Murkowski's [resolution](#)—then the nuisance suits could well start gathering momentum. In the end, this is going to be an unstable situation and Congress will likely have to step in and enact its own climate policies. Of course, there's the little question of *when* that might ever happen...

Who's Causing Gridlock On A Senate Climate Bill? (*The New Republic*)

Jesse Zwick January 27, 2010 | 4:01 pm

The New York Times' John Broder [writes](#) an obituary for cap-and-trade today (an obituary that, earlier this morning, John Kerry said “couldn't be further from the truth”) that had this odd passage:

The partisan gridlock that hobbled health care overhaul could be repeated if the administration and Democratic leaders try to ram through a sweeping measure to rein in carbon emissions and remake the nation's energy economy, said Paul Bledsoe of the National Commission on Energy Policy, a bipartisan advisory group.

This is strange because NCEP, which dubs itself a “bipartisan group of 20 of the nation's leading energy experts,” has long advocated for a declining cap on carbon emissions. But Bledsoe now seems to be saying that if Republicans reject it, that automatically makes the policy suspect. Except reining in carbon emissions has *always* been a partisan issue—occasionally there have been one or two Republicans who support tackling climate change, but that's usually it. There's a reason John McCain was called a “maverick” when he used to push for cap-and-trade legislation, and now Lindsey Graham is having the same trouble finding GOP allies to back his bill. Which makes it all the more strange that NCEP now seems to have decided that Democrats are to blame for backing a plan that looks pretty darn close to [their own](#).

HAZARDOUS WASTES

National Day of Action Against Coal Ash (*The Huffingtonpost*)

[Bruce Nilles](#)

Director of Sierra Club's Beyond Coal Campaign

Posted: January 28, 2010 10:54 AM

On Thursday, Jan 28th, Sierra Club and our allies at Earthjustice, Environmental Integrity Project, NRDC and grassroots groups across the country are participating in a [national day of action](#) to urge the Obama Administration to move forward with strong, federally enforceable rules to regulate coal ash disposal.

The U.S. Environmental Protection Agency (EPA) is working on proposed rules to ensure the safe disposal of coal ash - the byproduct of burning coal for power. As expected, the coal industry is fighting to maintain the status quo on coal ash, backing a proposal that ensures coal ash is treated less responsibly than household trash.

The nearly one hundred million tons of coal ash generated each year is full of harmful toxins like arsenic, lead and mercury. People living near the coal ash sites have a staggering 1 in 50 risk of cancer. Both EPA and the National Academy of Sciences have years of research making it clear that coal ash is becoming increasingly toxic and confirming time and again that coal ash poses a threat to human health.

We must treat coal waste as a hazardous substance and not take away the opportunities for residents of communities impacted by coal ash disposal to provide input on how the coal ash should be handled.

Our goal with a [day of action on January 28th](#) is to generate thousands of emails, phone calls and letters to the editor of national and local newspapers calling on the Obama Administration, to bring an end to the delay.

We hope you will share the information about the day of action with your local activists, allies, colleagues, friends, and family. Want to get involved? Here are two things you can do on Jan. 28th and beyond:

1. Email Action: [Send an email](#) directly to the White House in support of this EPA rule. Everyone who [takes action on our alert](#) will be automatically invited to submit a letter to the editor of their local newspaper as well.

2. Then, post this message as your facebook status with a link to the online action alert: "I asked President Obama to protect all US residents from hazardous coal ash sites around the country, and you can too: <http://action.sierraclub.org/coalash!>"

One thing is clear--coal must be cleaned up and the industry will not clean itself. Residents across the U.S. want the coal industry to clean up and not expose them to health hazards like air pollution and coal ash. We need strong regulations to hold coal accountable and speed the transition to a clean energy economy.

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Prepared by the Office of Public Affairs

Friday, January 11, 2013



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January 29, 2010**

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Jan. 28, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

State of the Union & Climate Bill

After Obama's Address: 5 Reasons for Optimism on climate and energy

Posted by: [ICLEI USA](#) 7:05 pm Full post: <http://bit.ly/9jeRRm>

(Note: CLEI is 600 Local Governments for Sustainability USA)

(1) Obama still gets it = understands the science of climate change and that the clock is ticking to reduce emissions (2) **Lisa Jackson is on a mission.** Dealing with climate change is still at the top of the EPA chief's goals. (3) 2010 will be the Year of Energy Efficiency, the year of stimulus-funded local government projects (4) States are stepping up their leadership. (5) Local governments are still the inspiration, still the role models to show that climate action is very doable and that sustainable communities will thrive)

Gen Electric CEO Jeff Immelt on BP tonight: "no matter what you think of climate change, pollution reduction and green energy means jobs."

Posted by: [TheBigPicture](#) 7:00 pm Full post:

HuffPost - Obama Urges Passing Climate Bill In State Of The Union, Talks Clean Energy Jobs

Posted by: [beneutral](#) 6:10 pm Full post: <http://tinyurl.com/y8fna62>

NYT: Obama Holds Firm on Climate Bill, but Most Senators Shrug

Posted by: [stephencrose](#): 6:15 pm Full post: <http://bit.ly/98Bihg>

Touting Obama recovery plan and green jobs, visiting Treasury secretary lays out business climate agenda

Posted by: [MinnPost](#) 6:10 pm Full post: <http://minnpo.st/9ZPxQH>

Obama Calls for Clean Energy and Climate Protection During State of Union

Posted by: [greenwala](#) 6:00 pm Full post: <http://is.gd/7fqgh>

Environmentalists Take Issue With Obama on Climate Change - MPBN News

Posted by: [GreenEnergyPol](#) 6:03 pm Full post: <http://bit.ly/aBNqIL>

(Note: Maine Public Broadcasting. But in his State of the Union address last night, the president's approach was more accepting of ideas that make some environmentalists shudder. He talked about building more nuclear power plants, exploring for oil and gas offshore, and making investments in so-called "clean coal" technology)

Obama's Out of Control: Formally embraces Copenhagen climate hoax deal: Despite the "miracle" that pulled the mask...

Posted by: [atlasshrugs](#) 6:00 pm Full post: <http://bit.ly/anVMt8>

Enviro Group Warns of Lawsuit Over Pesticides & Animals

Environmentalists plan lawsuit against EPA, claiming pesticides are harming endangered species|FRESNO, Calif. - A ..

Posted by: [OrganicUniverse](#): 7:05 pm Full post: <http://oohja.com/x5Kur>

EPA warned of lawsuit over pesticides and animals. A conservation group says it plans to sue the federal ..

Posted by: [biobagfoodbags](#) 7:00 pm Full post: <http://oohja.com/x5KqT..>

EPA warned of lawsuit over pesticides and animals: AP - A conservation group says it plans to sue....

Posted by: [ebelgreen](#) 6:30 pm Full post: <http://url4.eu/1FzK9>

(Note: The Center for Biological Diversity sent the Environmental Protection Agency a letter of intent to sue on Thursday. It says the agency violated the Endangered Species Act by not consulting with wildlife regulators about the pesticides' effects...)

Energy Star & Computer Data Centers

Interesting item - EPA Makes A Push For Energy Consumption Transparency

Posted by: [Zoe_electricity](#) 7:02 pm Full post: <http://bit.ly/dc7fqU>

EPA Makes A Push For Energy Consumption Transparency: In the talk, he noted that energy efficiency metrics can pla...

Posted by: [elizabethowens1](#) 7:00 pm Full post: <http://bit.ly/cWcdtc>

Editorial: Energy Transparency push from the EPA

Posted by: [enerpath](#) 6:50 pm Full post: <http://bit.ly/92yARV>

(Note: The EPA has found significant traction in the consumer marketplace with its Energy Star designation, a program that allows shoppers to compare an array of items from refrigerators to building materials with the aim of gaining more energy efficiency. Could the program work in

data centers, though, where there are so many hardware and software components? The EPA hopes so.)

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Clean Energy Forum: Standing Up For The Future (*The Work Room*)

Our guest blogger is [Jon Gensler](#), a former U.S. Army captain, LEED accredited professional, and a dual MBA/MPA Candidate at MIT Sloan and the Harvard Kennedy School.

By [Guest Blogger](#) on Jan 28th, 2010 at 8:30 pm

Yesterday, January 27th, 2010, was an inspiring day for me: as a veteran and member of [Operation Free](#), as an aspiring clean energy entrepreneur and businessman, as an environmental advocate, and as a proud American. On the morning before President Obama's first State of the Union address, national leaders in the business community, the labor community, veterans and national security experts, faith leaders, farming leaders, and more came together at the [Clean Energy, Jobs, and Security Forum](#) in the Capitol building to discuss the importance of comprehensive climate and energy legislation, how quickly we as a nation need to respond to truly act in time, and showing a first step in the bipartisan direction that the President called us to take.

There are so many highlights of the day, it would be impossible for me to recount them all, but imagine a conference with opening remarks by Senators John Warner (R-VA, retired) and John Kerry (D-MA), two retired general officers discussing the national security threat posed by climate change, and a keynote lunch address by Senator Lindsey Graham (R-SC) and Dr. Steven Chu, Secretary of Energy. We discussed the destabilizing force that climate change has in already weak states, how to engage and benefit from the work of the large US agricultural sector

(and not merely with promises of corn ethanol!), and how by addressing the risks that a changing climate brings to all facets of our lives, we can seize the reins of the global clean energy economy — one in which China is already outspending us by laying out \$9 billion a month to develop their own clean energy sector. Sen. Graham described the costs of doing nothing very well:

A word of caution and warning: Doing nothing, in my view, does put the planet at risk. Doing nothing continues an irresponsible practice of sending \$440 billion year overseas to buy oil from people who don't like us very much. Doing nothing allows China to own what I think will be the most exciting economic opportunity of the 21st century: the green economy. As we talk, as we argue, as we try to find 60 votes in America, China is doing.

Certainly, the President's first State of the Union address was a worthy cherry on top, eloquent as always, and full of what I thought to be a heartfelt and serious message. He doesn't claim to have all of the answers, but claims we need to come together as a nation and try to find them. That seems to me to be the right approach, especially for such difficult problems as the financial, economic, and climate crises that we are facing. We are all going to need to make changes, to adapt the way we have lived and worked in the past to the new realities of the future, and thus it is us as a people who need to shoulder much of the burden of that work.

At the end of the day, feeling good after the President spoke — though waiting for my friends in the environmental community to be [up in arms](#) about the calls for offshore oil drilling, nuclear power plants and clean coal — I am perhaps still most inspired by the words of Senator Graham presaging the call the President would make later that evening: “We are trying to find a way forward... but there is no substitute for citizen involvement.” And Secretary Chu: “Policy changes happen when the American people give courage to their representatives.”

Wayne Gretzky, perhaps the greatest hockey player of all time, once said about his abilities in the rink, “I skate to where the puck is going to be, not where it's been.” We know where the puck is going to be. Stand up, America, and get there.

Climate Ground Zero: Activists In West Virginia Halt Mountaintop Removal For Eighth Day (*The Work Room*)

By [Brad Johnson](#) on Jan 28th, 2010 at 6:20 pm

Yesterday in Washington, DC, Sen. John Kerry (D-MA) exhorted citizens to “[get angry](#) about the fact that they're being killed and our planet is being injured by what's happening on a daily basis by the way we provide our power and our fuel.” In West Virginia, climate activists are not

just getting angry, they're taking action — blocking the demolition of [Coal River Mountain](#) by coal company Massey Energy. The activists, members of the aptly named organization [Climate Ground Zero](#), have been [living in trees for over a week](#) to prevent bulldozers from reaching the summit:

High up in the trees near the summit of Coal River Mountain, two activists dangle in the air near a mountaintop removal mine site. Eric Blevins and Amber Nitchman are still preventing the expansion of mining on the summit of Coal River Mountain, a mountain that has the best wind energy (and therefore economic) potential in the area.

In 2007, local residents commissioned an [economic study of wind power potential](#) for the mountain, which found it could “power 70,000 West Virginia Homes and provide permanent jobs and \$1.7 million in taxes to the county every year.” Instead, coal baron [Don Blankenship](#), the “[scariest polluter in the United States](#),” intends to blow up the mountain for its coal. His employees have been [blasting the tree-sit activists with air horns and flood lights](#).

Following [hundreds of phone calls](#) from supporters of the non-violent civil disobedience action, Gov. Joe Manchin (D-WV) met today with Climate Ground Zero representatives and “[asked the activists](#) to scale down their campaign.” His request comes just two days after state lawmakers “introduced — at Manchin’s request — a [resolution attacking efforts](#) in Congress and by the Obama administration to tackle the global warming problem.”

Obama’s Attempt to Revive Cap and Trade (*The Heritage Foundation*)

Posted January 28th, 2010 at 5:33pm in [Energy and Environment](#)

President Obama gave his first State of the Union speech last night and while his delivery reminded many Americans of the man they saw on the campaign trail, his rhetoric was much of the same. Although the president did call for offshore drilling and an expansion of nuclear, his focus was clean energy jobs. He [declared](#),

But to create more of these clean energy jobs, we need more production, more efficiency, more incentives. That means building a new generation of safe, clean nuclear power plants in this country. It means making tough decisions about opening new offshore areas for oil and gas development. It means continued investment in advanced biofuels and clean coal technologies. And yes, it means passing a comprehensive energy and climate bill with incentives that will finally make clean energy the profitable kind of energy in America.

I am grateful to the House for passing such a bill last year. This year, I am eager to help advance the bipartisan effort in the Senate. I know there have been questions about whether we can afford such changes in a tough economy; and I know that there are those who disagree with the overwhelming scientific evidence on climate change. But even if you doubt the evidence, providing incentives for energy efficiency and clean energy are the right thing to do for our future – because the nation that leads the clean energy economy will be the nation that leads the global economy. And America must be that nation.”

A climate bill with incentives that will make clean energy profitable really means a carbon tax on cheaper, more reliable fuels with a cap and trade system. Of course, the President Obama can't say that. Incentives in this case also means tax credits, subsidies, mandates and loan guarantees for preferred energy sources. To be clear, no energy source should receive such support, subsidizing inefficient energy sources costs Americans as energy consumers in terms of higher prices and as taxpayers.

The president said there were those disagreeing with the overwhelming scientific evidence on climate change. While it was clear from the grumblings from some sections in the Capitol that certain Members of Congress disagree, so do scientists and climatologists. The government relies heavily on the 2007 United Nations' Intergovernmental Panel on Climate Change (IPCC) report to establish consensus, but more than 700 scientists dispute the findings of that report. And a new study is showing that the [amplification of global warming by carbon-cycle feedback](#) is much less than previously thought. Another study [finds that](#) “the airborne fraction of carbon dioxide has not increased either during the past 150 years or during the most recent five decades.”

Now, it's turning out that some of the claims in the IPCC report may not be accurate. The Himalayan glaciers won't disappear by 2035 as it was said in the report; and that claim was based on speculation. Digging deeper, the IPCC climate models were based on data from the Climatic Research Unit (CRU) at East Anglia University. Hackers leaked e-mails and other documents CRU's scientists and the emails detail how these climatologists refused to share data, plotted to keep dissenting scientists from getting published in leading journals and discarded original data. Some have resigned. Others are under investigation. It turns out that the actions of CRU scientists [breached data laws](#) under the Freedom of Information Act. The president brought the swagger he had during his campaign trail back to the podium last night, but his insistence on transparency was nowhere to be found.

And President Obama says we must be the best in clean energy production. Why? What if it's cheaper to import it? His confidence in American innovation and entrepreneurial spirit is laudable but his mercantilist approach (he also said he wants to double exports in 5 years) to job creation will be a road to inefficiency and less prosperity.

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CLIMATE CHANGE/GLOBAL WARMING

ROUND-UP OF MAJOR BLOGS

Why Is Campbell Soup Interested In Cap-And-Trade? (*The New Republic*)

- January 2, 2010 | 5:13 pm January 2, 2010 | 5:13 pm

There are so many different companies trying to influence the shape of climate policy in Washington that it's hard to get a sense for the sheer *scale* involved. According to the Center for Public Integrity's latest tally, there are now 1,160 businesses and groups wrangling over the issue—and they've hired a whopping 2,780 climate lobbyists. An even better sign of the frenzy is the fact that companies you'd never expect to care about the arcane details of cap-and-trade are now taking a keen interest. Like Campbell Soup and Kellogg:

"It wasn't until we analyzed what was going on in the House that we thought, 'Oh, gosh, we are being affected by this,'" said Kelly Johnston, Campbell Soup's vice president for public affairs, in an interview.

At issue are the free "allowances," or carbon dioxide pollution permits that the House-passed climate bill would give to manufacturers that use a lot of energy to produce internationally traded products, like steel and aluminum. Those energy-intensive industries fighting international competitors successfully lobbied for protection from loss of jobs to China and other cheap-energy countries if the United States unilaterally enacted a carbon reduction program that would make coal-burning more expensive here.

But the House bill's approach means manufacturers that don't use as much energy—like Campbell—would have to bid at auction for carbon emissions allowances from the federal

government. Johnston argues that Campbell should either be exempt from that process or provided some freebies, too.

This looks like a fairly important development. Last summer, remember, when Henry Waxman and Ed Markey were cobbling together a climate bill in the House, they struck an intricate balance on how to divvy up the pollution permits under the cap. Some were given away gratis to big polluters or industries at risk of fleeing to China (steel, cement, aluminum, etc.); others were doled out to local electric utilities with the provision that the money would be used to cushion the blow for ratepayers; still other permits were set aside to reduce deforestation or fund new energy sources.

You can read Robert Stavins's **detailed breakdown** of where all the permits went—he argues that about 20 percent of the permits were pure corporate giveaways, while the rest went to ostensibly public purposes. But the point is that this was all a delicate compromise, and still the bill only barely passed through the House. Now that the bill's wending its way through the Senate, a bunch of *new* companies have decided to get into the lobbying game and try to force a revision to that formula. Natural-gas producers, for example, feel they got short-shifted by the House. And they have a point. But any new revision also risks alienating the industries that backed the original House bill.

Meanwhile, not all of the companies lobbying over climate change want to soften the bill or push for loopholes. As the Center for Public Integrity also reports, a number of venture capitalists and clean-tech investors are trying to push for a *more* ambitious carbon cap—they want the price of coal to rise as soon as possible, so that alternatives like solar become competitive earlier and provide a quicker return on their investments. (The House bill, by contrast, does a fair bit to shield the coal industry by giving coal utilities free permits for at least the first 15 years.)

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Jan. 4, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

GHG Endangerment

RoyBlunt: Demanding answers from the EPA on their backdoor plan to regulate greenhouse gas...

(Note: Rep. from Missouri)

Posted by: [RoyBlunt](#) 6:00 pm Full post: <http://ow.ly/16gyZP>

Environmental Madness Threatens every CA Job....The climate change California's leaders need to be working on is improving our state's dismal business climate, and we should start by suspending AB 32.

Posted by: Digital News Report 5:42 pm Full post:
<http://www.digitalnewsreport.com/2010/01/04-environmental-madness-threatens-every-ca-job/1809>

Why Believe in Manmade Climate Change? David Appell – Quark Soup..... One of the things I hope to do this year is interview various scientists and ask why they believe that man is responsible for the climate ...

Posted by: trueslant 5:40 pm Full post:
<http://trueslant.com/davidappell/2010/01/04/why-believe-in-manmade-climate-change/>

EPA Lists Chemicals of Concern (TSCA) and WP Article

Finally! Four new compounds on EPA's chemicals of concern list

(Note: Silicon Valley Toxics Coalition)

Posted by: [SVTC](#) 6:50 pm Full post: <http://tinyurl.com/ykvta2t>

EWG: Chemical Industry's Off the Books Practices: Top Secret Chemicals

Posted by: [enviroblog](#) 5:20 pm Full post: <http://bit.ly/5mfKP1>

Secret chemicals raise health risks

Posted by: [msnbc_us](#) 5:15 pm Full post: <http://bit.ly/7CBSkp>

This list couldn't be *that* "secret" if 20 percent of all chemicals find their way onto it.

Posted by: [freeformtv](#): 5:05 pm Full post: <http://bit.ly/7YUa94>

RT @SaferChemicals: WashingtonPost: nearly 20% of harmful chemicals in use are kept secret under.....

Posted by: [saferstates](#) 5:05 pm Full post: <http://bit.ly/7YUa94>

Chesapeake Bay Foundation Asks EPA to support Cardin's Bill

Bay Foundation asks EPA head to back Cardin bill

Posted by: [MDNews_WTOP](#) 6:45 pm Full post: <http://bit.ly/7dkO8c>

Bay Foundation Asks EPA To Back Cardin Bill: The Chesapeake Bay Foundation is asking the head of the U.S. Envir..

Posted by: [legal](#) 4:50 pm Full post: <http://rly.cc/s7yiH>

Bay Foundation asks EPA head to back Cardin bill: The Chesapeake Bay Foundation is asking the head of the U.S. Envi...

Posted by: [Star_Exponent](#): 3:50 pm Full post: <http://bit.ly/8P5F2X>

Bay Foundation asks EPA head to back Cardin bill

Posted by: [euronews24](#) 3:45 pm Full post: <http://bit.ly/5btXme>

ROUND-UP OF MAJOR BLOGS

ENERGY

Carbon Tariffs Show Up In Unlikely Places (*The New Republic*)

January 4, 2010 | 4:19 pm

The world's first carbon border tax is [on the way](#)—and, surprisingly, it doesn't involve imports from China:

To encourage the switch to clean renewable energy, Minnesota plans to add a carbon fee of between \$4 and \$34 per ton of carbon dioxide emissions to the cost of coal-fired electricity, to begin in 2012, to discourage the use of coal power, the greatest source of greenhouse gas emissions. ...

Most of North Dakota's electricity exports is generated by coal-fired power plants. North Dakota officials argue that the move would place an unfair tax on electricity exports from the state and discourage its use by Minnesota utilities.

And that means... the world's very first green trade war. Officials in North Dakota have vowed to fight the move in court, arguing that the fee would "discourage coal-powered electricity sales in favor of renewably powered electricity." That's true, but it's not clear this is unfair to North Dakota, which, after all, has [more wind resources](#) than any state in the country.

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Jan. 5, 2010:

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EPA Lists Chemicals of Concern (TSCA) and WP Article

New York Advances Proposal Requiring Agencies to Avoid Dozens of Chemicals

Posted by: [ChemicalWeek](#) 5:00 pm Full post: <http://bit.ly/7okp2p>

EPA deserves an “A for Effort” for its new Chemical Action Plans [@EnvDefenseFund](#)

Posted by: [@TerraBoquu](#) 2:00 pm Full post: <http://bit.ly/56L3Dq>

New EPA regs ban 4 types chemicals, and aims to put industry owner / ops on hook for SuperFund Cleanups

Posted by: [RecycleMatch](#) 12:35 pm Full post: <http://bit.ly/7ejKaC>

NY Considers List of 85 Chemicals to Avoid Buying ABC News...(AP) New York is poised to create a list of ...

Posted by: [blognew](#) 12:05 pm Full post: <http://reduce.li/2kyga9>

Via [@washingtonpost](#): of the secret chemicals in use w/o regulation, 10 are used in kid's products.

Posted by: [MomsRising](#) 12:10 pm Full post: <http://bit.ly/77HbKT>

Coal Permits

Full story on Gazette website on Hobet MTR deal....

Posted by: [Kenwardjr](#) 5:50 pm Full post:
<http://wvgazette.com/topStories1/201001050473>

EPA makes it official: Hobet 45 MTR permit being approved. EPA also says Judge Chambers has given more time for talks on Spruce Mine, largest MTR permit in WV

history.....

Posted by: [Kenwardjr](#) 3:19 pm Full post: <http://tinyurl.com/yap8ufy>

Yahoo!: EPA, Arch Coal seek to end permit dispute (AP)

Posted by: [EnvironUpdates](#) 4:19 pm Full post: <http://bit.ly/4HSMvO>

Statement from WV Governor Joe Manchin Regarding Patriot Coal Corp.'s Hobet 45 Permit

Posted by: [ScottCosco](#) 4:20 pm Full post: <http://www.wv.gov/org/sec.aspx?id=32&articleid=1919>

EPA clears second coal mine permit after 12 month delay, 77 still blocked

Posted by: [MiningFan](#) 4:05 pm Full post: <http://bit.ly/7pXL2v>

Climate Change

Communicating Climate Change: The “Isolated Weather Event” Problem

Posted by: [ecopolitology](#) 6:28 pm Full post: <http://bit.ly/8SrZLY>

Barrasso attacks CIA climate change work, calls for hearings...

(Note: Sen. Barrasso (R-Wyo.) on called for hearings on the use of intelligence satellites for gathering images of changing climate conditions, alleging that CIA work with scientists on climate change is sapping the agency's focus on preventing terrorism.)

Posted by: [thehilltweets](#) 6:22 pm Full post: <http://thehill.com/blogs/e2-wire/677-e2-wire/74423-barrasso-attacks-cia-climate-change-work-calls-for-hearings>

Whole Foods CEO is a Climate Change Denier. Here's a petition against the hypocrisy...

Posted by: [james313](#) 6:00 pm Full post: <http://lnk.ms/3mkGt>

Americans for Prosperity Applauds Cong. Candidate Jon Russell 4 signing No Climate TaxPledge

(free market advocate in Washington State)

Posted by: [kmacassoc](#) 1:30 pm Full post: <http://bit.ly/5HOFjZ>

ROUND-UP OF MAJOR BLOGS

AIR

Where To Store All That Captured CO2 (*The New Republic*)

- *Bradford Plumer*
- January 5, 2010 | 2:37 pm

If we ever do figure out how to capture and sequester carbon emissions from coal plants (in a cost-effective way), that still leaves the question: Where are we going to store all that CO₂? David Biello [reports](#) that a lot of it could get tucked away on the East Coast:

Now new research from Lackner's colleagues at the Lamont-Doherty Earth Observatory led by geophysicist David Goldberg, shows that vast deposits of basalt lie off the coast of Georgia, Massachusetts, New Jersey, New York and South Carolina. Even better, the risk of leakage from such storage is low since the overlying ocean forms a second barrier of protection for the injected greenhouse gas.

Along these lines, the Sleipner natural gas project in the North Sea has successfully stored more than 10 million metric tons of CO₂ for more than a decade. Just one of the formations identified in Monday's issue of the *Proceedings of the National Academy of Sciences* by Goldberg et al. off the coast of New Jersey could hold as much as 1 billion metric tons of CO₂. Of course, the nations of the world emit more than 30 billion metric tons of CO₂ per year.

I also wonder if storing carbon off the coast and under an ocean would alleviate some of the NIMBY concerns about sequestration, which seem to be popping up more frequently of late. Back in July, for instance, people in Greenville, Ohio, [were protesting](#) a project to inject CO₂ from a local ethanol plant some 3,500 feet under their towns (the chance that carbon might leak back out seem to be the most common worry).

CLIMATE CHANGE/GLOBAL WARMING

Hold Off On Those Climate Bill Obituaries.... (*The New Republic*)

- *Bradford Plumer*
- January 5, 2010 | 4:04 pm

Seems like the conventional wisdom in Washington right now is that there's no way the Senate passes a climate bill in 2010—especially after that long, gory health care battle we just saw. [Here's](#) *The Washington Post's* Chris Cillizza: "No matter what Obama and his advisers said... there is now no chance that the Administration's climate-change proposal will come up for a vote in the Senate prior to the 2010 election. Politicians never like casting controversial votes, but they like doing so even less in an election year."

Cillizza posted that in late December, shortly after *Politico* published [its own story](#) on how "moderate Senate Democrats are urging the White House to give up now on any effort to pass a cap-and-trade bill next year." Now, there's slightly less to the *Politico* story than meets the eye, since the main cap-bashing quotes came from Mary Landrieu and Ben Nelson, who have been surefire "no" votes since day one. (Nelson we're all familiar with, and Landrieu's a no because she relies on support from Louisiana's oil refiners, who seem to outweigh any concern that her state's particularly vulnerable to rising sea levels and hurricanes.) But *Politico's* right that it'll be a tough slog.

That said, there don't seem to be any signs that Democrats are planning to relent just yet. A few days ago, Ben Geman of *The Hill* [reported](#) that most of the caucus *wants* to move on a climate bill, and that includes coal-staters like Arlen Specter. True, a few conservative Dems would rather drop the carbon cap and just pass a standalone energy bill—money for renewables, money for the grid and electric vehicles, etc.—but that's still a minority view. And the White House insists it won't stand for "slicing and dicing." They want the full cap.

Granted, just because Democrats are moving ahead doesn't mean they have the votes. And if Landrieu and Nelson are opposed, they'll need some Republican support. But optimists should note that Lindsey Graham [is still huddling](#) with John Kerry and Joe Lieberman on a "tripartisan" climate bill. Graham keeps getting abused by the South Carolina GOP, but he's calling for a "meaningful control" on pollution. Also, Susan Collins is co-sponsoring a cap-and-dividend bill—read about the pros and cons of that approach [here](#). So that's at least two Republicans. Not

a slam-dunk, but not sheer fantasy, either. (And for those who love tea leaves, two more Republicans, Richard Lugar and Lisa Murkowski, were [saying positive things](#) about the Copenhagen accord.)

So what about Cillizza's argument that politicians "never like casting controversial votes in an election year"? That depends how controversial you think a climate bill will be. Many pundits (and Democrats) think it's poison. But curbing carbon pollution [does surprisingly well](#) in the polls—and support has held steady for some time now, despite Climategate, GOP attacks on the House bill, etc. (Last I checked, swing Dems in the House [weren't suffering](#) for their Waxman-Markey votes, either.) Mind you, health care's been sucking up all the oxygen lately, and once the spotlight's on climate, support could shrivel—especially if the economy's still foundering and everyone's furious at Obama. But, for now, it's not clear that climate/clean energy's a toxic issue. What's more, as Tom Daschle [has pointed out](#), it's not even true that Congress shies away from controversial bills in election years. Welfare reform passed in the summer of 1996, and the most recent Clean Air Act amendments—including a cap-and-trade system for sulfur-dioxide—passed the Senate in May of 1990. Both big election years. (If anything, you'd think House members would be more skittish about passing election-year bills; senators were given six-year terms precisely so their chamber didn't have to freak out over every little midterm.)

Then there's the biggest reason climate change isn't likely to slink away in 2010—the EPA, remember, [is still preparing](#) to regulate carbon-dioxide on its own if Congress doesn't step in. That's already prompted a few swing senators, like Mark Pryor, to reconsider their stance on cap-and-trade. The Senate doesn't have a choice between doing nothing and doing something. It's a choice between doing something or having the EPA do it for them and making a lot of businesses angry. (One caveat: As Kate Sheppard [reports](#), on January 20th, the Senate will vote on a Murkowski amendment to strip the EPA's CO2 authority. It's unlikely this gets 60 votes, but if it *does* pass, that obviously makes a huge difference.)

Anyway, I'm not wholly confident a climate bill will pass in 2010—it's the Senate, after all, and lots can go awry. But none of the early obituaries for cap-and-trade sound very persuasive. What's more, it's worth considering what would happen if Dems *did* abandon climate change this year. The party's [expected to lose seats](#) in both the House and the Senate this fall, and there aren't a whole lot of green Republicans on the ballot (especially now that Charlie Crist could get snuffed out in Florida). So how will tackling carbon emissions get any easier in 2011 or 2012? It feels a little extreme to say, "It's now or never," but on this issue, that's a real possibility...

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

How Big A Failure Was Copenhagen? (*The Heritage Foundation*)

Posted January 6th, 2010 at 1.16pm in [Energy and Environment](#).

To fully appreciate what a step backwards the final Copenhagen accord is, one has to recall the buildup to it. For the last two years, global warming activists and UN officials had circled December 2009 on their calendars as the watershed moment for creating a new carbon-constrained global economy for decades to come. And in the nick of time, they would argue, as the existing targets in the 1997 Kyoto Protocol are scheduled to expire in 2012. Furthermore, with the Bush administration gone in 2009, many in the international community felt that the path was clear for the Obama administration to finally include America in binding, verifiable, and enforceable restrictions on greenhouse gas emissions.

Of course, none of this happened in Copenhagen. The final agreement includes no stringent new post-2012 targets — nor even weak ones for that matter. In fact, all that the Copenhagen accord contains is vague aspirational language to the effect that it would be nice if each country decided on its own to reduce emissions. Even this face-saving language had to be pared back at the behest of China and other developing nations that didn't want any hint that they might be obligated to do something. Equally non-binding promises from developed nations to provide finance to poor countries and to move forward with international monitoring of emissions are similarly meaningless. Anyone who doubts that the Copenhagen accord is a step backwards should compare it to the stronger language in the UN's [2007 Bali agreement](#).

The lofty expectations for Copenhagen were lowered considerably in the months before the conference, but not enough to reflect the nearly empty final agreement. Those trying to spin the Copenhagen accord as a success that provides momentum for the currently-stalled Senate bill are fudging the facts even worse than the Climategate scientists.

The biggest political surprise is how little difference the change in administrations made. It turns out that both the Bush and Obama administrations faced the same underlying realities that militate against a big new treaty. In particular, President Obama's chief negotiator Todd Stern sounded a lot like his Bush administration predecessor in recognizing that an agreement would be worthless if it exempted China, India and other fast developing nations. But, as the two weeks in Copenhagen revealed, these nations remain adamant about retaining the free pass they secured under the Kyoto Protocol. This impasse sank Copenhagen and will very likely sink the next big UN conference in Mexico City next November.

Developing world intransigence also impacts the domestic debate. Manufacturing state Senators fearful of losing jobs to these nations should domestic legislation unilaterally raise manufacturing costs in America can take no comfort from the Copenhagen accord that this potential disparity will be addressed.

The reality is that ratcheting down carbon dioxide emissions from fossil fuels is a costly and ineffective solution to an overstated problem, and reality was the big winner that emerged from Copenhagen. The Copenhagen fiasco, along with the failure to pass domestic climate legislation this year, means that the debate gets kicked into 2010 with no momentum whatsoever. It will only get harder to push an unpopular global warming agenda in an election year — and that would be a very good thing.

[Cross-posted](#) at [The Washington Post's Planet Panel](#).

- Author: [Ben Lieberman](#)

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on May 28, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

EPA can make BP pay. SIGN OUR PETITION to @[lisajackson](#) & help block billions in BP federal contracts. @[CREDOmobile](#)

Posted by: [movenshake](#) 4:20 pm Full post: <http://bit.ly/9ePANr>
(Note: many RTs)

GULF SPILL: BP slashed dispersants after EPA order -- Jackson

Posted by: [sustaincapital](#) 12:45 pm Full post: <http://bit.ly/9aKiRI>

Gulf Oil Spill & EPA Response

Guardian: Gulf oil spill is public health risk, environmental scientists warn: • Pollution could do lasting damage to locals...

Posted by: [GuardianUSA](#) 5:05 pm Full post: <http://bit.ly/bBy6AC>

t r u t h o u t | Ex-EPA Officials: Why Isn't BP Under Criminal Investigation?

Posted by: [BlueSkyDog](#) 5:00 pm Full post: <http://bit.ly/ag4QEn>

BP suspends efforts to plug oil leak for a second time. Oil still flows

Posted by: [petemyers](#) 4:50 pm Full post: <http://bit.ly/4eMEsW>

EPA Response to BP Spill in the Gulf of Mexico

Posted by: [KQEDScience](#) 2:00 pm Full post: <http://ow.ly/1Rhlt>
(Note: <http://www.epa.gov/bpspill>)

Earth Justice: Enviro's want EPA to turn over ingredients list for dispersants BP is dumping on the.....

Posted by: [prquinlan](#) 3:35 pm Full post: <http://bit.ly/aIRbBJ>

AP: Obama inspects beach threatened by Gulf oil spill: GRAND ISLE, La. (AP) -- Intent on showing firm command of a...

Posted by: [wgelwick](#) 3:40 pm Full post: <http://bit.ly/atiao0>

Scientists to EPA: Say No to Nanotech Dispersant for Gulf Oil Spill Cleanup News –

Posted by: [TransAlchemy](#) 1:50 pm Full post: <http://goo.gl/8haa>

Environment Makes a Comeback

Posted by: [kate sheppard](#) 11:55 am Full post: <http://bit.ly/aHmjbP>

(Note: When Gallup asked in March, 50 percent said energy should take precedence over the environment, while 43 percent said environment should be more important. With millions of gallons of oil in the Gulf—the consequence of policies that prioritize development over conservation—the numbers have shifted. Now 55 percent say the environment is most important, compared to 39 percent who favor energy production. Environment was trending downward over the past two years until this incident.)

CNN: BP's top official upgrades Gulf oil spill impact to "environmental catastrophe."

Posted by: [cnbrk](#) 8:02 am Full post: <http://on.cnn.com/d5uTPh>

ROUND-UP OF MAJOR BLOGS

BP SPILL

The Gulf Spill as a Breach of our Environmental Security (*The Huffington Post*)

[Steven Cohen](#)

Executive Director, The Earth Institute, Columbia University

Posted: June 1, 2010 08:37 AM

Since September 1987, when my wife and I bought a house on the west end of Long Beach, New York, we've been part-time residents of this very special place on the south shore of Long Island. [Long Beach](#) is a small city with a bus service, great pizza, marvelous ice cream, libraries, a boardwalk, and a wonderful beach. It's about an hour from the city and at the end of a branch of the Long Island Railroad. Our small house is really a bungalow that sits on a 60 by 40-foot piece of land a half block from the bay and a block and a half from the ocean. As always, summer started this past weekend with that combination of patriotism and sadness that I always find characteristic of Memorial Day. Long Beach hosts a classic small town Memorial Day parade that never fails to move me. Everyone lines the town's main avenues to wave American flags and applaud the veterans, school marching bands, and even the local elected officials.

This Memorial Day, as I look out on Long Island's ocean, I find my sense of peace and well being disturbed by images, thoughts and fears of the environmental disaster that continues to endanger the Gulf of Mexico. Memorial Day is all about honoring those that protect us and defend our way of life. It is a moment to give thanks to those that gave their lives to provide us with the security we all enjoy here in America. But how secure are we if one irresponsible corporation can cause the incredible devastation that BP has brought to the Gulf? Did these brave people we honor on Memorial Day give their lives to protect the right of BP to destroy our waters? I don't think so. Something is very wrong with this picture.

[NY Times columnist Tom Friedman recently wrote that this a crucial moment for President Obama to provide leadership on the movement to alternative energy and off of fossil fuels.](#) And so it is, but we need to do much more than simply shift the energy base of our economy. We need to develop the capacity to both manage and police our use of technology. Even renewable energy involves dangerous and toxic production processes. Solar cells do not grow from the soil and wind turbines are not made out of wood. Let's not forget the technical complexity and dangers of nuclear technology. The technological base of the modern economy is complicated and dangerous, and even as we move off of fossil fuels, we need to do a better job of managing and regulating that technology.

The key lesson for sustainability management in the Gulf is that we may have the technology to dig deep wells, but we sure don't have the technology or the management capacity to deal with catastrophic accidents on those drilling rigs. Every day that oil pours into the Gulf is proof of that fact. Our inability to stop this slow motion disaster means we should not have been drilling there in the first place. Part of the licensing process for resource production and extraction processes in fragile environments must be a proven emergency response plan.

I do not expect or even want BP to control their hunger for profits and voluntarily self-police their drilling operations. That is the job of government. Where is our government? We need government inspectors to visit each oil rig, inspect and certify them for operation. We need them to revisit and re-inspect these facilities monthly and without warning. Inspectors should have access to highly skilled contractors with the expertise needed to ensure high quality, technically competent inspections. These contractors must be free of conflicts of interest- that is they cannot do business with energy companies.

The organizational and technological challenges of managing a sustainable economy are real, but can be overcome. The deeper problem is the continued currency of the antiquated anti-government rhetoric of the Tea Party and the American right wing. If we are to grow our economy without destroying our ecology, our regulatory processes must become more sophisticated and agile than they are today. We cannot regulate a 21st century economy with organizational practices invented in the 1930s. We need to understand that regulation is a police function. It is not inherently anti-business. But when businesses cut corners and risk our safety and ecosystems for a quick buck, then those businesses must be compelled to change their behavior. We don't need less government; we need a more competent one. We don't need less regulation; we need more effective regulation. In addition to inspiring us, we need President Obama to build governmental organizations capable of protecting our environment while promoting economic growth.

Looking back on Memorial Day 2010, let's remember that the military personnel we honor were government employees. Their job was to ensure our security. Not all of the threats to our security can be countered by the military. We need other government workers as well: fire fighters, police officers, emergency medical workers, and environmental regulators. It's time to recognize and respond to the very real breach of environmental security in the Gulf. This may be the largest environmental disaster in our history, but it won't be the last.

Why Obama Should Put BP Under Temporary Receivership (*The Huffington Post*)

[Robert Reich](#)

Former Secretary of Labor, Professor at Berkeley

Posted: May 31, 2010 01:46 PM

It's time for the federal government to put BP under temporary receivership, which gives the government authority to take over BP's operations in the Gulf of Mexico until the gusher is stopped. This is the only way the public will know what's going on, be confident enough resources are being put to stopping the gusher, ensure BP's strategy is correct, know the government has enough clout to force BP to use a different one if necessary, and be sure the president is ultimately in charge.

If the government can take over giant global insurer AIG and the auto giant General Motors and replace their CEOs, in order to keep them financially solvent, it should be able to put BP's north American operations into temporary receivership in order to stop one of the worst environmental disasters in U.S. history.

The Obama administration keeps saying BP is in charge because BP has the equipment and expertise necessary to do what's necessary. But under temporary receivership, BP would continue to have the equipment and expertise. The only difference: the firm would unambiguously be working in the public's interest. As it is now, BP continues to be responsible primarily to its shareholders, not to the American public. As a result, the public continues to worry that a private for-profit corporation is responsible for stopping a public tragedy.

Five reasons for taking such action:

1. We are not getting the truth from BP. BP has continuously and dramatically understated size of gusher. In the last few days, BP chief Tony Hayward has tried to refute reports from scientists that vast amounts of oil from the spill are spreading underwater. Hayward says BP's sampling shows "no evidence" oil is massing and spreading underwater across the Gulf. Yet scientists from the University of South Florida, University of Georgia, University of Southern Mississippi and other institutions say they've detected vast amounts of underwater oil, including an area roughly 50 miles from the spill site and as deep as 400 feet. Government must be clearly in charge of getting all the facts, not waiting for what BP decides to disclose and when.
2. We have no way to be sure BP is devoting enough resources to stopping the gusher. BP is now saying it has no immediate way to stop up the well until August, when a new "relief" well will reach the gushing well bore, enabling its engineers to install cement plugs.

- August? If government were in direct control of BP's north American assets, it would be able to devote whatever of those assets are necessary to stopping up the well right away.
3. BP's new strategy for stopping the gusher is highly risky. It wants to sever the leaking pipe cleanly from atop the failed blowout preventer, and then install a new cap so the escaping oil can be pumped up to a ship on the surface. But scientists say that could result in an even bigger volume of oil -- as much as 20 percent more -- gushing from the well. At least under government receivership, public officials would be directly accountable for weighing the advantages and disadvantages of such a strategy. As of now, company officials are doing the weighing. Which brings us to the fourth argument for temporary receivership.
 4. Right now, the U.S. government has no authority to force BP to adopt a different strategy. Saturday, Energy Secretary Steven Chu and his team of scientists essentially halted BP's attempt to cap the spewing well with a process known as "top kill," which injected drilling mud and other materials to try to counter the upward pressure of the oil. Apparently the Administration team was worried that the technique would worsen the leak. But under what authority did the Administration act? It has none. Asked Sunday whether U.S. officials told BP to stop the top-kill attempt, Carol Browner, the White House environmental advisor, said, "We told them of our very, very grave concerns" about the danger. Expressing grave concerns is not enough. The President needs legal authority to order BP to protect the United States.
 5. The President is not legally in charge. As long as BP is not under the direct control of the government he has no direct line of authority, and responsibility is totally confused. For example, listen for the "we" and "they" pronouns that were used by Carol Browner in response to a question on NBC's "Meet the Press" Sunday (emphasis added): "We're now going to move into a situation where they're going to attempt to control the oil that's coming out, move it to a vessel, take it onshore We always knew that the relief well was the permanent way to close this Now we move to the third option, which is to contain it. If [the new cap on the relief well is] a snug fit, then there could be very, very little oil. If they're not able to get as snug a fit, then there could be more. We're going to hope for the best and prepare for the worst." When you get pronoun confusion like this, you can bet on confusion -- both inside the Administration and among the public. There is no good reason why "they" are in charge of an operation of which "we" are hoping for the best and preparing for the worst.

The president should temporarily take over BP's Gulf operations. We have a national emergency on our hands. No president would allow a nuclear reactor owned by a private for-profit company to melt down in the United States while remaining under the direct control of that company. The meltdown in the Gulf is the environmental equivalent.

This post originally appeared at RobertReich.org

The Oil Spill and the Republicans (*The Huffington Post*)

[Robert Creamer](#)

Political organizer, strategist and author

Posted: May 31, 2010 06:48 PM

The frustration and anxiety of Americans about the horrific oil spill in the Gulf of Mexico grows by the day. Those whose livelihood is tied to the Gulf -- or who live in the wetlands of Louisiana, and communities along the coast -- are justifiably demanding the deployment of war-time levels of personnel and equipment to stop the dark, deadly oil that is invading from the sea.

In times of national crisis, Americans look to the President to lead -- and to deliver. That's why President Obama was absolutely correct to make it crystal clear that he is personally responsible to deal with the oil spill crisis -- and has told his Administration to spare no effort to stop the leak, oversee the cleanup, and assure that BP completely compensates the massive number of victims.

Increasingly sharp criticism has been leveled at the President because BP has so far been unable to stop the leak. The problem, of course, is that most of the critics have few suggestions about what the Administration might do that it isn't doing.

And it is down right remarkable that the critics, include Republicans like Louisiana Governor Bobby Jindal, who less that two years ago were joining Republican oil industry "expert" Sarah Palin in the juvenile Republican convention chant "Drill Baby Drill!"

"Drill Baby Drill!" was not just intended to promote more offshore oil drilling. It was intended to mock Democratic concerns for the environmental impact of offshore drilling. It was intended to dismiss their opposition to drilling as stupid, "tree-hugging," anti-growth, "elite" concerns. It was intended to mock those who feared that offshore drilling would despoil our natural resources. It was intended to label them -- in the words of the late Republican Vice-President Spiro Agnew -- as "effete, nattering nabobs of negativism" -- part of the "chablis and brie" set that is completely disconnected from the lives of ordinary Americans who drink beer, work hard and get their hands dirty producing the products and the food we need in our everyday lives.

Of course things haven't turned out that way. The victims of the BP oil disaster are the shrimpers and the oystermen -- the people who own the mom and pop restaurants and coffee shops -- the folks who drive their pickup trucks to a job in the tourist industry along the Mississippi coast. The real victims are the fathers who want to take their sons hunting in the Louisiana wetlands the way their father took them.

And the real beneficiaries of the Bush-Cheney-Republican energy policy have not been ordinary Americans -- they are the giant oil companies that have become economic behemoths by encouraging the world's addiction to oil and preventing the development of energy alternatives that would end our dependence.

The fact is that while Big Oil has been polluting the Gulf with what now appears to be 12,000 to 19,000 barrels of oil -- or more -- each day since April, it has been polluting our politics with millions of dollars in campaign contributions for decades.

In the last three and a half years, the oil industry has given over \$35 million dollars to the Republicans. Big Oil paid for "drill baby drill" just as surely as United Airlines paid for the naming rights of the United Center in Chicago.

There are two underlying causes for this disaster:

First and foremost is our failure to invest in development of clean, renewable energy sources to replace hydrocarbons that are rapidly running out and are increasingly expensive and dangerous to recover. For decades it has been obvious that this was a critical national -- worldwide -- necessity. We have failed to do so for one reason: the enormous political power of big oil.

The big oil companies own huge oil reserves that appreciate in value every time the price of oil rises. The scarcer oil gets, the more valuable those reserves become. They have every reason to promote the world's addiction to oil and to ransom the remaining supplies of hydrocarbon-based energy at higher and higher prices.

The interest of the private players in the energy market are simply different than the interest of ordinary Americans. It is up to the government to act to assure that our society develops cheap, clean abundant alternatives to fossil fuels. Left to their own devices, the big energy companies ain't gonna do it.

The Republicans -- who are virtually a wholly-owned subsidiary of the big oil companies -- are doing everything they can to block clean energy legislation that redirects our national energy policy down a road to renewables -- that puts the United States in the forefront of creating a new generation of clean energy jobs -- and that ends our political and military dependence on foreign oil.

Just last Friday, America crossed the one trillion dollar mark in spending for the wars in Iraq and Afghanistan that happened primarily because our dependence on oil from the Middle East. Even the attack by Al Qaeda. that spawned our involvement in Afghanistan had its roots in our involvement in Saudi Arabia that resulted entirely from U.S. dependence on foreign oil. And of course, every dollar we spend on oil and gasoline goes to support many of the world's regimes that are most committed to doing America harm.

Second, the BP oil spill resulted from the outrageously cozy "non-regulatory" attitude of the Interior Department's Minerals Management Service (MMS). That's the outfit that was the

subject of the Inspector General's report that found MMS employees literally sleeping and doing drugs with the oil company executives they were suppose to regulate.

There is no doubt that MMS should have been overhauled more rapidly when the Democratic Administration took office. But the "non-regulatory" culture that allowed many oil companies to write their own inspection reports was enshrined by the Bush Administration's culture of "private industry knows best." And it was easy for the so-called regulators to justify giving environmental waivers to BP for the Deepwater Horizon well since Congress had mandated that applications for drilling permits must be acted on within thirty days - never enough time for a serious environmental review.

Right now it appears that at least some oil will leak from the Deepwater Horizon well until August, when a relief well is completed and can permanently close off the blowout. But the Canadian Government requires that when oil companies drill in the environmentally sensitive Canadian Arctic, a relief well must be drilled at the same time as the original well. If that were required in the Gulf, the spill would have ended shortly after the original blowout over a month ago.

The oil industry would argue that that would impose an enormous cost burden for deep water drilling. But all you need is one disaster to generate massively more cost than that of the relief well. BP's liability could rise to be hundreds of billions of dollars and it should be forced to pay every penny even if it were ultimately to mean bankruptcy.

Of course oil flacks like Republican Senator James Inhofe of Oklahoma would argue that imposing additional costs and exposing oil companies to uncapped liability would "discourage" this kind of drilling. Precisely. We need to require polluters to base their economic decisions on the actual costs of their activities to everyone - including the ones they normally try to externalize to the rest of us.

The oil companies - like Wall Street - want to privatize the profits and socialize the risks. And those risks turned out to be massive. As the *New York Times* reported on Monday, "The failure of the most recent effort - known as a top kill..... has underlined the gaps in knowledge and science about the spill and its potential remedies." No matter, the upsides were so great that absent rigorous regulation, BP was perfectly willing to ignore them. After all Big Oil and Wall Street both planned to take all of the upsides for themselves and lay the downsides off to the taxpayers.

And that is exactly what they will do every time if they are not subject both to tough, continuous regulatory oversight and to uncapped economic liability if their risky bets go south. Their Republican enablers have done everything in their power to prevent both tough regulation and uncapped economic liability for Big Oil.

It turns out that -- in practice -- the Republican convention chant, "drill baby drill" really meant "spill baby spill." Many rank and file Republicans may not have intended it that way, but that's exactly the way it turned out.

Robert Creamer is a long-time political organizer and strategist, and author of the recent book: Stand Up Straight: How Progressives Can Win, available on Amazon.com.

Yes, We Can Take Charge Of BP's Disaster (*Wonk Room*)

By [Brad Johnson](#) on May 29th, 2010 at 10:46 pm

The latest attempt by BP to shut down its apocalyptic oil gusher — the “top kill” maneuver — has [failed](#), despite BP CEO Tony Hayward’s assurance yesterday that it had a [70 percent chance of success](#). There’s no question that the federal government, if the president so decides, can [take over the challenge](#) of mitigating the damage of BP’s oil to the shores and waters of the Gulf of Mexico. But can President Obama take charge of stopping the wellhead gusher from the foreign oil giant? The administration argues it’s keeping BP in charge of the attempts to shut down the blown out well because government doesn’t have the equipment or expertise to solve this engineering problem without BP:

Adm. Thad Allen, Incident Commander: “To push BP out of the way, it would raise the question, to replace them with what?” [White House briefing, [5/24/10](#)]

David Axelrod, White House adviser: “They’ve got equipment that our government doesn’t have.” [Fox News, [5/24/10](#)]

Ken Salazar, Secretary of the Interior: “This administration has done everything we can possibly do to make sure that we push BP to stop the spill and to contain the impact. We have also been very clear that there are areas where BP and the private sector are the ones who must continue to lead the efforts with government oversight, such as the deployment of private sector technology 5,000 feet below the ocean’s surface to kill the well.” [White House briefing, [5/24/10](#)]

The administration has been keeping an ecological criminal in charge of the crime scene during a national crisis. [Seventeen nations](#) have offered assistance — but “the final decision is up to BP” to accept it, according to the State Department — and only Canada, Mexico and Norway have been allowed to help so far. The law — [Title 33, Section 1321](#) — mandates that President Obama “shall direct all Federal, State, and private actions to remove the discharge,” using any means necessary. There are not any resources — people or equipment — that Obama doesn’t have the authority to seize and put into service.

It’s certainly fair to expect that private sector resources may be needed for this disaster, but BP’s only unique qualification for the disaster response is that it is the perpetrator. Although BP is by

default a party responsible for implementing the cleanup plan, it is by no means the only possibility. The rig was operated by Transocean; the cementing done by Halliburton; the blowout preventer built by Cameron. Other companies involved in ultra-deepwater drilling include engineering giant [Schlumberger](#), Norway's nationalized oil company [Statoil](#), [Shell](#), and [Chevron](#).

If the Navy can't direct the undersea mission after it's given authority over any needed private resources, it calls into question why we entrust it to operate aircraft carriers and nuclear-armed, nuclear-powered submarines.

Obama does not need to keep working with BP management — like CEO Tony “[Very Very Modest](#)” Hayward, BP America president Lamar “[No Certainty](#)” McKay, BP Chairman Carl-Henric “[Big And Important](#)” Svanberg, or COO Doug “[Very Optimistic](#)” Suttles — who have repeatedly laughed off the scale of this catastrophe. If federal officials believe that BP engineers should continue to work on the problem, the President has the authority to have those people working directly for the federal government.

In fact, the president has the authority to [nationalize BP America](#) and seize all of its assets, rendering the question of reliance on BP moot. If Obama does not believe that the Clean Water Act's “spill of national significance” provisions give him sufficient authority, he should declare the national emergency that should have been declared weeks ago, or demand that Congress deliver him necessary legislation. Or there's an easier option: BP is on the hook for all costs of this apocalyptic disaster. Obama can simply buy BP America and send the bill to its foreign parent company.

The relevant legal code of Title 33, Section 1321:

(A) If a discharge, or a substantial threat of a discharge, of oil or a hazardous substance from a vessel, offshore facility, or onshore facility is of **such a size or character as to be a substantial threat to the public health or welfare of the United States** (including but not limited to fish, shellfish, wildlife, other natural resources, and the public and private beaches and shorelines of the United States), **the President shall direct all Federal, State, and private actions to remove the discharge or to mitigate or prevent the threat of the discharge.**

(B) In carrying out this paragraph, **the President may, without regard to any other provision of law governing contracting procedures or employment of personnel by the Federal Government—**

(i) remove or arrange for the removal of the discharge, or mitigate or prevent the substantial threat of the discharge; and

(ii) remove and, if necessary, destroy a vessel discharging, or threatening to discharge, **by whatever means are available.**

Unprecedented' Oil Catastrophe Repeats History (*Wonk Room*)

By [Brad Johnson](#) on May 28th, 2010 at 6:15 pm

Numerous politicians and oil industry officials have claimed the [BP oil catastrophe](#) growing in the Gulf of Mexico is “unprecedented.” From BP CEO Tony Hayward, who called his company’s environmental crime an “[unprecedented accident](#),” to Admiral Thad Allen, U.S. Coast Guard, who called it an “[unprecedented anomalous event](#),” officials and pundits have given the impression that the consequences of this catastrophe [could not have been predicted](#). In a Congressional oversight hearing on the apocalyptic disaster on Thursday, Rep. Doc Hastings (R-WA) even argued the country should respond to this “unprecedented” event by making sure “that we [continue to produce oil here](#) in the states.”

On Thursday, May 27, Rep. George Miller (D-CA) [responded to the myth](#) that this catastrophe was unprecedented and thus unforeseeable:

Every time we have a catastrophic event like this involving British Petroleum or other parts of the oil and gas industry, **we’re told that this is an unpredictable cascade of unforeseeable errors, that this is unprecedented, that nobody could have foreseen this.** This is sort of like the bankers on Wall Street. Nobody could have foreseen the risks that they engineered themselves, so nobody’s responsible. I don’t believe this was some “black swan” or “perfect storm” event. There wasn’t something that could not have been foreseen. And I don’t think this is something you can promise will never happen again.

Like the rest of the oil industry, BP has a long record of [tragic, extraordinary environmental disasters](#), stretching from Alaska to Nigeria. And this particular disaster is not unprecedented in size, in the kind of accident, nor in the methods used to respond. There have been dozens of oil well blowouts in the Gulf of Mexico, including 39 since 2007.

As Rachel Maddow described on her MSNBC show Wednesday, the largest accidental oil spill in history, Ixtoc I, was [eerily similar](#). That 1979 disaster took place off the coast of Mexico in the Gulf of Mexico, a months-long runaway blowout in which the blowout preventer failed. One-hundred-thirty million gallons of oil spilled into the Gulf after cofferdam and top-kill and junk-shot efforts failed, until relief wells were finally drilled. The efforts to limit the catastrophe have not changed either, as booms, dispersants, and burns were used to limit the spread of Ixtoc’s plumes of oil.

To be fair, the Ixtoc I cofferdam effort was called a “sombrero,” a totally different kind of headgear from BP’s “top hat.”

What makes this catastrophe new is its location in the [fertile and fragile ecosystem](#) of the northern Gulf, and the depth at which the well was drilled, increasing the dangers. But this event is yet another tragic reminder of the truth of George Santayana’s dire maxim: “Those who cannot remember the past are [condemned to repeat it](#).”

Obama's Oil Spill Speech Overreaches on Cap and Trade, Cancelled Drilling (*The Heritage Foundation*)

Posted May 28th, 2010 at 10:30am in [Energy and Environment](#)

A little over a month into the Gulf of Mexico oil spill, the American public wants answers— from the Obama administration, from Congress and from BP. While there are still many more questions than currently available answers, President Obama answered a few and dodged others in his speech today. He made a resounding push for clean energy legislation and referenced the House cap and trade bill passed last year and the one recently introduced in the Senate. He also suspended or canceled a number of lease sales off the coasts of American waters and extended a moratorium on deep-sea offshore oil drilling permits. The Gulf oil spill certainly presents an unprecedented economic and environmental disaster and challenge, but it should not be used as an excuse to ban offshore exploration and cancel leases outright or to overreach and make drilling prohibitively expensive. Furthermore, it should not be used to push clean energy agendas forward that will impose a significant burden on for American families, American businesses, and the American economy.

Similar to Rahm Emanuel's "You don't ever want a crisis to go to waste" statement, President Obama urged both Democrats and Republicans to move quickly to pass cap and trade legislation. This is not the solution to America's energy needs because cap and trade [will raise energy prices, kill jobs and contract the economy](#). If "clean energy" legislation moves forward, higher energy costs will spread throughout the economy as producers everywhere try to cover their higher production costs by raising their product prices, further impacting Americans. The result will be a much slower economy and lost jobs at a time when the top priority for Americans is economic growth.

Also adversely impacting America's economic recovery and long-term energy policy in President Obama's speech was his announcement to cancel or suspend lease sales in the Arctic, Atlantic and Western Gulf. "Domestic oil production is an important part of our overall energy needs," President Obama said in his speech, but his announcements do not reflect that. There are billions of barrels of oil and trillions of cubic feet of natural gas under these waters that could possibly create tens of thousands of jobs as well as create revenues for financially strapped state governments and increase revenues for federal governments.

The leasing process takes multiple years to complete and does already provide rigorous environmental and regulatory checks. If the president was sincere in his statement about the need for oil production, he would allow these lease sales to continue. Don't forget, President Obama's announcement in favor of offshore drilling in March of this year, [only opened up a small portion and actually terminated](#) other lease sales.

It may, however, be a completely legitimate short-term policy to better analyze the technology on deep-sea offshore drilling; thus, temporarily halting the operation 33 exploratory deepwater rigs is a good decision – as long as the decision does not lead to unnecessarily delays. Figuring out why the blowout preventer and other failsafe mechanisms failed should still be of chief importance. As Heritage’s energy expert [Ben Lieberman wrote](#), “As technology has advanced to allow exploration and drilling at great depths—in the case of Deepwater Horizon through 5,000 feet of water and 18,000 feet of sea floor—the challenge of dealing with spills under these conditions may have lagged.”

Was it a result of human error or did the depths of the water or lack of available technology play a role? President Obama highlighted the technological difficulties of drilling offshore, saying, “The fact that oil companies now have to go a mile underwater and then drill another three miles below that in order to hit oil tells us something about the direction of the oil industry. Extraction is more expensive, and it is going to be inherently more risky.” In a recent post, [colleague David Kreutzer explains](#) that not all the “easily accessible” oil is gone.

President Obama is right to focus on the environmental cleanup and holding BP accountable for the damage. He rightly said that BP and other oil industries, not the government, have the expertise in stopping the leak, which may be accomplished with the top-kill approach. The government finally approved Bobby Jindal’s request [to build barrier islands](#), a man-made shield to protect Louisiana’s marshlands. The president said he is angry and frustrated – as are most Americans. But that frustration should not lead to policies that will shrink America’s economy, destroy jobs and affect America’s energy production for years to come.

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**U. S. Environmental Protection Agency
Blog Round-up
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Friday, January 11, 2013



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June 2, 2010**

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ROUND-UP OF MAJOR BLOGS

BP SPILL

Holder: We Can Investigate BP While It Cleans Up The Crime Scene (*The Wonk Room*)

By [Brad Johnson](#) on Jun 1st, 2010 at 6:42 pm

This afternoon, Attorney General Eric Holder announced “that the federal government has launched [criminal and civil investigations](#) into the oil spill in the Gulf of Mexico that is now the worst in U.S. history,” even as BP runs the disaster response. The Department of Justice investigation comes on top of the [Minerals Management Service-Coast Guard investigation](#), the work of the [independent Presidential commission](#), and several [oversight investigations](#) by Congress. Saying the criminal investigation had begun weeks ago, Holder told reporters that the federal government “will prosecute to the fullest extent of the law [anyone who has violated the law](#)”:

As we move forward we will be guided by some relatively simple principles. We will ensure that every cent, every cent of taxpayer money will be repaid and that damages to the environment and wildlife will be reimbursed. We will make certain that those responsible clean up the mess that they have made... **And we will prosecute, to the fullest extent of the law, anyone who has violated the law.**

A significant component of the investigation will involve the scope of the environmental damage caused by the unfolding disaster in the Gulf, using the relevant provisions of the the Clean Water Act, the Oil Solution Act and the Migratory Bird and Endangered Species Act.

This ongoing investigation will take place even as BP continues to exercise control over [nearly every aspect](#) of the disaster response. In addition to the efforts to stop the leaks, BP manages claims processing, thousands of environmental contractors on land and sea, volunteer assistance, phone lines, access to the disaster site, and data collection. Everyone from Obama press secretary [Robert Gibbs](#) to National Incident Commander [Thad Allen](#) have expressed that BP and its management are essential to the clean up. Holder told reporters he agrees, and believes that his criminal investigation won't come into conflict with keeping BP involved in the crime scene:

It is in BP's interest to keep doing what they're doing, in fact even doubling [the effort].

As President Obama noted last week, there are many ways in which [BP's interests are not aligned with the public interest](#). If BP attempts to limit its liability by mitigating the environmental damage, it is serving the public interest. However, there are any number of ways that BP can serve its shareholder responsibilities and protect its management that do not serve the public, from [limiting media access](#) to the carnage it has wreaked on the people and environs of the Gulf Coast to the possible manipulation and destruction of physical evidence. The disaster response has been repeatedly tainted by the possibility that BP has been attempting to limit the visible damage to greater expense — has that affected the decision-making on [dispersants](#)? On the [sinking of the rig](#)?

With its practical authority over all of the people of the Coast now reliant on BP to provide information and employment, the company can directly and indirectly [intimidate witnesses, workers, and victims](#), [hide damage](#), and stall outside investigators. BP's executives are also safe in expecting that their positions are secure so long as BP is considered irreplaceable by the federal government, a reputation they have taken pains to build throughout this catastrophe.

It's in BP's interest to limit the physical damage caused by its negligence, but it's also in BP's interest to limit the political damage — as demonstrated by the hiring of Cheney spokeswoman [Anne Womack-Kolton](#), not exactly a friend of accountability for the energy industry's crimes against the planet and the American people.

Water

Three Steps to Cure Our Ailing Ocean (*TreeHugger*)

by Guest  on 06. 2.10
TRAVEL & NATURE

Twenty years ago when I had the opportunity to dive to 18,000 feet in the Japanese research submersible, Shinkai 6500 in the Sea of Japan I fantasized about the amazing animals our team might see deep on the ocean floor: rat-tails, deep sea sharks, and octopi. But when we reached the sea bottom, it was littered with trash that included food bags, soda cans, empty boxes, and even a broken toy doll. I shudder to imagine what that same sea bottom looks like today. But, despite the problems the ocean faces thanks to humans, there is a prescription to cure it.

The ocean is a beautiful, mystical world that covers more than 70% of our planet and supports a mind-bending array of life below the surface and above. But it's also a fragile ecosystem that is vulnerable to the strains placed upon it, which include pollution (plastics, oil, pesticides, sewage, pathogens, excessive amounts of nutrients, etc.), increased acidification, and the warming of the water, all of which can harm the life supported by the oceans. Some of this strain is visible, but much of it not. The ocean hides most of what we do to it. But I can tell you first-hand that it is facing a health crisis that needs urgent care.

The Plastiki expedition will study something that is generally visible: the massive patch of trash floating in the Pacific Ocean. Because most plastic floats, we can see it accumulated along shorelines, on beaches and lately, in ocean gyres hundreds of miles across (large circular closed-current systems - there are 5 worldwide). And because most Laysan albatrosses nest in protected and well-studied reserves in the Hawaiian Islands, we've seen the frightening accumulations of plastic objects that parents and chicks ingest, and the terrible toll that takes.

I was at one such reserve in the northwest Hawaiian Islands, Mid-Way Island, last June and saw this first hand; every few feet, everywhere on the island were pieces of plastic brought there by the Albatross because they confuse the plastic for food. I saw one mother trying to feed an old tooth brush to her chick. Less visible are the effects of plastic ingested by marine turtles that mistake plastic bags for their jellyfish prey and choke to death or die of intestinal blockage. Completely invisible are the effects of tiny particles (microplastics) released when larger chunks of plastic slowly degrade at sea and enter the fish and later the human food chains. We have little idea of the extent to which these particles block or damage the digestive systems of zooplankton and larval fish, or the effects of oil, PCBs, and pesticides, which accumulate on the particles' surfaces.

SLIDESHOW: An Ocean of Plastic...in Birds' Guts. Photography by Chris Jordan

In all these ways, plastics typify the major plot line for most of our abuse of the ocean: wonderful new products or techniques are ingeniously developed, deployed to excess, and thoughtlessly abandoned after use with unpredicted and unregulated disregard for side effects that harm the environment and marine life. It's this that has also led to expanding "dead zones" (large areas of low oxygen water such as those found in the Gulf of Mexico), climate change, sea level rise, ocean acidification, overfishing, loss of biodiversity, and increasing frequency of invasive species. All of these threats to our oceans and planet have traceable sources and both visible and invisible effects.

The comparatively small 4 percent of ocean which scored as 'very lightly impacted' was located near the poles, where seasonal or permanent ice cover has reduced human access. Those areas will see increased impact as ice cover recedes due to global warming.

So the bad news is that the ocean and many of its habitats and populations are approaching a state of crisis. But the good news is that (1) they aren't dead yet, (2) we understand the nature and extent of the worst problems and (3) we know what solutions will bring the ocean back to good health.

It is also good news that the ocean's problems are entirely extrinsic. They are not caused by weakness, disease or any other fault of the marine system itself, but from the activities of people. Solutions therefore must focus entirely on us and our behavior. Again, this is good news because we know a lot more about ourselves than we do about the ocean and its citizens.

A Three-Pronged Strategy to Rebuild Ocean Health

At Conservation International (CI) we've adopted a three-prong strategy to rebuild ocean health. First, we've pioneered something called the Seascape model which integrates management of broad marine areas through collaborations between governments, non-governmental organizations, conservation organizations, coastal communities and the private sector. Seascapes in Bird's Head, Papua, (eastern Indonesia); the Sulu and Sulawesi Seas (Indonesia, Malaysia, and the Philippines); and the Eastern Tropical Pacific (Costa Rica, Panama, Colombia, and Ecuador) are setting new standards for cooperative marine stewardship by establishing biodiversity reserves, designating critical areas, improving procedures for assessing the environmental impacts of development, and helping to establish a coordinated legal framework for management by neighboring countries. That is just the beginning. CI is currently working to promote entirely new Seascapes in Brazil, Hawaii and the Western Indian Ocean, while also encouraging governments and multilateral agencies to create and support additional Seascapes on their own.

Second, we're scaling up that model for larger-scale regional management. For example, CI worked with The Nature Conservancy (TNC) and World Wildlife Fund (WWF) in a partnership called the Coral Triangle Initiative (CTI), which uses the same management techniques to help six governments (Malaysia, Indonesia, Papua New Guinea, Philippines, Solomon Islands and Timor L'Este) promote coral reefs, fisheries and food security. That initiative benefits more than 100 million people in the region who depend on the sea for their food, recreation and livelihoods. We're also in the early stages of working with President Anote Tong of the Republic of Kiribati, and leaders of other island nations to create a "Pacific Oceanscape" that could extend from Micronesia, through Melanesia, Polynesia and all the way to New Zealand, bringing ecosystem-based management to millions of square kilometers of ocean.

Third, CI is working to secure sustainable fisheries management on the High Seas -- the 70 percent of the ocean beyond national jurisdiction, where the void in governance has created a "Wild West" no-holds-barred competition for the 11 million tons of fish harvested there each year. Reforms is needed for high seas fisheries, but also for protecting seamounts, the underwater mountains formed by extinct volcanoes whose tops support remarkably productive, but very slow growing, populations of fish, cold-water corals and other species 1000 to 4000 meters below the sea surface. We are promoting policies and actions to stop unsustainable exploitation

of fisheries, habitat-destructive industrial fishing techniques, and fisheries practices that threaten the food security of millions of coastal residents who depend entirely on subsistence fisheries.

Measuring Success By Measuring Ocean Health

How will we know whether CI's actions and others are working? As one answer to that question we are developing a new approach to measuring and evaluating the ocean's health that is centralized, specific and scientifically verifiable. Ocean managers and the public will be able to see how the waters they frequent are faring and whether marine conservation is working. After all, we assign indices to track our financial markets, grades to monitor our children's educational progress, and scores to compare our favorite sports. The ocean's health deserves our same attention.

In all these ways Conservation International and its partners are helping build the capacity of nations, institutions and communities to create effective management of their marine resources; and encouraging social and political support for actions that promote the health and productivity of marine systems. Seascales, Oceanscales, Sustainable Fisheries and evaluation of subsequent improvements in ocean health will in time restore a rich abundance and diversity of marine life.

As threatened habitats, species and populations recover, we will see not only a healthier ocean, but greater prosperity and well-being for humans, including more than one billion of us who depend on seafood as our primary source of protein.

We are confident that the coordinated, collaborative, partner-based techniques developed while creating and maintaining Seascales and Oceanscales will improve all aspects of ocean health, including stopping the proliferation of waste plastic at sea. This requires deliberate, coordinated, multinational action, driven by awareness of the enormous value of the ocean to a healthy, prosperous human future. We humans cannot thrive by continuing to abuse the life support system that comprises 98% of the world's biosphere, recycles carbon, nitrogen, water and other essential substances, produces 70-80% of the oxygen we breathe, and contains the greatest diversity and abundance of life on our planet. The ocean works hard for us. Now it is time for us to work on its behalf.

The Plastiki expedition is a courageous, bold undertaking that will raise awareness about the ocean's health, and we hope, will be a call-to-action to inspire people. All of us at Conservation International wish Plastiki and her crew a safe voyage. We salute you for calling attention to plastics pollution and boldly challenging society to find solutions that eliminate this important problem.

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**U. S. Environmental Protection Agency
Blog Round-up
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Friday, January 11, 2013



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June 3, 2010**

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ROUND-UP OF MAJOR BLOGS

BP SPILL

Lubchenco Concedes ‘Circumstantial Evidence’ Means Oil Plumes Are ‘Quite Possible’ (*The Wonk Room*)

By [Brad Johnson](#) on Jun 2nd, 2010 at 6:57 pm

The foreign oil giant BP has come under withering fire for [questioning the existence](#) of vast undersea oil plumes from the Deepwater Horizon disaster. BP’s skepticism is nearly [matched by the federal government’s top ocean official](#), Dr. Jane Lubchenco, the ocean scientist in charge of the National Oceanic and Atmospheric Administration (NOAA), raising more questions about the wisdom of the [unnecessary federal collaboration](#) with this [environmental criminal](#).

In a teleconference with reporters, Lubchenco said that numerous teams of ocean scientists have found only “anomalies” that might or might not be oil which might or might not be from the BP disaster. She said that only chemical analysis to fingerprint water samples as being contaminated with the Deepwater Horizon’s oil should be considered confirmation of the plumes. Questioned by the Wonk Room, Lubchenco dismissed the findings of the University of Georgia research vessel Walton Smith team — who took [physical samples of water contaminated with oil](#) — as “circumstantial evidence.” After further questioning by Huffington Post’s Dan Froomkin, she then conceded:

It is quite possible there is oil under the surface. I think there is reason to believe that may be the case.

Although it is certainly true that chemical analysis of water samples will be definitive, the evidence for these “possible” oil plumes is far stronger than “circumstantial,” as today’s [ABC News report](#) about the Walton Smith mission shows:

Lubchenco's expressed doubt of the existence of oil plumes is consistent with NOAA's approach to other scientific questions about this environmental calamity. Like BP, she has dismissed the oil entrained in the loop current as a "[very small amount](#) of light sheen" which is "likely to be very, very diluted." Like BP, Lubchenco claimed the 210,000-gallon-a-day guess for flow rate — which was questioned by independent scientists the day it came out on April 28 — was the "[best estimate](#)" for an entire month. Eventually NOAA admitted the actual flow rate was at least 240 to 500 percent greater.

Below is a timeline of the scientific research about these undersea plumes:

A 2001 experiment of a deepwater discharge of oil conducted by an industry consortium that included BP found that "a portion of the [most toxic compounds](#) is left in the water column."

An April 26 BP document estimates that "at least half of the oil released" will "evaporate or [disperse in the water column](#)." The document was made public on May 27 after an [investigation](#) by House global warming committee chair Ed Markey (D-MA).

On May 6, BP retracted its request that Woods Hole scientist Richard Camilli lead a team to [directly measure the undersea plume](#) at the Deepwater Horizon wellhead.

On May 10, the environmental consulting company Applied Science Associates took the NOAA-commissioned research vessel Jack Fitz and found the "[presence of oil](#) beneath the surface." The final laboratory tests were completed Monday but are being held by NOAA.

On May 16, the multi-institution Pelican mission led by Samantha Joye of the University of Georgia and Vernon Asper of the University of Southern Mississippi reported [plumes based on multiple instruments](#) from 2300 to 4200 feet below sea level, flowing southwest of the Deepwater Horizon wellhead.

On May 25, Good Morning America correspondent Sam Champion and Philippe Cousteau Jr., the chief ocean correspondent for Planet Green, filmed dispersed globules of oil "[forming large plumes](#) under the surface of the water as deep as twenty-five feet."

On May 28, the multi-institution Walton Smith mission led by Samantha Joye of the University of Georgia and Vernon Asper of the University of Southern Mississippi detected [plumes of suspended oil at three different depths](#) west of the Deepwater Horizon wellhead.

On May 28, the University of South Florida research vessel Weatherbird II mission detected a "[6-mile-wide plume](#) of invisible oil" more than two miles below the surface in the DeSoto Canyon, about 20 miles northeast of the Deepwater Horizon wellhead. They found the plume guided by computer modeling by USF oceanographer Robert Weisberg.

On May 30, NOAA released a map of a "[subsurface plume detected](#)" traveling southwest from the Deepwater Horizon wellhead by the R/V Brooks McCall mission using a CDOM fluorometer.

On May 30, BP CEO Tony Hayward claimed, “The oil is on the surface. [There aren’t any plumes.](#)”

Dingell Calls For ‘Complete Moratorium’ On All Drilling Now (*Wonk Room*)

By [Brad Johnson](#) on Jun 2nd, 2010 at 1:13 pm

Responding to the epic BP oil disaster killing off the Gulf of Mexico, Rep. John Dingell (D-MI) has called for a suspension of all oil leasing and drilling in the United States. “[I’ve been a supporter of offshore oil and drilling](#),” Dingell said in a May 27 hearing on the BP oil spill, “and I must say the oil companies are making this support increasingly difficult.” His concern that the environmental laws he helped write are not being obeyed by the oil industry or enforced by the government has made the senior-most Democrat on the House energy committee believe that it is necessary to “[establish a complete moratorium](#) on all leasing and drilling activity”:

Today I am forced to come to a difficult conclusion. **We need to establish a complete moratorium on all leasing and drilling activity** until it is established that all of it was done and is being done in full compliance with the environmental laws, and with full attention to safety, and to avoid the kind of disastrous spills were now seeing in the Gulf.

A long-time senior member of the House Committee on Energy and Commerce, Dingell “[either authored or was a major force](#)” in enacting “the Endangered Species Act, the National Environmental Policy Act, the original Clean Water Act, the 1990 Clean Air Act, and the National Wildlife Refuge Administration Act.” At the same time, Dingell has also been a major advocate for the automotive and energy industries, opposing regulations for [seat belts](#), catalytic converters, [fuel economy](#), and [global warming pollution](#).

Obama and the Oil Spill (*The Heritage Foundation*)

Posted June 3rd, 2010 at 9:16am

The infamous words “a crisis is a terrible thing to waste” were first uttered by President Obama’s Chief of Staff Rahm Emanuel last year, when he laid bare his intention to use the credit crisis to reorder the U.S. economy. This sentiment now seems to animate the President’s own intention to [introduce economy-crushing climate legislation](#) on the back of the oil spill in the Gulf of Mexico,

while somehow blaming Republicans and, yes, the Bush Administration for what may be the worst environmental disaster in the history of our nation.

Meanwhile nearly [48 miles out](#) in the Gulf, and a mile below the surface, oil continues to gush out the sea floor every second, threatening the environment and the economy of the southeast United States. Hope is fading that the oil flow can be stopped in any short order. Roughly 1,200 miles away, confusion over command and control continues to build in Washington, where the White House [debates cancelling official trips to Asia](#), but not unofficial trips to Chicago.

What the nation needs is better organization of the effort to cap the spewing well and aggressive action on the clean up front. But yesterday, the President didn't go on the offensive against the gushing oil; [he went after Republicans](#).

Obama suggested that the [GOP's deregulatory attitudes](#) were the core problem faced in the Gulf. Obama said congressional Republicans have a "sincere and fundamental belief" that government has "little or no role to play in help this nation meet our collective challenges...If you're a Wall Street banker or insurance company or oil company, you pretty much get to play by your own rules, regardless of the consequences to everyone else."

Actually, in the case of the BP oil spill, the involved parties—the companies and regulators—did not uphold their responsibilities to ensure safe operations or to adequately prepare for a worse-case scenario. But this failure was likely not the result of insufficient regulatory quantity: Getting a lease to drill offshore is already an onerous regulatory process, and once drilling operations commence, the lessee is subjected to constant monitoring and inspection.

It was more likely the case that the [current regulatory regime](#) confuses responsibilities, undermines incentives for market-based safety solutions, and creates conflicts of interests between the regulator and those being regulated.

The opportunity the President sees here is to pass economy-crushing global warming legislation. The Heritage Foundation and most conservatives don't see diversifying our energy supply as a problem, but do see a problem when it [cripples the economy](#) and imposes top-down, Big Government mandates and restrictions which produce worse results.

Moreover, global warming legislation would do nothing to improve cleanup and very little to prevent future spills, but would distract from the very efforts to cleanup and stop the oil that must be top priority now, not to mention raise energy costs for families and [kill much needed jobs](#). [In Louisiana itself, the effect of the Waxman-Markey global warming bill](#) would mean a loss of over 15,000 jobs, gas price hikes and skyrocketing consumer electricity rates. Subsidizing experimental energy sources doesn't become more attractive merely because oil pollutes our waters; and the problems they carry should be fully debated, not crammed through as a way to vindicate the President's command and control agenda.

And pretending that our economy can survive without a commitment to [safe oil operations](#) is naïve at best. It is binary: If we don't drill, we import. And if we don't open drilling to easier sources such as onshore deposits and shale, we limit ourselves to riskier exploration a mile below

the ocean floor. Despite the president's assertions at his press conference earlier this week, billions of barrels of "[easily accessible](#)" oil have been turned into "[impossible to access](#)" oil by federal regulations and moratoria – including the President's own actions – that block any access.

What the President should do is examine the red tape that may have contributed to the failure to contain the environmental disaster. Were there missed opportunities to burn off more of the leaking oil because of overblown air pollution standards? What were the holdups in the use of dispersants? Did federal permitting delays stop Louisiana from creating the artificial barriers it needed? The answers to these questions appear to be yes, and that responsibility lies with the President. He and his team should make it top priority to waive any regulatory barriers that continue to slow cleanup and recovery efforts.

We agree with Obama—the buck stops with the president. The Deepwater Horizon platform sat on federal waters and was under federal jurisdiction. It is the responsibility of the federal government to ensure that the leased space is not a threat to public health or safety. And it is the responsibility of the government to ensure the clean up efforts in the Gulf are appropriately managed. Coordinating the best experts in the world (outside Hollywood film directors) to work with BP to stop the leak is priority #1.

Coordinating the cleanup is equally imperative so that our ecosystems, wildlife, economy and industries can experience as little disruption as possible. The Oil Pollution Act of 1990 authorizes the president to oversee the cleanup efforts of the responsible parties, and offshore this duty falls to the U.S. Coast Guard. Yet, Louisiana Governor Bobby Jindal had to [lobby the White House for weeks](#) to get engaged on this front.

Make no mistake, the actions of BP should be reviewed, but not simply by a [criminal investigation designed for show](#). BP has a spotty safety record that needs to be examined. The company needs to account for any warning signs that may have been missed, and whether a corporate culture that focused on "Beyond Petroleum" contributed to the neglect of oil and gas operations.

The Obama administration's resort to criminal investigation and possible prosecution of BP is not only premature, it is predictable. In the wake of accusations that Obama has failed to take decisive action, his administration is taking the path of "nothing shows that you are 'doing something' like prosecuting someone."

It is possible that criminal wrongdoing occurred, but the current approach—one that all but announces that criminal charges will be brought and then seeks to identify the crime and who will be designated as criminal—undermines the criminal justice system and Americans' respect for the law. Whenever high-ranking law enforcement officials select their targets in this manner, it evokes disturbing echoes of a statement one Harvard law professor recently attributed to the head of Stalin's secret police, Lavrenti Beria: "[Show me the man, and I'll find you the crime.](#)"

[BP is financially responsible](#). BP has unlimited responsibility for the cleanup. It also must pay liability damages. That price tag will likely be higher than the \$75 million cap, and could be

higher than the additional \$1 billion provided through the Oil Liability Trust Fund. BP has said it will pay beyond the \$75 million cap, but lawmakers are understandably skeptical. Creating a contract with BP for these damages would make sense. What would not make sense is using this as an opportunity to raise gas prices for Americans with increased oil taxes, thereby shifting the [costs of the spill to the consumer](#).

It's time for President Obama to exert leadership. If this is his top priority, he must prove it with actions, not rhetoric. President Obama instinctively leans toward an activist government except when every so often he hesitates. Ironically, it is these moments that tend to be the precise times when the federal government's role is most justified, whether that be border security, the war on terror, ceding sovereignty to multilateral organizations, or now in the Gulf. The [federal government has a role in the Gulf](#), and it's time for the president to articulate it to the American people.

Quick Hits:

- Obama administration officials said Wednesday [they consider Israel's blockade of Gaza to be untenable](#).
- [The New York Times](#) reports that data used to Obama administration to justify health savings claims "can be shaky."
- According to [Gallup](#), the nation's underemployment rate rose to 19.1% in May.
- Colorado Senate candidate Andrew Romanoff confirmed Wednesday that Jim Messina, President Obama's deputy chief of staff, [offered him three jobs](#) if he dropped his plans to run for Senate.
- The Mexican government is opening a satellite consular office on Catalina Island [to provide the island's illegal Mexican immigrants with identification](#) cards.

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on March 2, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

GHG Regulation and Climate Change

Common Dreams: Scientists to Congress: Don't Force the EPA to Ignore the Science, Global Warming Does Threaten Public Health

Posted by: [C_Dreams](#) 5:30 pm Full post: <http://twurl.nl/1o2xxj>
(Note: More than 500 scientists sent a [letter](#) to Congress yesterday, urging lawmakers to oppose House and Senate resolutions that would reverse EPA's finding that global warming endangers public health. The letter was organized by the Union of Concerned Scientists)

AutoblogGreen: NADA supports Senator Murkowski's effort to block the EPA from regulating greenhouse gases

Posted by: [clean4green](#) 5:25 pm Full post: <http://is.gd/9yBTj>
(Note: NADA is Nat. Assn. for Auto Dealers)

Senator Urges EPA to Restrict Plastics Chemical – BPA

Boston: State Moves To Ban BPA In Baby Bottles

Posted by: [Boston_CP](#) 5:00 pm Full post: <http://boston.cityandpress.com/node/974052>

AP: Senator Schumer urges EPA to restrict plastics chemical

Posted by: [ThisIsIt04](#) 4:55 pm Full post: <http://bit.ly/bl8hca>

New Atrazine Study

CNN: Weed killer "castrates" male frogs, study says

Posted by: [frankfurt_star](#) 5:30 pm Full post: <http://nm.ly/qRt>

Rethinking using weedkiller at my house instead of good old elbow grease: (Atrazine turns male frogs female)

Posted by: [JulieEspinosa](#) 5:03 pm Full post: <http://bit.ly/bmWnup>

CBC News: weed killer causes male frogs to lay eggs

Posted by: [CBCNews](#) 4:55 pm Full post: <http://bit.ly/9JtjtY>

(Note: Atrazine continues to be used on cornfields in Canada, although it is no longer approved for use in Europe. The U.S. EPA announced last year it would launch a new scientific evaluation of atrazine's effect on humans.)

Good news important to farmers - No new findings in atrazine study promoted by discredited researcher

Posted by: [Women4Ag](#) 5:03 pm Full post: <http://bit.ly/ct5iD4>

(Note: American Agri-Women, National coalition of farm, ranch and agribusiness women)

EPA Adds 10 Hazardous Waste Sites to Superfund NPL

EPA proposes Superfund status for Black Eagle: HELENA — The Anaconda Mineral Co. smelter and refinery site in Blac...

Posted by: [bgazettestate](#) 5:45 pm Full post: <http://bit.ly/cISPh5>

Knoxville Superfund site recommended for EPA National Priority List: The EPA announced the addition of ten new Superfun...

Posted by: [knoxviews](#) 5:12 pm Full post: <http://bit.ly/ciih57>

Today the EPA named the Gowanus Canal in Brooklyn, a 2-mile waterway full of toxic sediment + sewage, a superfund site.

Posted by: [impactDash](#) 5:00 pm Full post: <http://ow.ly/1dpPy>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Why Young People Must Call Congress About Climate – Repeatedly (*The Huffington Post*)

[Heather Taylor-Miesle](#)

Director of the NRDC Action Fund

Posted: March 2, 2010 10:35 PM

Read More: [Climate Kerry Lindsey Graham Clean Energy Nrdc Action Fund](#) , [Green News](#)

I grew up in the rural parts of Kentucky and Pennsylvania, two relatively conservative areas. Most of my friends and family are tried-and-true Republicans so it was assumed that I would follow suit. When I started working for a Democratic Congressman in college, one very prominent male figure in my family explained the oddity with a shrug (channeling Churchill) saying "If you are a Republican when you are in college, you have no heart. But if you are a Democrat when you are older, you have no mind."

This weekend, Republican Senator Lindsey Graham of South Carolina said that kind of thinking could get the G.O.P. in trouble with young people. Indeed, he said one of the central reasons he is reaching across the aisle on clean energy and climate legislation is that he thinks the G.O.P. needs to do a better job of connecting with young voters.

"I have been to enough college campuses to know if you are 30 or younger this climate issue is not a debate. It's a *value*," Graham said. "From a Republican point of view, we should buy into it and embrace it and not belittle them."

Graham is right on the money: Young people know their future is at stake and this is NOT a partisan issue. On the contrary, if America continues to ignore global warming, this generation

will pay the price in the form of a disrupted climate, drought, and increased national security threats not to mention all the refugees who will need help. But if we confront this crisis, young people and old will reap the benefits of more clean energy jobs and robust economic growth.

Anyone who wants to see on-the-ground changes has to translate their climate values into climate action.

Politicians talk about values, but they respond to voters' actions. Young voters, these are two ways you can take action. Here are three things to keep in mind about the way politics works:

1. Young Voters Need to Stay in the Game to Be Taken Seriously

There is often a sense among lawmakers that youthful causes don't need to be taken seriously because youth voters don't tend to vote with a lot of regularity. Many don't think that a dedication to climate change issues translates into electoral activity.

If you don't want to get the brush-off from lawmakers, you need to make it clear that our pleas for clean energy and self-reliance are not a passing fad; it is what will shape your voting patterns for years to come. You have to call Senators to say that you support a clean energy and climate bill. You need to turn out for primary elections to show that climate change is a mobilizing issue. And come November in order to prove that you cannot be dismissed by leaders who ignore climate change and your generation's future - you must vote for the candidates who support clean energy and climate legislation

2. Contacting Your Senator's Office Really Does Work

I have done everything on Capitol Hill from opening mail to working on legislation, and I am here to tell you that yes, intense, coordinated outbursts of citizen action really do make a difference.

People who work on the Hill have to juggle a bazillion issues at once. It isn't easy keeping up-to-date on every single topic, but when voters flood an office with their opinions, Members and their staff stand up and take notice. When I was on the hill it meant I had to do the research and really engage with an issue in order to respond.

3. Repetition is Key

Maybe you have already emailed your Senator in support of a clean energy and climate bill, but that doesn't mean you shouldn't do it again. Indeed, if you want your action to count, you have to amplify it - repeat it.

So much of politics is about repetition: lawmakers are dealing with so many high-priority issues at once. You have to keep the repetition going in order to break through the noise. I think of it as the slow clap in a stadium. It starts with one person, but slowly the loud, rhythmic pattern catches on and more people join in. After a while, the sound is impossible to ignore.

Now, you know why you should take action. Here are two ways that the NRDC Action Fund is helping you to make your voices heard on clean energy and climate solutions:

The NRDC Action Fund has partnered with Headcount to launch a new [website](#) targeting young music lovers. The Musicforaction.org site makes it easy for people to email President Obama, Members of Congress, and local newspaper editors in support of clean energy and climate legislation. Visitors receive free "Best of Bonnaroo" downloads for visiting the site.

NRDC is also joining in a 72-hour call-in campaign with our partners over at Clean Energy Works, in which we are urging all people--but especially young people--to call their Senators' offices in support of the bill. **All they have to do is call 1-877-973-7693 to make their voices heard. So, call now!**

Maybe our voices won't break through to a particular today because he or she is too caught up with health care or financial regulation or some other issue, but if we keep calling back and emailing over and over again, they will start to hear the chorus for climate action. Now is the moment to add your voice to the mix - be young and take action.

Follow Heather Taylor-Miesle on Twitter: www.twitter.com/NRDC_AF

REPORT: Fifteen States Have Polluter-Driven Resolutions To Deny Climate Threat (*Wonk Room*)

Yesterday, the South Dakota legislature [passed a resolution](#) telling public schools to teach "balance" about the "[prejudiced](#)" science of climate change by a vote of 37-33. Earlier language that ascribed "[astrological](#)" influences to global warming was stripped from the final version.

This act of conspiracy-driven ideology is hardly alone — a Wonk Room investigation has found at least fifteen state legislatures attempting to prevent limits on greenhouse gas pollution. The states of Alabama and [Utah](#) have already adopted resolutions calling for the overturn of the Environmental Protection Agency's [global warming endangerment finding](#), with legislators in thirteen more states in tow. Several of these "[Dirty Air Act](#)" resolutions argue that the [overwhelming scientific consensus](#) on the threat of manmade global warming is actually a conspiracy:

KENTUCKY: "WHEREAS, a recent disclosure of communications among scientists associated with the Climate Research Unit of the University of East Anglia has cast serious doubt upon the scientific data that have purportedly supported the finding that manmade carbon dioxide has been a material cause of global warming or global climate change . . ."

MARYLAND: “WHEREAS, E–mail and other communications between climate researchers around the globe discovered as part of the recent “climate–gate” controversy indicate that there is a well–organized and ongoing effort to manipulate global temperature data and incorporate tricks to substantiate the theory of climate change . . . ”

OKLAHOMA: “WHEREAS, intense public scrutiny has revealed how unsettled the science is on climate change and the unwillingness of many of the world’s climatologists to share data or even entertain opposing viewpoints on the subject . . . ”

UTAH: “WHEREAS, emails and other communications between climate researchers around the globe, referred to as ‘Climategate,’ indicate a well organized and ongoing effort to manipulate global temperature data in order to produce a global warming outcome . . . ”

Every resolution makes the [false claim](#) that protecting citizens from hazardous climate pollution would hurt the economy, instead of recognizing the potential of a [green recovery](#). Missouri, Illinois, Oklahoma, and Alaska lawmakers talk about being “dependent” on the [coal and oil industries](#) whose lobbyists are fighting climate action. Several of the resolutions, drafted early last year, call on Congress to reject the Waxman-Markey American Clean Energy and Security Act, which passed the House of Representatives in June but has languished in the Senate. The Alaska and West Virginia resolutions support Sen. [Lisa Murkowski](#)’s (R-AK) effort to rewrite the Clean Air Act ([S.J.Res. 26](#)), and Alabama’s resolution calls for the passage of Rep. Earl Pomeroy’s (D-ND) similar effort ([H.R. 4396](#)).

The most legally bizarre resolution is Arizona state senator Sylvia Allen’s (R-AZ) “[tenth](#)er” argument that the U.S. Congress does not have the Constitutional authority to regulate greenhouse gas pollution. Allen also believes the [Earth is 6000 years old](#). The other Arizona resolution, along with the Kentucky, Virginia, and Washington resolutions, would attempt to block state enforcement of global warming rules.

These efforts to overturn the Clean Air Act and replace science with conspiracy theories are being supported by the [American Legislative Exchange Council](#) (ALEC), a national organization that brings conservative state lawmakers together with industry lobbyists. ALEC promotes a [resolution opposing the endangerment finding](#) drafted by its [Natural Resources Task Force](#), which includes over 120 lawmakers from around the nation and a similarly sized group of corporate representatives. Although ALEC does not have an official position on the validity of climate science, the organization is “actively involved in helping people get together and share ideas,” a representative told the Wonk Room. For example, the [spring ALEC task force meeting](#) will feature Exxon Mobil-backed global warming denier [Paul Driessen](#), the author of *Eco-Imperialism: Green Power, Black Death*.

STATES WITH RESOLUTIONS OPPOSING GREENHOUSE ENDANGERMENT FINDING				
State	Bill	Sponsor	Status	Notes
AK	HJR 49	Stoltze (R)	Pending	Supports Murkowski
AL	HJR 218	Gipson (R)	Enacted	Supports Pomeroy
AZ	HB 2442 SCR 1050	Burges (R) Allen (R)	Pending	Blocks state enforcement Tenth resolution

FL	H 1535	Adams (R)	Pending	Opposes Waxman-Markey
GA	HR 1357	Stephens (R)	Pending	Supports overturn
	SR 958	Pearson (R)		
IL	HR 961	Phelps (D)	Pending	Opposes Waxman-Markey
	SR 666	Forby (D)		
KS	SR 1809	Natural Resources Committee	Pending	Opposes “administrative fiat” by EPA
KY	HJR 20	Fischer (R)	Pending	Cites hacked emails to block state enforcement
MD	HJR 13	Jenkins (R)	Pending	Cites “climate change conspiracy” to oppose EPA
MO	HCR 46	Funderburk (R)	Pending	Opposes Waxman-Markey, EPA
	HCR 59	Brown (R)		
OK	SCR 41	Lamb (R)	Adopted by Senate	Cites “unsettled” science to support overturn
UT	HJR 12	Gibson K (R)	Adopted	Cites “Climategate” to support EPA withdrawal
VA	HB1357	Morefield (R)	Pending	“Carbon dioxide shall not be considered air pollution”
WA	S 6477	Stevens (R)	Pending	Blocks state enforcement
WV	HCR 34	Shott (R)	Pending	Cites “vigorous, legitimate, and substantive” scientific debate to support Murkowski

Update At [Legum's New Line](#), Judd Legum discusses the disastrous consequences for Maryland if Del. Charles Jenkins's petition were to pass.

ENERGY

President Obama’s Clean Energy Speech: A Battered Albeit ‘Clean’ Economy (*The Heritage Foundation*)

Posted March 2nd, 2010 at 5:17pm in [Ongoing Priorities](#)

President Obama declared in the State of the Union address that the United States must be a leader in clean energy production. Why? “Because I’m convinced that the country that leads in clean energy is also going to be the country that leads in the global economy,” the [president reiterated today in a speech](#) at Savannah Technical College. That’s a good reason if it were guaranteed to be true, but doesn’t it depend on the cost? If a manufacturer in another country can produce these technologies more cheaply than a manufacturer in the United States, doesn’t that benefit both economies? President Obama [went on to say](#),

“[W]e have the potential to create millions of jobs in this sector. These are jobs building more fuel-efficient cars and trucks to make us energy independent. These are jobs producing solar panels and erecting wind turbines. These are jobs designing and manufacturing and selling and installing more efficient building materials. ”

“We” meaning the government. This assumes, of course, that the money to build clean energy falls freely from the sky. But it doesn’t; the money is taken from other sectors of the economy where it could be put to more efficient use. So far, the green stimulus hasn’t produced the results initially purported when the American Reinvestment and Recovery Act became law.

In Baltimore, for instance, stimulus dollars have been spent to patch roads, install newer furnaces and painting rooftops white to conserve energy. According to the *Washington Post’s* Alec MacGillis, none of these projects, as well as others, have created a single job. Another example is in the state of Indiana, [where companies have](#) “weatherized 82 homes out of its three-year goal of 25,000, and reported zero new jobs from the spending.” *ABC News* [reports](#) that at the end of 2009, only 9,100 have been weatherized to save energy through the stimulus as part of a \$5 billion program. \$522 million of the \$5 billion has been spent thus far, which equates to over \$57,000 per home.

President Obama also emphasized the importance of government run energy efficiency rebate program for appliances [saying that it will save consumers money](#) on their electricity bill. If it will save consumers money, why does it need a rebate? While these products use less energy, they also cost more up front and if forced into the market too quickly by the hand of government, can be much less reliable. More importantly, these decisions should be left to the consumer – not influenced by the government – writes [Heritage Analyst James Gattuso](#):

“Congress [or the government] is in no position to determine whether consumers would be better off if they bought more expensive, but more efficient, appliances. Consumers are in the best position to do this, and to decide whether they prefer to save money now on the purchase price, or later, in lower energy bills. A consumer who uses an air conditioner for just a few weeks each summer, for instance, generally would prefer a low purchase price. Poorer consumers, who already must minimize appliance use, would benefit least from higher efficiency and would especially prefer lower purchase prices.”

President Obama certainly isn’t marching to this drumbeat alone. Today California Governor Arnold Schwarzenegger pushed for more green job creation and for state legislators to pass his California Jobs Initiative. “It will send a clear message to every CEO, entrepreneur and innovator if you invest in California, we will invest in you,” [Governor Schwarzenegger said](#).

If the CEOs, entrepreneurs and innovators make a successful product, California won’t have to invest in them as taxpayers. They’ll simply buy their products.

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PEOPLE ARE TALKING

**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on March 9, 2010:**

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

GHG Regulation and Climate Change

BREAKING NEWS China and India formally agreed Tuesday to join the international climate change agreement

Posted by: [EcoNewsTX](#): 7:22 pm Full post: <http://nyti.ms/byFPAO>

RIGHTS: "Famine Marriages" Just One Byproduct of Climate Change

Posted by: [ipsnews](#): 7:20 pm Full post: <http://bit.ly/anH2fG>

(Note: The negative fallout from climate change is having a devastatingly lopsided impact on women compared to men, from higher death rates during natural disasters to heavier household and care burdens.)

UN to review errors made by Intergovernmental Panel on Climate Change

Posted by: [TimesScience](#): 7:20 pm Full post: <http://bit.ly/9OHT8o>

Grist.org: Can EPA run a cap-and-trade program?

Posted by: [EnvironUpdates](#): 7:00 pm Full post: <http://bit.ly/b1psEY>

Lieberman Says Climate-Change Proposal Will Be Ready This Month -

Posted by: [EnergyTopics](#): 6:15 pm Full post: <http://goo.gl/PNUC>

(Note: Sen. Lieberman said lawmakers plan to complete a draft of climate-change legislation this month before taking an Easter break, as Republicans insisted the measure should be narrower than a House-passed bill.)

Draft GHG Inventory Release

Draft of EPA Greenhouse Gas Inventory Shows Overall GHG Emissions Down By 2.9% in 2008, Transportation Emissions D...

Posted by: [alt_energy](#): 6:10 pm Full post: <http://bit.ly/cVRk3I>

(Note: The draft report of EPA's annual Inventory of US Greenhouse Gas Emissions and Sinks: 1990-2008 shows that in 2008, overall GHG emissions decreased by 2.9% (206.1 Tg CO₂ Eq). This report attributes the downward trend primarily to the decrease in demand for transportation fuels associated with the record high costs of these fuels that occurred in 2008.)

LA Times Greenspace blog: U.S. saw record decline in greenhouse gas emissions in 2008: High gas prices, slow economy ...

Posted by: [LATenvironment](#): 6:00 pm Full post: <http://bit.ly/9ASzKD>

EPA Seeks Public Comment on the 15th Annual U.S. Greenhouse Gas Inventory

Posted by: [Ecoplum](#): 5:50 pm Full post: <http://bit.ly/dhrsVR>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

American Farm Bureau's Rick Krause Lies To Farmers (*Wonk Room*)

By [Brad Johnson](#) on Mar 9th, 2010 at 2:20 pm

The American Farm Bureau is continuing to lie to farmers about the threat of Clean Air Act regulation of greenhouse gases. The Bureau, the largest lobbying group for American agriculture, [denies the threat of global warming](#) of farming, instead fearmongering for years about a mythical "[cow tax](#)." Speaking to members of the Kansas Farm Bureau yesterday, AFB lobbyist Rick Krause claimed the Environmental Protection Agency "[will require all farms](#) with more than 25 dairy cows and more than 50 head of beef cattle or 200 head of hogs to get a Clean Air Permit":

Cap and trade legislation appears to be a dead duck in this year's Congress, but those tempted to celebrate too early need to be aware of the potential consequences of EPA regulation of greenhouse gases under the Clean Air Act, American Farm Bureau specialist Rick Krause said Monday. Speaking to members of the Kansas Farm Bureau attending this week's annual County Presidents Tour in Washington, D.C., **Krause said EPA regulation will require all farms with more than 25 dairy cows and more than 50 head of beef cattle or 200 head of hogs to get a Clean Air Permit.** In addition, it could require permits for the construction of any new outbuildings or remodeling of existing structures, he said. "**Right now, the best hope is that Congress will pass legislation to nullify this,**" he said.

Krause is quite simply lying.

His "cow tax" lie is based on a figure from the Bush-era US Department of Agriculture, which noted that a 100-ton-per-year threshold of greenhouse gas pollution would cover "even [very small agricultural operations](#)" — "dairy facilities with over 25 cows, beef cattle operations of

over 50 cattle, swine operations with over 200 hogs, and farms with over 500 acres of corn may need to get a Title V permit.”

The Environmental Protection Agency has no intentions of implementing a 100-ton-per-year threshold. Instead, it has proposed implementing a 25,000-ton threshold, and EPA Administration Jackson has announced that the initial threshold will [instead be at least 75,000 tons](#), and only for power plants until 2013. So even for industrial farms with 6,250 dairy cows, 12,500 beef cattle, 50,000 hogs, or 125,000 acres of corn, the EPA has no plans for enforcement of the Clean Air Act any time soon.

Industrial agriculture is a [major source of greenhouse gas pollution](#), primarily from fertilizers and soil use, cattle flatulence, and manure ponds, generating 6.2% percent of United States emissions in 2008. The US Department of Agriculture has found that by changing practices farmers could instead make American agriculture a net sink for global warming pollution, letting plants soak up carbon dioxide.

Congress has already passed legislation to prevent the enforcement of the Clean Air Act for *any* livestock production, even from mega-ranches like Smithfield’s [800,000 head feedlot](#) in Colorado. In the 2010 budget resolution passed last year, Congress [forbids the issuance](#) of permits for emissions “resulting from biological processes associated with livestock production”:

PROHIBITION ON USE OF FUNDS

SEC. 424. Notwithstanding any other provision of law, none of the funds made available in this Act or any other Act may be used to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

Furthermore, both the House and Senate versions of climate legislation forbid the EPA from issuing permits for agricultural emissions, instead [rewarding farmers](#) with the opportunity to make billions of dollars through voluntary reductions.

RECYCLING

Thrilling Breakthroughs In Plastics. (No, Really.) (*The New Republic*)

Bradford Plumer March 9, 2010 | 6:07 pm

It's difficult to find a precise estimate, but the world produces somewhere around 300 billion tons of plastic waste each year. I can't summon up a good mental picture of what that entails, but the fact that there's a whole *island* of plastic garbage at least the size of Texas [swirling in the Pacific](#) may give a rough idea. Worse, many plastics take forever to degrade—and when they do, they end up as minuscule particles that get absorbed into the [food chain](#).

So that's not ideal. But what can be done? In theory, it's possible to recycle many plastics, but that's not cheap or easy—most of the seven varieties can only be recycled at very high temperatures, which requires a lot of energy. In most areas, it's largely just PET bottles that get recycled, and that involves a fairly inefficient process of shredding the plastic into little flakes. Plus, it's usually not possible to recycle plastic more than once—PET bottles don't usually get turned back into PET bottles, they get "downcycled" into unrecyclable items like pipes or fence posts—so even recycling can't prevent landfills and oceans from piling up.

Anyway, that's all to point out that [this new discovery](#) from scientists at IBM's Almaden Research Center and Stanford University is pretty fascinating. The researchers say they've developed a "dirt cheap" organic catalyst that can build up and break down plastics over and over again. (By contrast, the metal catalysts currently in use contaminate and degrade the polymers over time, making them unrecyclable.) Saudi Arabia's already planning to put the idea to use by developing a plant that recycles PET bottles more efficiently.

Still, it seems way too early to say whether these green plastics will catch on. As Katie Fehrenbacher [points out](#), the market for substances like biodegradable plastic is still a tiny sliver of the overall plastics industry, and a lot will probably depend on what sorts of policies toward plastic waste spring up in the future. For now, at least, it's not really a top issue.

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PEOPLE ARE TALKING

**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
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GHG Regulation and Climate Change

Check out our new partners over at National Latino Coalition on Climate Change (NLCCC).

Posted by: [EarthDayNetwork](#) 7:40 pm Full post: <http://fb.me/6K44yFu>
(Note: Nice blurbs on LPJ NPC speech and EJ contest)

A deputy director of China's most powerful economic ministry has come out swinging against climate change denial

Posted by: [abcnews](#): 7:20 pm Full post: <http://bit.ly/dqALqe>

The Atlantic: China's Climate Change Skepticism - Science and Tech

Posted by: [vfchina](#): 7:17 pm Full post: <http://vf.cx/1BY0>

US Governors Ask Congress To Stop EPA Greenhouse-Gas Rules:

Posted by: [marketbuzzup](#): 7:15 pm Full post: <http://tinyurl.com/ykp6lag>

For Full Disclosure Of Climate-Change Risks: The recent Securities and Exchange Commission "interpretive..."

Posted by: [rd1776](#) 7:10 pm Full post: <http://bit.ly/bWvP5S>
(Note: Recent SEC "interpretive guidance" on climate change says companies should disclose not only potential risks from climate change, but also risks from climate-related legislation, regulation, international accords and effects on business trends.)

Business Week: U.S. Governors Urge Congress to Stop EPA Carbon Rules

Posted by: [smtaber](#): 6:50 pm Full post: <http://bit.ly/9tOZIY>

State Legislators Ask Congress to Stop EPA: WASHINGTON, March 10. Today, the American Legislative Exchange Council.....

Posted by: [PRNenvy](#) 6:09 pm Full post: <http://bit.ly/bFuG5t>

Air Quality Trends Report

U.S. greenhouse gas emissions fell 2.9 percent in 2008:

Posted by: [POWER_GEN Intl](#): 7:22 pm Full post: <http://tinyurl.com/yk4fo2y>

EPA says Greenhouse Gas Emissions fell 3% between 08 and 09! Largest one year decline since 1990!. Looks like an impact of the downturn.

Posted by: [Sal CO](#) 6:30 pm Full post:

LA Times blog: EPA: U.S. saw record decline in GHG emissions in 2008

Posted by: [center4climate](#) 5:50 pm Full post: <http://bit.ly/b5Qy7r>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Global Warming in Wonderland and the Green PR Machine (*The Heritage Foundation*)

Posted March 10th, 2010 at 4:00pm in [Energy and Environment](#)

These are times straight out of Alice in Wonderland, as everything becomes an “un-birthday” and definitions are turned on their head. Climate change scientists, according to [The Washington Times](#) this last weekend, are turning to PR, rather than data, to defend their work. Then there’s Secretary of Energy Steven Chu, who yesterday continued to make patently false job-creation claims to sell the administration’s radical environmental agenda. His timing was unerringly bad, as his statements came on heels of further evidence that two front-runners—California and Europe—are discovering that their “green” policies are producing more red (ink) and less green(back).

It is not very often that scientists need to resort to crisis communications, but we’ll take it as further confirmation that the whole world of global warming has hit a crisis point. Among the strategies being considered figure taking out a back-page ad in the [New York Times](#). What is of more than passing interest is the defensiveness with which these scientists have met criticism. One of them grouched to the Times that climate scientists were facing nothing less than “[well-funded, merciless enemies who play by entirely different rules.](#)”

The scientific method, like its close kin the Socratic dialogue, is supposed to rest, however, on the ability of posited theories to meet and survive constant challenges. And yet it is this type of gentle jousting that the climate scientists who are championing the theory of global warming appear often to try to avoid. To seek victory at all costs is more like politics, at least as it practiced in this day and age. It is paradoxical that climate scientists at the National Academy of Sciences actually complained that they were the victims of politicking, complaining to the Times they were “[tired of being treated like political pawns.](#)”

Then there's Secretary Chu. According to the [New York Times](#), he repeated on Tuesday the Obama administration narrative that there will not be jobs lost by enacting CO2 regulations and that by not enacting them, we prevent the U.S. from entering the global green economy.

Nothing could be further from the truth. In fact, should we see these policies implemented, we could see [GDP losses in the trillions](#). And the money for the green job subsidies, upon which Chu depends for his plan? That would come from money [taken away from hard working families and businesses in the form of taxes](#). It would be allocated by the government to less-efficient uses, causing even greater unemployment than the [9.7 % figure](#) we are seeing now. A lesson [Spain has learned the hard way](#).

As [Europe abandons its green jobs subsidies](#) in light of daunting unemployment levels nearly double ours, [just yesterday](#), the climate-conscientious state of California was brought face-to-face itself with the fact that its CO2 emissions limiting laws would not bring the promised green jobs, but instead would shove the state further down the rabbit hole of unemployment, hitting recent-record levels.

In a [meeting in Menlo Park, CA last summer](#), Secretary Chu said, "At no other time in the history of science have we been able to say what the future will be 100 years from now." This was prior [to flaws in global warming science being exposed nearly daily](#). One might expect a more modest tone and approach now but those who would create havoc with our economy in the name of stopping global warming press onward with their radical and economically debilitating mission.

Nothing Jolly About California's Giant Green Economy (*The Heritage Foundation*)

Posted March 10th, 2010 at 1:00pm in [Energy and Environment](#)

The state of California likes to sell itself as a leader in the transition to a green economy. The only problem is, [their policies are making that transition harder](#)—and they're not producing the job boom that politicians have been promising.

The California Legislative Analyst's Office (LAO) recently reviewed the impact of the state's 2006 climate change legislation, which mandated a cut in GHG emissions to 1990 levels by 2020. A letter from the LAO to the state senator that requested the analysis stated that [the aggregate net jobs impact of the 2006 legislation in the near term "is likely to be negative."](#) Don't let the tepid language here fool you; this is seriously bad news for California. With so much of its economic future staked on green jobs, green tech, and the viability of green energy—and given that the state currently is suffering with unemployment 20 percent higher than the national average and that it has for months been [teetering on fiscal insolvency](#)—news that green

policies are hampering the state's overall economy stultifies lawmakers' vision for a green-economy-driven future.

And yet, it should come as no shock that legislation mandating the use of more expensive energy sources would result in aggregate losses to an economy. As Heritage senior policy analyst Ben Lieberman [has explained before](#):

Mandates ... kill jobs by raising energy costs. The only reason these alternative energy sources need to be mandated in the first place is that they are too expensive to compete otherwise. Thus, in addition to forcibly supplanting traditional energy jobs, renewable energy mandates raise energy costs and thus destroy jobs.

So, for every dollar of capital that is funneled to green projects due to government mandate, there is a dollar less to be capitalized on by more efficient economic agents. The net result, of course, is a sub-optimal economic outcome, and California is not the first economy to make this simple economic logic manifest. Spain has likewise invested hugely in green energy, and [a recent study shows the net effect on the country's economy has been hugely negative](#). For every green job created in the Spanish economy, the study found, 2.2 private-sector jobs were destroyed.

An adage in politics says that, "As California goes, so goes the nation." When it comes to climate policy, however, federal lawmakers would be wise take the nation in the opposite direction of woebegone California.

Jeff Witt is currently a member of the Young Leaders Program at the Heritage Foundation. For more information on interning at Heritage, please visit: <http://www.heritage.org/about/departments/ylp.cfm>

The Do-Nothing Energy Tax: \$3 Gasoline Dead Ahead (*The Wonk Room*)

By [Guest Blogger](#) on Mar 10th, 2010 at 1:15 pm

Our guest blogger is [Daniel J. Weiss](#), a Senior Fellow and the Director of Climate Strategy at the Center for American Progress Action Fund.

The mounds of snow blackened by auto exhaust have barely melted in Washington, D.C, yet the [Energy Information Administration's Short Term Energy Outlook](#) already predicts that average gas prices "will exceed \$3 per gallon" in coming months:

Average U.S. pump prices likely will exceed \$3 per gallon at times during the forthcoming spring and summer driving season.

EIA projects gasoline consumption will begin to show modest, but consistent, increases over the previous year, growing by 60,000 bbl/d in 2010 and 70,000 bbl/d in 2011.

In other words, there will be a gasoline price increase of 17 percent compared to summer 2009, even though consumption will only increase by six-tenths of a percent. It means that American drivers will spend an additional \$174 million per day on gasoline this summer compared to last year. This could be as much as \$16 billion more during the months of June, July and August. Total daily spending on gasoline this summer could be more than \$1 billion per day.

The higher gasoline prices reflect higher oil prices.

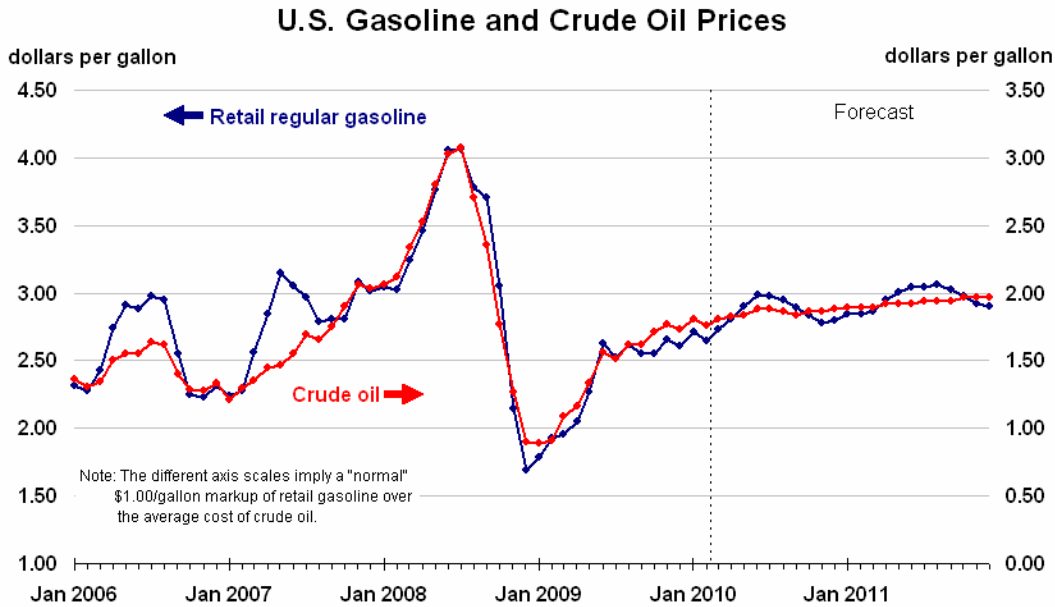
EIA expects WTI prices to average above \$80 per barrel this spring, rising to an average of about \$82 per barrel by the end of the year and to \$85 per barrel by the end of 2011.

This will mark a rise in crude oil prices from a \$39 per barrel in February 2009 to \$82 by the end of 2010 – a 110 percent increase in two years. [Oil prices have already closed above \\$80 this week.](#)

Higher gasoline prices are like a tax on consumers – they pay more for the same amount of product, with the additional funds enriching big oil companies and foreign oil suppliers.

Since [one of every four barrels of oil](#) comes from nations that the State Department classifies as “dangerous or unstable,” more oil consumption and higher prices further enriches these states. And a [\\$1 increase in oil prices provides an additional \\$1 billion dollars](#) to the Iranian government – even though the U.S. buys no oil from it. This can only help [Iran incite unrest and attacks in Iraq](#) and elsewhere.

[Short-Term Energy Outlook, March 2010:](#)



Note: Crude oil price is refiner average acquisition cost. Retail gasoline price includes State and Federal taxes.

Source: Short-Term Energy Outlook, March 2010



EIA also predicts an increase in U.S. coal consumption compared to 2009.

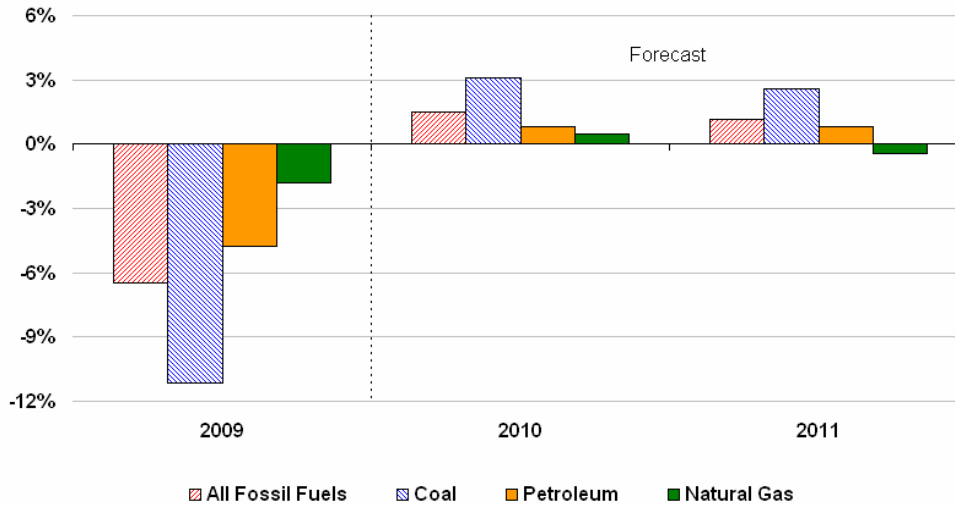
Anticipated increases in electricity demand and higher natural gas prices will contribute to modest growth in coal-fired generation in 2010 and 2011. Forecast coal consumption in the electric power sector increases by about 3 percent in 2010, though staying under 1 billion short tons. EIA projects coal consumption in the electric power sector will increase by 1.6 percent in 2011

And with more oil and coal consumption comes higher levels of carbon dioxide pollution after several years of decrease due to the 2007-2009 recession.

Projected improvements in the economy contribute to an expected 1.5-percent increase in CO₂ emissions in 2010. Increased use of coal in the electric power sector and continued economic growth, combined with the expansion of transportation-related petroleum consumption, lead to a 1.2-percent increase in CO₂ emissions in 2011. However, even with increases in 2010 and 2011, projected CO₂ emissions in 2011 are lower than annual emissions from 1999 through 2008.

[Carbon Dioxide Emissions Growth Chart:](#)

U.S. Carbon Dioxide Emissions Growth (change from previous year)



Source: Short-Term Energy Outlook, March 2010



Clearly, efforts to reduce oil dependence, coal burning, and global warming pollution cannot begin a moment too soon. The bipartisan American Clean Energy and Security Act, passed by the House of Representatives last summer, would [cut oil use by at least 600,000 barrels per day by 2020](#). It's the Senate's turn to pass comprehensive bipartisan clean energy legislation that reduces oil dependence. Senators who care about Americans' pocket books, national security, and a healthy future must join [efforts by Senators John Kerry \(D-MA\), Lindsey Graham \(R-SC\), and Joe Lieberman \(I-CT\) to solve these problems](#). We can't afford to wait much longer.

Cross-posted on [Climate Progress](#).

API Uses Fake 'Americans' To Attack Fake 'Energy Taxes' (*The Wonk Room*)

By [Brad Johnson](#) on Mar 10th, 2010 at 11:33 am

Big Oil is using fake "Americans" to defend billions in tax subsidies. The American Petroleum Institute is running [full-page ads](#) in Politico and Roll Call that attack Congress for "new energy taxes":

Congress will likely consider new taxes on America's oil and natural gas industry. These new energy taxes will produce wide-reaching effects, and ripple through our economy when America — and Americans — can least afford it.

These unprecedented taxes will serve to reduce investment in new energy supplies at a time when most Americans support developing our domestic oil and natural gas resources. That means less energy, thousands of American jobs being lost and further erosion of our energy security.

Our economy is in crisis, and we need to get the nation on the road to economic recovery. **This is no time to burden Americans with new energy costs.**

Americans are [paying the price](#) for these subsidies with our tax dollars, our health, and our national security. Removing these subsidies would “ripple through the economy” by [unleashing a clean-energy future](#).

This is just the latest in a stream of polluter front groups using stock photos in Astroturf campaigns against clean energy policy. API was recently caught trying to add diversity to its dirty ads by [photoshopping minorities into stock photography](#). West Virginia's “[FACES of Coal](#)” turned out to be from [iStockPhoto.com](#). And Virginia's “Coalition for American Jobs” is a [stock-photo front group](#) for the American Chemistry Council.

All the tearjerking bullshit about how these "new taxes" will destroy the economy and make life even more hellish for average Joes is just that: bullshit, lies, posturing propaganda. Now you'd think Brad might want to give the API's members credit for rare honesty in declaring upfront that if Congress goes along with this mad scheme to deprive them of those loopholes and subsidies, it's a done deal that they're going to make their customers pay for the drain on their galactic-level profits. Well, actually that isn't exactly the way the ad sees it playing out. What the ad says is that these imaginary taxes "will serve to reduce investment in new energy supplies," which in turn means "less energy, thousands of American jobs being lost and further erosion of our energy security." So it isn't so much that Americans are going to "pay for new energy taxes" as that the oil and gas megacorporations are going to stop investing in new reserves that will yield them even more megaprofits. Huh? Does anyone believe that?

HAZARDOUS WASTES

NRC Commissioner Takes a Stand on Obama's Yucca Decision (*The Heritage Foundation*)

Posted March 10th, 2010 at 4:31pm in [Energy and Environment](#)

Dale Klein, Commissioner and former chair of the Nuclear Regulatory Commission (NRC) challenged the premise on which President Obama based his move to withdraw the application to permit the geologic repository at Yucca Mountain. At a conference in Bethesda, Maryland yesterday Commissioner Klein emphasized that it was politics, not science, which led to this decision. Klein said,

Frankly, I would have preferred the White House to plainly say that it was implementing a policy change. The president has the right and responsibility to set policy, and clearly, an issue of national importance and complexity such as this needs to be periodically revisited. However, in my opinion, the administration's stated rationale for changing course does not seem to rest on factual findings and thus does not bolster the credibility of our government to handle this matter competently."

Those who would distort the science of Yucca Mountain for political purposes should be reminded that it was a year ago today that the president issued his memorandum on scientific integrity, in which he stated that 'The public must be able to trust the science and scientific process informing public policy decisions.'

I honestly cannot say if Yucca Mountain could ever meet the stringent tests that would allow it to be licensed. But I do know that, under the law, that licensing determination — and the technical evaluation of the science — is the NRC's responsibility."

In a testimony last week, Energy Secretary Steven Chu asserted, "As these things go on, you are beginning to think, 'Are you pouring good money after bad?'"

That may be the case but we'll never know if the NRC is unable to fill its obligations to determine Yucca's viability. No scientific or technological justification was given for pulling Yucca off the table as a possible solution. In fact, a 2006 U.S. Senate Committee on Environment and Public Works [report argues just the opposite](#): the repository is safe and technologically sound. Secretary Chu's Blue Ribbon Commission to answer the question of what to do with America's waste [should not exclude Yucca Mountain](#) as a potential solution.

It's certainly possible Yucca Mountain is not the answer, but that decision should be left to the NRC, not President Obama and the Department of Energy. Research Fellow Jack Spencer [points out that](#) "Nothing in the Nuclear Waste Policy Act authorizes the President or the Secretary of Energy to stop this process. Besides, given that a geologic repository will eventually be needed, the application process will provide the NRC, DOE, and the nuclear industry valuable information to inform future decision-making."

President Obama's decision on Yucca Mountain could have long-standing implications for the future of nuclear energy in the United States. Commissioner Klein should be applauded for stated what many believe to be true. Those who like to portray themselves as pro-nuclear should follow his lead and demand that the Administration allow the NRC to continue its review of the Yucca application so that the science can be settled once and for all.

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on March 11, 2010:**

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

GHG Regulation and Climate Change

Union of Concerned Scientists: Nobel Prize-Winning Scientists and Economists Call On Senate to Address Climate Change Now

Posted by: [Proudlib](#) 7:15 pm Full post: <http://bit.ly/dlwOgr>
(More Than 2,000 Say Delay Will Worsen Consequences and Drive Up Costs. Nobel Prize-winning economists and scientists will deliver a [letter](#) to the U.S. Senate today, urging lawmakers to require immediate cuts in global warming emissions. The letter was signed by more than 2,000 prominent U.S. economists and climate scientists.)

Guardian UK: Nearly half of Americans believe climate change threat is exaggerated

Posted by: [wisdeo](#) 7:10 pm Full post: <http://ow.ly/1hdXH>

WSJ: Natural-Gas Group Comes Out Against EPA Rules

Posted by: [WallStAndMain](#) 6:40 pm Full post: <http://bit.ly/aUz18q>

I just told Chamber of Commerce companies to stop denying global warming and attacking EPA action

Posted by: [greenliberation](#) 6:38 pm Full post: <http://bit.ly/5wQjR>

Standing w/ bipartisan group of governors against a job-killing EPA plan. Find out why here:

Posted by: [GOPWhip](#) 6:10 pm Full post: <http://j.mp/96Es3s>
(Note: from House Republican Whip Eric Cantor (R-VA))

Should Obama Send His Science Team on Nat'l Campaign 2 Explain Climate Science?

Posted by: [TreeHugger](#) 6:00 pm Full post: <http://bit.ly/bgbTIs>

Ocean Acidification

EPA to allow states to address rising ocean acidity: The U.S. Environmental Protection Agency said Thursday it wi...

Posted by: [seattlnewz](#): 7:19 pm Full post: <http://bit.ly/9oQhsU>

(Note: EPA said Thursday it will consider ways the states can address rising acidity levels in oceans, which pose a serious threat to shellfish and other marine life.)

EPA to Allow States Address Rising Ocean Acidity

Posted by: [MarkMoneyWatch](#): 6:45 pm Full post: <http://url4.eu/1kssi>

NYT: Latest news: EPA to Let States Address Rising Ocean Acidity

Posted by: [MOTopStories](#): 6:30 pm Full post: <http://bit.ly/cYPNai>

ROUND-UP OF MAJOR BLOGS

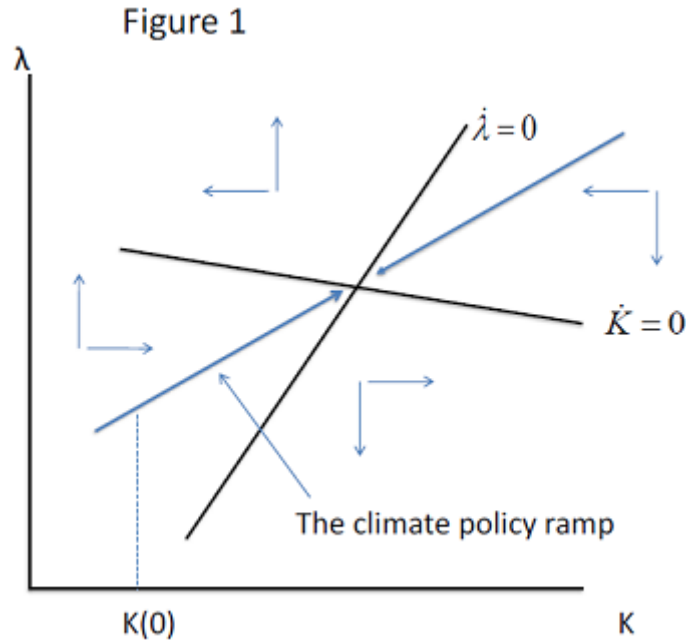
CLIMATE CHANGE/GLOBAL WARMING

The Gap Between Climate Science And Economics Is A Chasm (*Wonk Room*)

By [Brad Johnson](#) on Mar 11th, 2010 at 4:25 pm

Why does society [seem incapable](#) of grappling with the destructive threat of global warming? From the perspective of climate scientists, the question of whether fossil fuel pollution puts modern civilization in jeopardy is a [solved problem](#). Now scientists are spending their efforts on observing the results of the global experiment, tracking just how the increase in climatic entropy disrupts the planet's ecosystem, and arguing whether we've passed tipping points into runaway global warming (thus necessitating [doomsday geo-engineering exercises](#)) or whether there's still time to limit the damage (to a few thousand species and a dozen low-GDP nations) by the [complete elimination of fossil fuels](#) within a few decades.

The consensus economic view, however, is profoundly different. Nobel Prize-winning economist Paul Krugman inadvertently shows the sorry state of the understanding by economists of global warming in a recent blog post, in which he writes down a "[toy model](#) that hopefully clarifies the issues" of climate policy:



See! The problem can be boiled down to three straight lines, intersecting at the optimal balance of economic and environmental impacts. This level of understanding is about as developed as recognizing that burning fossil fuels could heat up the atmosphere, which [physicists realized in 1896](#), 114 years ago.

Unfortunately, Krugman's toy is actually better than most economic thinking.

Business-as-usual projections used by the federal government, such as the [Energy Information Administration](#), the Environmental Protection Agency, the [Department of Labor](#), and the [Congressional Budget Office](#), don't take into account climate disruption, which comes in the form of temporary, regional catastrophes (a flood, storm, hurricane, heat wave, wildfire), widespread catastrophes (collapse of coral reefs and forests, decadal drought), and possibly global catastrophe (several feet of sea level rise, permanent El Nino, permafrost melt). The International Energy Agency has only begun to do so in its [most recent world energy outlook](#).

Popular economic models for climate policy, such as Dr. William Nordhaus's DICE model, use climate damage formulas that have [no basis in reality](#), maxing out at 10% reductions in GDP under runaway global warming ten times what has already been experienced. Citing such models, Congressional Budget Office chief Doug Elmendorf testified that the U.S. economy would be "[relatively insulated from climate effects](#)" from 4-6°C warming — at least 500% more warming than present. His "pessimistic estimate" of the damages? Three percent of GDP.

Krugman also writes about the work of Harvard economist [Martin Weitzman](#):

As for the welfare sensitivity: Marty Weitzman has managed to scare me, by pointing out that there's a **pretty plausible case that a rise of 5 degrees C – which is no longer an outlandish prediction – would be utterly catastrophic**. You don't have to be sure about this; just a significant probability is enough.

Climate scientists have come to the consensus that a rise of more than 2 degrees C — about three times present warming — would be utterly catastrophic, and [repeatedly caution](#) that even that threshold is [not necessarily safe](#). It is frankly baffling that even the best economists studying climate policy have the fantasy that modern human civilization has a reasonable possibility of sustaining 5 degrees C of warming without suffering on an unprecedented scale.

There are beginning efforts by the federal government to at least include [some assessment](#) of the cost of carbon pollution in its analyses, using a “[social cost of carbon](#)” in new energy regulations. But even this [crude mechanism](#) isn’t factored into policy where it’s really needed, such as the Departments of Treasury and Defense.

That said, Paul Krugman is orders more brilliant than I can even fathom, and back-of-the-napkin calculations can be a powerful tool, if the scribbles are the result of a brilliant mind. For example, climate scientist Stephen Schneider praises the effectiveness of “simple simulations of complex models” in his excellent book “[Science as a Contact Sport](#).” Schneider, by the way, has been considering the prospect of [doomsday geoengineering](#) since 1996.

Update In line with Krugman's thought experiment, The Economics for Equity and Environment Network describes how to [reconfigure the DICE model](#) assumptions to deliver results consistent with climate scientist recommendations:

The DICE default value for climate sensitivity is 3°C. The second parameter determines the effect of temperature increases on the economy. **DICE assumes, on the basis of little or no evidence, that climate-related economic damages depend on the square of temperature increases.** We explore the alternate assumptions of damages based on the cube, fourth, or fifth power of temperature increases. With the assumption of 6°C climate sensitivity and a damage exponent of 4 or 5, DICE recommends something close to the Hansen scenario: all carbon emissions are eliminated before the middle of this century; peak temperature increases are one degree or less; and atmospheric concentrations of CO2 are 360 ppm or less at the beginning of the next century.

Update Economist [James Barrett](#) emails:

There are only really 2 lines in that graph. The third (the two sets of arrows pointing toward the intersection of the other two) is actually just an indicator of the dynamic path toward equilibrium.

Most of economics boils down to the weighing of costs and benefits in one way or another. It's the warp drive of economics. You can build as fancy a ship around it as you want, but buried in the middle is something doing this balancing. Krugman has stripped it down to it's barest elements and made it transparent, but it's the same basic reasoning that dates back to Adam Smith in 1776, or maybe Alfred Marshall in 1890.

All Krugman has done is to re-arrange the process of weighing costs and benefits in a way that makes more sense to him and is readily adaptable to two important variables, the passage of time and the difference between the stock of carbon in the atmosphere and the flow of carbon into the atmosphere. (I think inverting the capital accumulation decision is a pretty elegant way of doing this. Anyone who is facile with those models can use this easily. I wouldn't have done it this way, but I'm not a serious student of that field.)

I think Krugman's big mistake in all this is the statement that "there doesn't seem to be much disagreement about the economic costs of carbon abatement." The damage function is something of a red herring to me. The real problem I have with Nordhaus's model is not that it underestimates the damage that climate change will create, but rather that it presents a view of the economy as a very rigid beast. You have to bludgeon it with an extremely painful price signal to get it to change course, and carrots are very nearly useless. In that sense, it doesn't matter whether you have to change course a little to get to 550ppm or a lot to stay below 350, moving this thing off the path to 750 is just too damn hard. The conventional economic wisdom is that you need a really high carbon price to move the carbon needle and that high price will put the hurt on the economy. Part of the reason why the CW ends up here is that some very old and incorrect economic assumptions are buried deep, below the level that Krugman exposes in his toy model, so that even he ends up in the wrong place.

Senators Negotiate Green Economy Bill With Polluters Who Deny Threat Of Global Warming (*Wonk Room*)

By [Brad Johnson](#) on Mar 11th, 2010 at 10:47 am

As the Kerry-Graham-Lieberman triumvirate works to [craft green economy legislation](#), they're negotiating with industry lobbyists who deny the threat of global warming. After [meeting with President Barack Obama](#) and a dozen industry-friendly lawmakers, the trio of Senate negotiators [sat down with representatives](#) of the fossil-based economy:

A cross section of industry power players met this afternoon in the Capitol with Kerry, Graham and Lieberman. Groups represented at the meeting included the U.S. Chamber of Commerce, American Petroleum Institute, Edison Electric Institute, Nuclear Energy Institute, National Association of Manufacturers, Farm Bureau, American Forest and Paper Association, American Railroads, National Electric Manufacturers Association and Portland Cement Association.

It's perfectly reasonable for senators to meet with industry stakeholders as they work to unleash the clean energy economy. However, half of the lobbyist groups mentioned are [legally challenging the threat](#) of manmade climate change, with court petitions against the U.S. Environmental Protection Agency's greenhouse gas endangerment finding:

- The **Portland Cement Association**, which has filed suit despite [supposedly recognizing](#) the need to reduce global warming pollution
- The **American Petroleum Institute**, which intends to [blame climate policy](#) for higher gas prices at every gas station in America
- The **U.S. Chamber of Commerce**, which has [repeatedly questioned climate science](#)

– The **National Association of Manufacturers**, which claims climate legislation is “[anti-jobs, anti-energy](#)”

– The **American Farm Bureau Federation**, which argues there is [global cooling](#)

One has to wonder how productive it can be to negotiate with polluters who deny the [scientific reality](#) of global warming.

On the other hand, the industry lobbyists thought the talks were “extraordinarily productive.” Tom Kuhn, president of EEI, the lead trade group for investor-owned electric utilities, told reporters:

It was a positive, encouraging discussion. I think they want to try and find ways to make things work from the standpoint of all the participants in that room, **from the standpoint of the industrials and the oil companies.**

John Shaw, the senior vice president of the Portland Cement Association, said:

It was an **extraordinarily productive meeting**. I think it was unprecedented for three senators, arguably each from a different political background, if you will, to sit down at a table and invite leaders from all different sectors, to try to create another level of dialogue. They want to start delving into the details, and **creating those details with greater industry input than we’ve seen in the past.**

Update Meanwhile, the chair of ConocoPhillips, John Mulva, mocks renewable supporters as “[hydrocarbon deniers](#).”

At [Daily Kos](#), RLMiller responds: "It's taken me many long and agonizing nanoseconds to get to the point where I can admit it, but I am a hydrocarbon denier."

At [The Seminal](#), commenter Monty Karlo notes that "All liquid and some non-liquid fuels are hydrocarbons. The key issue is whether or not they are renewable. "

Update [DeSmogBlog](#)'s Brendan Demelle responds:

“Greater industry input” than in the past? Did Mr. Shaw’s invitation to participate in the Bush/Cheney Energy Task Force get lost in the mail? Where has he been the past decade when the Bush White House essentially had oil and coal executives on speed dial?

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Prepared by the Office of Public Affairs

Friday, January 11, 2013

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Colorado Is The New Energy Frontier (*The Wonk Room*)

Our guest blogger is Michael Bowman, a fifth-generation Coloradoan and farmer from Wray. He serves on the National Steering Committee for the national agriculture energy working group [25x'25](#) and served as chair of Colorado's New Energy Future in 2006.

Colorado is emerging as an international player in the next great technological and industrial revolution. The impending state renewables bill — [30 percent renewables by 2020](#) — is aggressive, job-creating, and could result in as many as 100,000 homes being equipped with solar panels, small wind turbines, or other clean energy sources. And it couldn't have come at a better time. According to U.S. Energy Secretary Steven Chu, "[America has the opportunity](#) to lead the world in a new industrial revolution."

Promoting Colorado's renewable energy industry is key to our success.

A recent study released by the Center for American Progress suggests that the U.S. "has an [urgent economic imperative](#) to be a clean energy leader" and Colorado has the opportunity to be the national leader that propels us in this international clean energy race. As noted by U.S. Senator Mark Udall (D-CO), the state's efforts to increase the use of renewable energy has [already created 20,000 jobs](#). The economic benefits of the renewables bill that's currently moving through the Colorado legislature, combined with its clear advantages for the environment and for strengthening national security, have made it a bipartisan effort.

Coloradans understand the need to seize this opportunity to push the country forward, and to make sure we do it right from the start. Interior Secretary and native Coloradoan Ken Salazar has taken this to heart. Instead of letting proposed projects languish in red tape, Secretary Salazar has directed the Bureau of Land Management to fast track proposals for [more than 30 renewable energy projects across the West](#). While he's clearly interested in moving ahead, he has also been a long-time advocate of balanced policy – he knows that while it's important to move quickly to develop renewable energy, we need to consider potential environmental impacts from the start. As he's said, "In harnessing renewable resources we act as [stewards of our lands](#) — like farmers

who harvest abundant supplies but protect the resources that will sustain us for generations.” A responsible, common-sense approach to energy development like this will keep renewable energy projects moving forward across the country.

The clean energy frontier is right here in Colorado, which means only good things for our economy, environment, and communities. It’s rare to find a solution to energy problems that has support from farmers and ranchers, hunters and anglers, labor unions, conservation groups, and industry, but here in Colorado, we’re working together to lead the way.

Gallup: Climate Debate Growing More Partisan (*The New Republic*)

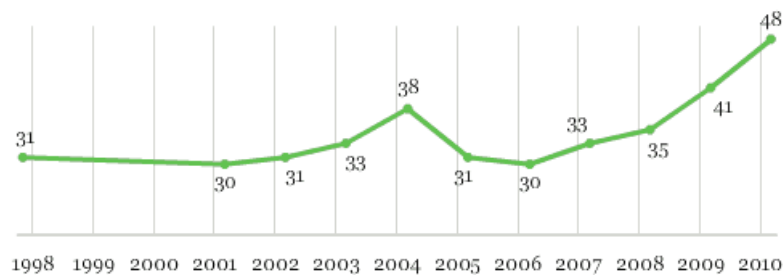
Bradford Plumer

- March 12, 2010 | 2:56 pm

Yesterday, Gallup [released a poll](#) suggesting that Americans seem to be less and less concerned about climate change. Here was the big headline-grabbing chart:

Thinking about what is said in the news, in your view is the seriousness of global warming -- [ROTATED: generally exaggerated, generally correct, or is it generally underestimated]?

■ % Generally exaggerated



GALLUP

So why the rise in skepticism? Was it those [Climategate e-mails](#)? All those news stories harping on a [few small errors](#) in the IPCC's report? Sure, it's possible that both episodes could've affected public opinion, even if neither was significant on the merits. Still, it's interesting to look at the crosstabs of the poll, as Josh Nelson [does](#), and note that skepticism about global warming is almost exclusively on the rise among political conservatives. Two years ago, for instance, 50 percent of conservatives believed climate change was already happening—that's now down to 30 percent.

I'd guess it's just as likely that political dynamics are a big driver here, as opposed to, say, a handful of e-mails from East Anglia. After all, climate change has become increasingly identified as a Democratic cause—in no small part because it's one of Barack Obama's main agenda items. And, on the flip side, you have key Republicans like John McCain and Charlie Crist facing primary challenges and edging away from what was once a signature issue for them. Energy issues have become far more partisan of late, which could explain the sharp uptick in skepticism over the past year and a half.

On the other hand, maybe it's just a bad idea to read too much into climate polls. As Dan Weiss [has noted](#), Americans have been deeply confused about whether or not there's a scientific consensus on climate change for more than a decade—and yet majorities *still* favor clamping down on greenhouse gases. Public opinion is odd.



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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on March 16, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

GHG Regulation and Climate Change

White House releases Climate Change Adaptation Interim Report

Posted by: [Greengamma](#) 7:30 pm Full post: <http://bit.ly/auVQpH>

White House releases Climate Change Adaptation Interim Report - NRDC

Posted by: [EarthAdapt](#): 7:20 pm Full post: <http://bit.ly/ajRmut>

ES&T: Greenhouse Gas Regulations Might Aggravate Climate Change

Posted by: [physorg_space](#) 7:10 pm Full post: <http://tw.physorg.com/187985185>

(Note; U.S. gov't wants to regulate the use of hydrofluorocarbons, which could lead to an increased use of hydrofluoroethers as a replacement. Both are greenhouse gases, and research at the University of Arizona indicates that HFEs might be worse for the environment than HFCs.)

US News & World Report: Plan to Combat Global Warming Could Back fire climate change

Posted by: [DanFromMo](#) 7:00 pm Full post: <http://bit.ly/dbPazE>

(Note: A plan to combat global warming by fertilizing the ocean may backfire by triggering toxic algal blooms, a new study suggests)

ScienceDaily - Protected Forest Areas May Be Critical Strategy for Slowing Climate Change - science catches up with EI & Dr. Glen

Posted by: [ecointernet](#): 6:50 pm Full post: <http://bit.ly/bcgzfe>

(Note: a new study involving scientists from 13 different organizations, universities and research institutions states that forest protection offers one of the most effective, practical, and immediate strategies to combat climate change)

TSCA Inventory Available On-line

EPA Makes the #TSCA Inventory Freely Accessible to the Public:

Posted by: [dakepage](#) 6:47 pm Full post: <http://ow.ly/1n1v1>

Good News! The US EPA just made its public inventory of industrial chemicals available online for free

Posted by: [ewgtoxics](#) 6:50 pm Full post: <http://bit.ly/bPc5Mf>

EPA Makes Chemical Information More Accessible, and for Free (It's about time!)

Posted by: [Healthy_Child](#) 6:38 pm Full post: <http://ow.ly/1mWTA>

Flea and Tick Products

Consumer Affairs: EPA To Release Findings on Pet Flea, Tick Powders

Posted by: [petsitterkat](#) 6:33 pm Full post:

http://www.consumeraffairs.com/news04/2010/03/epa_flea_tick.html#ixzz0iNcmkaoZ

(Note: The EPA tomorrow will finally release the findings of its nearly year-long evaluation of these topical or spot-on flea and tick products, which pet owners say have triggered “horrific” reactions in their dogs and cats during a free, public [Webinar](#))

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Is All CO2 Created Equal? Maybe Not. (*The New Republic*)

- *Bradford Plumer*
- March 16, 2010 | 2:37 pm

Does it matter where carbon-dioxide is emitted? From a climate perspective, at least, the standard answer has always been, "Not really." Carbon-dioxide mixes pretty evenly and uniformly throughout the atmosphere, so that the heat-trapping gases coming out of a factory in China have the same effect on global temperatures, pound for pound, as the greenhouse gases emitted by, say, cars in Delaware. (This is in contrast to a number of other air pollutants, whose effects are often localized—sulfur dioxide only causes acid rain in discrete areas.)

But a [new study](#) just published in *Environmental Science and Technology* by Stanford's Marc Jacobson adds a slight twist to this standard view. Older research has found that local "domes" of high CO2 levels can often form over cities. What Jacobson found was that these domes can cause serious health impacts in the area: Among other things, they worsen the effects of localized air pollutants like ozone and particulates, which cause respiratory diseases and the like. As a result, Jacobson estimates that local CO2 emissions cause anywhere from 300 to 1,000 premature deaths in the United States each year. And presumably the problem's much worse in developing countries.

It'd be interesting to see more work on this subject, because if true, it slightly complicates the logic of a cap-and-trade system for emissions. After all, the idea behind a carbon-trading market is that a ton of CO2 has the exact same effect no matter where it's emitted—be it a factory in rural North Dakota or a power plant in L.A. But Jacobson's work suggests that the two *aren't* totally equal—that ton of emissions from the power plant in L.A. has a much bigger impact on human health. Now, maybe trying to account for those disparities would just make a cap-and-trade system hopelessly complicated. Still, Jacobson argues, they should at least be considered.

Global Boiling: Freak Storms On Every Continent (*Wonk Room*)

By [Brad Johnson](#) on Mar 16th, 2010 at 2:40 pm

Record warmth [on sea](#) and [land](#) is fueling killer weather around the globe. As man takes over from nature as the primary driver of climate, the need to eliminate global warming pollution and mobilize for increased climate disruption grows.

NORTH AMERICA Weeks after some of the [strongest snowstorms](#) ever to hit the East Coast, another [powerful winter storm drenches the Northeast, kills eight people](#), and [knocks out power](#) for hundreds of thousands. [Record warmth](#) in North Dakota and Minnesota threatens another year of catastrophic flooding.

SOUTH AMERICA Tropical Storm 90Q, also known as Anita, the “[second known tropical cyclone](#) to form in the cooler South Atlantic Ocean,” is circling off the Argentina coast. The first known South Atlantic tropical cyclone, [Catarina](#), was in 2004.

EUROPE “[Hurricane-force winds](#) and widespread flooding battered vast swathes of western France and left more than a million homes without power,” as the storm named Xynthia “[killed at least 62 people](#) across western Europe” in Spain, Portugal, France, Belgium, and Germany [en route to Scandinavia](#).

AFRICA The death toll has risen to [36 people](#) “and nearly 38,000 left homeless when [tropical storm Hubert](#) smashed into Madagascar this week.” Last month, stormy weather [wreaked havoc](#) across Egypt, as twenty-foot waves crashed into Alexandria and a [hail storm killed four people](#) in Cairo.

ASIA “A [severe sandstorm](#) hit Xinjiang’s Hotan Prefecture in northwest China on Friday, reducing visibility to zero.” The sandstorms are sweeping across China, and “are [expected to hit Taiwan](#) Tuesday.”

AUSTRALIA-PACIFIC Tomas, a [Category Four cyclone](#), is [plowing through Fiji](#), forcing thousands to evacuate. A “[beast of a storm](#)” ripped through Melbourne, Australia last week, “bringing with it hailstones the size of tennis balls” and causing [\\$200 million in damage](#). Meanwhile [flooding](#) “which has smashed all the records known” in Queensland peaked in the country’s northeast, “parts of which have been in drought for almost a decade.” Category Four [cyclone Ului](#) now hovers off the Australian coast after the [Solomon Islands](#) narrowly escaped its wrath.

ANTARCTICA Okay, so Antarctica has enjoyed a [sunny and balmy summer](#). Unfortunately, with the pleasant skies have come [accelerated melting](#) of the ice shelves, causing sea levels to rise, the [U.S. Geological Survey](#) and the British Antarctic Survey have found.

Instead of confronting this threat, however, America’s politicians are crying that limits on this deadly pollution could hurt the economy.

New York Times Science Desk ‘Doubts That Human-Induced Global Warming Represents A Serious Threat’ (*Wonk Room*)

By [Brad Johnson](#) on Mar 16th, 2010 at 4:45 pm

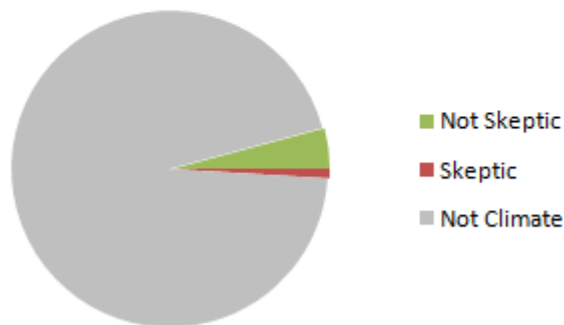
The New York Times is failing to properly report the threat of man-made climate change, in part because its science section is corrupted by skeptics of global warming’s reality. In a piece about climate communications, former Scientific American writer John Horgan relates that “[a majority of the section’s editorial staff](#) doubts that human-induced global warming represents a serious threat to humanity”:

Two sources at the Science Times section of the New York Times have told me that **a majority of the section’s editorial staff doubts that human-induced global warming represents a serious threat to humanity**.

This unfounded skepticism flies in the face of the [warnings of essentially every major scientific body](#) on the planet, based on the broad corpus of scientific research conducted by the past few generations of natural scientists.

The reported anti-climate bias of the Science Times’s editorial staff is reflected in its coverage, which has grossly ignored the reality of climate change and its implications in its weekly Tuesday section. Between June 1, 2008 and June 22, 2009, out of 1,563 stories by the Science Desk, only 80 stories had any reference to climate change — and 13 of those were about climate skeptics — a highly disproportionate number:

New York Times Science Desk Coverage Ignores Climate Threat



New York Times Science Desk articles from 6/1/08 to 6/22/09. From LexisNexis search of “climate OR carbon OR greenhouse OR ‘global warming’.”

The editorial positioning of the stories was even more biased, as 28% of the Page 1 Science Times stories on climate were skeptical. The vast majority of climate science stories were buried, with two-thirds of the stories appearing either on Page 3 or Page 8. A quarter of the climate stories printed were merely excerpts from Andrew Revkin’s [Dot Earth](#) blog. John Tierney’s [contrarian columns questioning climate science](#), such as “[The Aria of Prince Algorino](#),” are a [regular feature](#) in the Science Times. The New York Times even managed to completely ignore relevant climate change research in some stories, such as a 2008 piece about [bark-beetle infestation](#) of western forests.

In contrast, over 15% of stories on [ScienceDaily.com](#), which produces a stream of science stories on all topics based generally on press releases from scientific organizations, were about climate science.

Recent science editors at the New York Times include top editor Laura Chang, health editor Barbara Strauch, [James Gorman](#), restaurant critic [David Corcoran](#), and [Cornelia Dean](#).

Research contributed by former ThinkProgress intern Ben Bergmann.

FLASHBACK: Carly Fiorina Said Cap-And-Trade ‘Will Both Create Jobs And Lower The Cost Of Energy’ (*Wonk Room*)

By [Brad Johnson](#) on Mar 15th, 2010 at 2:59 pm

In pursuit of the California Republican Party nomination for the 2010 Senate, Carly Fiorina has abandoned her support for cap-and-trade legislation. The former Hewlett Packard executive hopes to unseat Sen. Barbara Boxer (D-CA), who has [championed clean energy legislation](#) as the chair of the Environment and Public Works Committee. In a [new online advertisement](#) created by Sen. Jim Inhofe’s (R-OK) nephew [Fred Davis](#), the Fiorina campaign portrays Boxer as a giant floating head ominously looming over California. A gravel-voiced narrator claims that Boxer is “indifferent” that her climate policies “[would take already painful](#) jobless numbers and make them dramatically worse”:

NARRATOR: Proclaiming a cap-and-trade bill would clean the environment, **indifferent that it would take already painful jobless numbers and make them dramatically worse.**

BOXER: “That’s where you’ll have a little bit of an increase in electricity prices...”

NARRATOR: Even President Obama says electricity rates will skyrocket. And the Wall Street Journal says it is likely to be the biggest tax increase in history.

However, less than two years ago, Fiorina was singing a different tune. Speaking at the 2008 Republican National Convention in Minneapolis, MN, she praised Sen. John McCain’s (R-AZ) cap-and-trade plan as something that would “[both create jobs](#) and lower the cost of energy”:

I know John McCain. And in 2013, America will be more energy-independent because of his determination that we must power our own country, and his long-standing commitment to protecting our environment. John McCain will **create a cap-and-trade system that will encourage the development of alternative energy sources.** He will help advance clean coal technology, and nuclear power. **And all of this will both create jobs and lower the cost of energy.**

Two Preemptive Critiques Of The Senate Climate Bill (*The New Republic*)

- *Bradford Plumer*
- March 15, 2010 | 3:56 pm

Although the Kerry-Graham-Lieberman climate bill in the Senate still hasn't been finalized, let alone unveiled, the rumors that have [crept out so far](#) (namely, that the bill's going to abandon cap-and-trade and go for a multi-sector approach, where different of polluters—refiners, utilities, manufacturers—are each regulated differently) have already sparked a fair bit of discussion.

First, over at *Solve Climate*, Julia Harte [interviews](#) a number of economists who argue that the Senate's patchwork approach is bound to be less efficient than a simple price on carbon that applies equally across the board. That's true enough, but economists don't really get a vote in the Senate. The bill is going to be a lot messier than is optimal in order to mollify industry opposition and avoid a filibuster. Maybe things would be different if there were more conservative legislators out there who agreed that climate change was a problem and were pushing for a simple, streamlined carbon price (since, in theory, that'd be the conservative, market-friendly response to the problem). But no such luck.

Secondly, Dave Roberts [points out](#) that the price on carbon isn't the *only* component of a climate bill. The Waxman-Markey bill in the House had a whole slew of complementary measures, including renewable-power requirements for utilities, efficiency standards that are projected to reduce (yes, reduce) consumer bills 7 percent by 2020, and so forth. So what about the Senate? Well, the energy committee already passed a bill full of complementary measures last year, and it's dismal: "As a standalone bill, it does virtually nothing for renewables, boosts efficiency a middling amount, and dumps a bonanza of subsidies on offshore drilling, nuclear power, tar sands, oil shale, and natural gas." Not exactly promising.

ENERGY

Energy Efficiency: Achieving the Potential, Realizing the Savings (*The Huffington Post*)

[Steven Chu](#)

U.S. Secretary of Energy

Posted: March 16, 2010 03:15 PM

For the next few decades, energy efficiency is one of the lowest cost options for reducing US carbon emissions. Many studies have concluded that energy efficiency can save both energy and money. For example, a recent McKinsey report calculated the potential savings assuming a 7% discount rate, no price on carbon and using only "net present value positive" investments. It found the potential to reduce consumer demand by about 23% by 2020 and reduce GHG emissions by 1.1 gigatons each year -- at a net savings of US\$ 680 billion.

Likewise, the National Academies found in 2009 that accelerated deployment of cost-effective technologies in buildings could reduce energy use by 25-30% in 2030. The report stated: "Many building efficiency technologies represent attractive investment opportunities with a payback period of two to three years."

Some economists, however, don't believe these analyses; they say there aren't 20-dollar bills lying around waiting to be picked up. If the savings were real, they argue, why didn't the free market vacuum them up? The skeptics are asking a fair question: why do potential energy efficiency savings often go unrealized?

I asked our team at the Department of Energy to review the literature on savings from home energy retrofits. We are pursuing energy efficiency in many areas -- from toughening and expanding appliance standards to investing in smart grid -- but improving the efficiency of buildings, which account for 40% of US energy use, is truly low hanging fruit.

In this review, we looked only at studies that compared energy bills before and after improvements and excluded studies that relied on estimates of future savings. We found that retrofit programs that were the most successful in achieving savings targeted the least efficient houses and concentrated on the most fundamental work: air-tight ducts, windows and doors, insulation and caulking. When efficiency improvements were both properly chosen and properly executed, the projected savings of energy and money were indeed achieved. In science, we would call the successful programs an "existence proof" that efficiency investments save money. Too often, however, the savings went unrealized, due to a number of reasons, including poor efficiency investment decisions and shoddy workmanship.

There are other reasons why energy savings aren't fully captured. Market failures include inertia, inconvenience, ignorance, lack of financing and "principal agent" problems (e.g., landlords don't install energy efficient refrigerators because tenants pay the energy bills). To persuade the skeptics and spark the investments in efficiency we need, the Department of Energy is now focused on overcoming these market failures.

First, the Department is working to develop a strong home retrofit industry. We are creating a state-of-the-art tool that home inspectors can use on a handheld device to assess energy savings potential and identify the most effective investments to drive down energy costs. We're also investing in training programs to upgrade the skills of the current workforce and attract the next generation. The Department is also focused on measuring results -- to both provide quality assurance to homeowners and promote improvement. For example, we're pursuing new technologies such as infrared viewers that will show if insulation and caulking were done properly. Post-work inspections are a necessary antidote and deterrent to poor workmanship.

To address inconvenience and to reduce costs, we're launching an innovative effort called "Retrofit Ramp-Up" that will streamline home retrofits by reaching whole neighborhoods at a time. If we can audit and retrofit a significant fraction of the homes on any given residential block, the cost, convenience and confidence of retrofit work will be vastly improved. Another goal of this program is to make energy efficiency a social norm.

To help pay for investments, we're working with the Department of Housing and Urban Development to encourage new financing tools. For example, homeowners might pay back energy improvement loans via an assessment on their property tax bill. Out-of-pocket expenses are eliminated and energy savings will exceed the increase in property tax. Both the savings and the loan payments would stay with the house if the owners decide to sell.

Another opportunity comes when a property changes hands. Banks require a structural inspection and a termite inspection; they should also ask for the last year's worth of utility bills, which speaks directly to the home's affordability. If improvements are needed, the costs could be seamlessly tacked onto the mortgage.

The greatest gains can be realized in new construction. By developing building design software with embedded energy analysis and building operating systems that constantly tune up a building for optimal efficiency while maintaining comfort, extremely cost-effective buildings with energy savings of 60-80% are possible.

Regardless of what the skeptics may think, there are indeed 20-dollar bills lying on the ground all around us. We only need the will -- and the ways -- to pick them up.

This op-ed appears in a new report by the World Economic Forum and IHS Cambridge Energy Research Associates entitled "Energy Vision 2010: Towards a More Energy Efficient World." The full report can be found [here](#).

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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March 18, 2010**

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on March 17, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

It's My Environment Video Project

US EPA: It's My Environment Video Project for Earth Day ~

Posted by: [jmalderete](#) 2:30 pm Full post: <http://www.epa.gov/earthday/video/#fb>

Nice example of social media use with citizen participation. EPA Earth Day video project:

Posted by: [apriedmonds](#) 12 pm Full post: <http://bit.ly/9QmzDy>

[@levyj413](#) is the star of new "It's My Environment" video project for Earth Day from EPA.

Posted by: [smburns](#): 2:00 pm Full post: <http://budurl.com/2ghd>

Gmail-esque video campaign, "It's my environment" - pass the sign along:

Posted by: [citizentube](#) 10:30 am Full post: <http://bit.ly/dAk5k9>

Flea and Tick Products Announcement

EPA tightening leash on toxic pet products

Posted by: <http://mygloss.com> 7:20 pm Full post:
<http://mygloss.com/pet/2010/03/17/epa-tightening-leash-on-toxic-pet-products/>

LA Times: EPA: Tougher Standards Coming for Spot-on Flea & Tick Treatments for Dogs & Cats:

Posted by: [AnimalPlanet](#): 7:00 pm Full post: <http://ow.ly/1nyYf>

San Francisco: Complaints Prompt New EPA Plan For Flea Products

Posted by: [SanFranciscoCP](#): 6:50 pm Full post:
<http://sanfrancisco.cityandpress.com/node/1050993>

WSJ: Flea, Tick Products Come Under Scrutiny: The EPA is requiring beefed up labeling for flea and tick products used o...

Posted by: [Dubli4U](#): 6:30 pm Full post: <http://bit.ly/bbZeL7>

EPA will increase restrictions of spot-on flea & tick products! Stop the poisoning of [#pets](#) & kids

Posted by: [NRDC](#): 6:20 pm Full post: <http://bit.ly/aTw4bC>

GHG Regulation and Climate Change

NYT blog: British Ads Ignore Uncertainties of Climate Change, Watchdog Agency Finds -

Posted by: [basdavid5](#): 7:20 pm Full post: <http://url4.eu/1qAsW>

Auto alliance opposes Murkowski on EPA greenhouse gas regs: The Alliance of A...

Posted by: [cars2gonow](#) 4:10 pm Full post: <http://bit.ly/8YpbMi>

(The Alliance, which includes 11 major carmakers, worries the resolution to overturn EPA's finding that GHG endanger human health and welfare would derail an agreement reached with the Obama administration on higher fuel efficiency standards.)

Water Forum

Blogged: EPA Opens a Forum for Water Protection Feedback

Posted by: [spatialsustain](#) 2:30 pm Full post: <http://bit.ly/b82gqQ>

EPA launches blog to gather ideas on [#water](#) pollution solutions:

Posted by: [matt_weiser](#) 1:30 pm Full post: <http://ow.ly/1nsTW>

(Note: Blogger with Sacramento Bee)

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Auto Alliance Says Hands Off EPA's Ability to Regulate Greenhouse Gas Emissions (*TreeHugger*)

by Daniel Kessler on 03.17.10

In a surprising but welcome move, the Alliance of Automobile Manufacturers today sent a letter to House and Senate leadership [stating its opposition to Sen. Lisa Murkowski's efforts](#) to take away the EPA's ability to regulate greenhouse gas emissions. The EPA has the ability, known as the Endangerment Finding, to set strict emissions reduction standards for stationary sources of greenhouse gases, but Murkowski has been working hard to pass an amendment that would strip the agency of its right.

The Auto Alliance is made up of 11 automakers including BMW, Ford, GM and Toyota. In its letter, it says that taking away the EPA's rights would endanger the agreement it made with the Obama Administration over fuel efficiency standards for vehicles. The automakers fear a set of what they call "patchwork" laws in different states and want a strict government standard for the fuel efficiency of their cars and trucks.

Alliance President and CEO Dave McCurdy wrote in the letter, "At this time last year, the auto industry faced the alarming possibility of having to comply with multiple sets of inconsistent fuel economy standards."

Sen. Jay Rockefeller has a bill that would delay EPA from acting on stationary sources for two years but not on tailpipe emissions. At a time when we must begin reducing emissions now to both put polluters out of business and signal to the world we are serious about tackling climate change, the efforts to stop the EPA are the height of recklessness.

Rockefeller comes from a state that has rich coal interests. [Murkowski's incentive to freeze out the EPA](#) remains unknown to this writer.

Environmental Groups: Stop the Push for Global Warming Legislation (*The Huffington Post*)

Michael Kieschnick

President of CREDO Mobile

Posted: March 17, 2010 05:50 PM

Message to environmental groups. Stop the emails telling me that it is urgent to bring global warming legislation up for a vote in the Senate. Over the past two weeks, I have must have received twenty emails (yes, I am a junkie for environmental activism).

Today, E&E Reporter posted an article with the following headline:

CLIMATE: Senate trio courts industry in bid to pre-empt ad war (03/17/2010) Darren Samuelsohn, E&E reporter

The first sentence of the story? "The lead authors of the Senate climate bill are courting key members of an industry coalition that once cheered on Dick Cheney's energy policies."

It is time to admit the truth -- no legislation that actually addresses global warming will pass the Senate this year. With the great majority of the Republican minority committed to a no vote on almost anything, and with senators beholden to powerful coal (think Sen. Rockefeller), oil (think Sen. Murkowski) and nuclear (think Sen. Alexander) only interested in legislation that actually advances their destructive industries, this is a terrible climate to insist that there must be a vote. Anything that could get a supermajority will be a terrible bill.

And the bad news is that the Senate context will probably be worse next year.

There are several culprits, of course, but the biggest one is the tradition of a 60 vote filibuster in the Senate. There might be 50 senators willing to vote for legislation that would start to address global warming, but there are surely not 60. And senators 51 to 60 - that is, the senators needed to get to a sufficient number to break a filibuster - are almost entirely representative of the dirty fuel crowd.

And there price will be extremely high. It took \$80 billion of subsidies to the dirtiest industry around - the coal industry - to get a handful of coal state Democrats to vote for a global warming bill in the House where only a majority is required. In the Senate, almost by definition, that \$80 billion would be much bigger - and that is just for coal. The nuclear industry wants \$100 billion. And these are some of the same people who say we cannot afford universal health care. Their audacity is breathtaking but effective.

I have no doubt that the planet is warming rapidly. I believe we must act rapidly and aggressively to slow and then reverse the accumulation of global warming gases. But the bitter reality is that Senate has demonstrated far beyond a shadow of a doubt that it cannot produce legislation that will move us forward.

Of course, we should not give up just because the Senate has been captured by hostile forces. We have to put as much fight into what can be done by regulatory agencies under the temporary control of President Obama. Coal plants can be denied permits. Appliance efficiency standards can be tightened. The Environmental Protection Agency can be defended against powerful efforts to prevent it from enforcing the Clean Air Act.

As long as we pretend that it is possible to pass strong global warming legislation through the Senate, the longer we waste the efforts of millions of committed environmentalists.

We can handle the truth. It is time to fight on a more favorable battlefield.

Climate Change Is a Scientific Reality, Not a Political Debate (*The Huffington Post*)

[Frances Beinecke](#)

President, Natural Resources Defense Council

Posted: March 17, 2010 12:58 PM

Climate denials have reached a fever pitch in the past few weeks. Anti-science screeds have littered the pages of the major newspapers and dominated talk radio.

From a *New York Post* [editorial](#) called "The EPA's Climate Con" to a Rush Limbaugh show in which he [says](#) "Al Gore...ought to be subject to being sued" because global warming is a "hoax," commentators have been trashing documented scientific evidence.

What I found most alarming about this trend is the fact that the media coverage and political debate so often take these rants at face value.

The scientific consensus confirms the dangers of climate change. Yet rarely are climate deniers called on to cite fact-based, peer-reviewed evidence for their rebuttals.

Instead, they spout unsubstantiated claims that fly in the face of climate data compiled by the National Oceanic and Atmospheric Administration, the National Academy of Sciences, the Pentagon, the National Intelligence Council, and the CIA.

Secretary of Energy Steven Chu characterized this trend in a recent [interview](#): "If you look at the climate skeptics, I would have to say honestly, what standard are they being held to? It's very asymmetric. They get to say anything they want." (See multiple examples at [MediaMattwers](#).)

Inadvertently, Marc Morano, one of the driving forces behind denier website Climate Depot, identified the right's key strategy. At the Accuracy in Media Awards at the 2010 Conservative Political Action Conference, Morano [said](#) climate change is "a political movement. It is not a scientific movement."

But Morano and his cronies don't get to classify what constitutes scientific fact according to their likes and dislikes. I am happy to engage in a political debate about which policies will most effectively solve global warming. But there is no debate about the fact that a third of the Arctic's [perennial ice](#) has vanished in just 30 years or that the past decade was the [hottest on record](#).

As the esteemed Dr. George Woodwell, the founder of the Woods Hole Research Center, and long-time NRDC trustee [wrote](#) to Joe Romm, "The climatic disruption is not a theory open to a belief system any more than the solar system is a theory, or gravity, or the oceanic tides, or evolution." Woodwell has been studying climate change for more than 30 years and started testifying about it before Congress back in 1988.

Even if deniers feel entitled to disregard the IPCC's entire 2,800 pages of documentation because of two errors and a few botched citations, they still must contend with voluminous evidence compiled by America's leading research institutions.

Back in 1989, then-President George H. W. Bush decided to get to the bottom of the climate change debate. He initiated the U.S. Global Change Research Program -- one of the most exhaustive undertakings in the annals of scientific inquiry. It was a 20-year study commissioned by Congress and conducted over the course four administrations -- two of them Republican and two Democratic.

The agencies included NOAA, NASA, the Pentagon, the National Science Foundation, the Department of State and eight others. Their [findings](#) were released last June and here is how the report begins:

"Observations show that the warming of the climate is unequivocal."

That's right. The report is based on observation, not on conjecture, political views, or ideology. The report goes on to say, "The global warming over the past 50 years is due primarily to human-induced emissions of heat-trapping gases."

These are definitive conclusions from the best research agencies in the world. They reflect scientific truths, not political interest groups.

Saying the Earth is flat doesn't make it so. Nor does ignoring climate change make it go away. Still, we haven't heard the last of the deniers. Now that clean energy and climate legislation is moving through the Senate and has the backing of the White House, we will likely hear more talk of "hoaxes" and "cons." The fossil fuel industry, which has the most to gain by delaying climate action, is eager to amplify these false claims.

But next time you hear them, email, call, or write to the journalist or politician and demand to know where they get their facts from. If their standards are higher than the IPCC's then they should be happy to share their evidence.

And when you want to get the truth behind the counterfeit theories, visit this great Union of Concerned Scientists' Fact Checker [site](#), where real climate scientists assess questions through the lens of science not politics.

This post originally appeared on NRDC's Switchboard [blog](#), where over 100 staff members blog about their work protecting the environment.

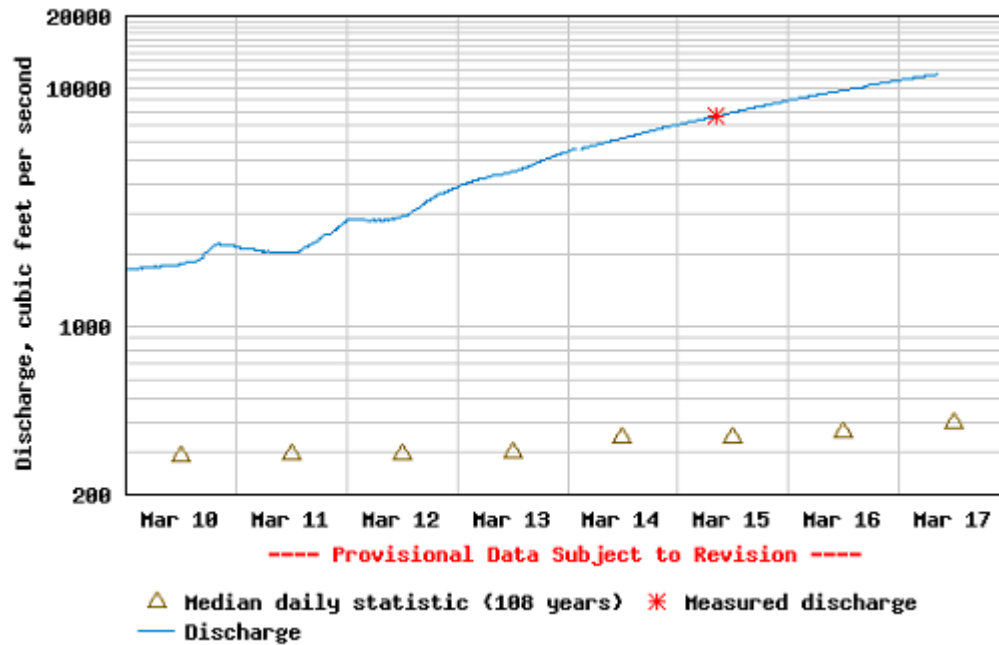
Global Boiling: Fargo Sees Fourth 'Ten-Year Flood' In A Row (*The Wonk Room*)

By [Brad Johnson](#) on Mar 17th, 2010 at 12:05 pm

For the second year in a row, President Barack Obama has [signed a federal disaster declaration](#) for North Dakota due to record flooding of the Red River in a changing climate. "More than a third of the contiguous United States faces a [high or above average flood risk](#) this spring," the National Weather Service reported yesterday. "We are looking at potentially historic flooding in some parts of the country this spring," Jane Lubchenco, head of the National Oceanic and Atmospheric Administration, said. The Red River's spring flood is coming three weeks earlier than average, after unprecedented warm weather "set records for both the [earliest and longest spring melt](#) in recorded history," as a "[10-day stretch of March](#) never saw the mercury dip below freezing." The 2009 flood [set records for streamflow and river height](#). This year's flood is coming more than a week earlier, having passed flood stage on Saturday:

STREAMFLOW: 11,600 cfs

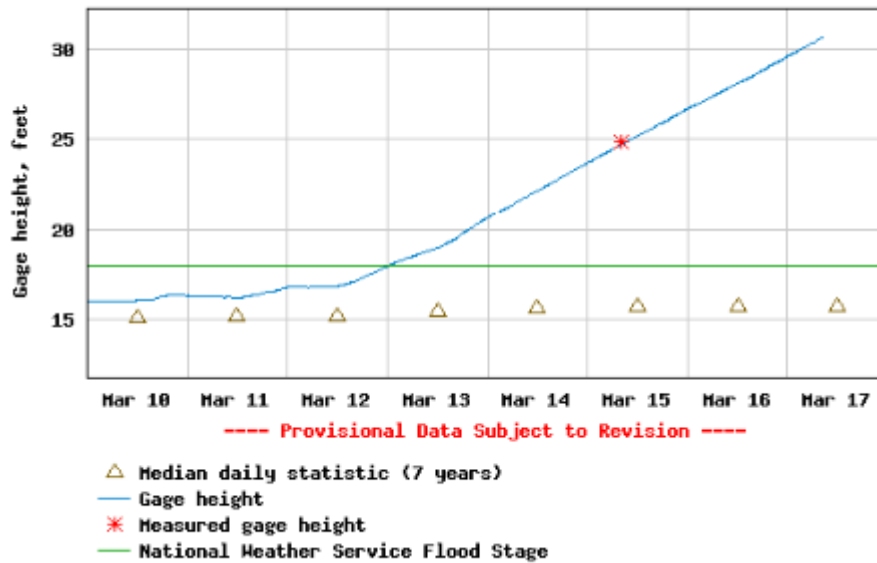
USGS 05054000 RED RIVER OF THE NORTH AT FARGO, ND



Graph courtesy of the U.S. Geological Survey

FLOOD HEIGHT: 30.74 ft

USGS 05054000 RED RIVER OF THE NORTH AT FARGO, ND

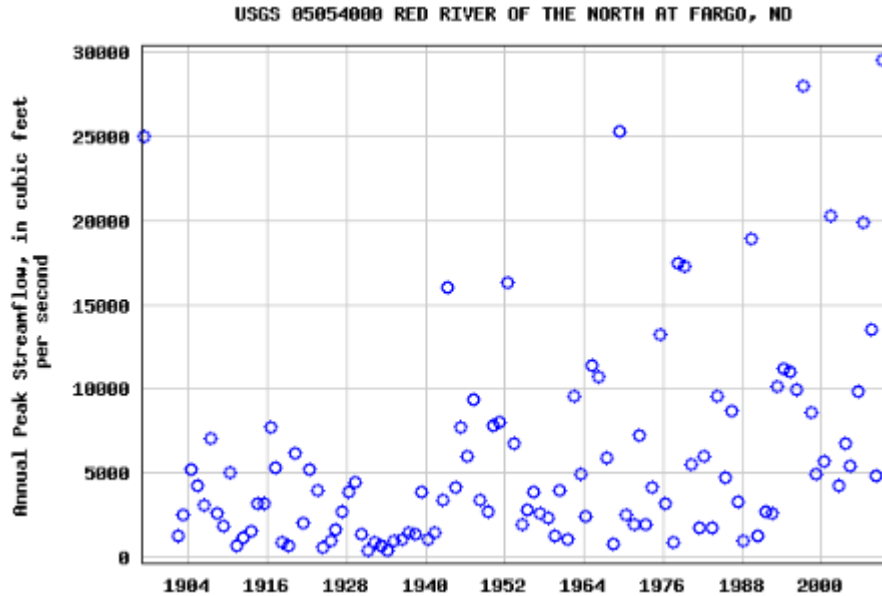


Graph courtesy of the U.S. Geological Survey

This is the [ninth “ten-year flood” of Fargo](#) since 1989, with streamflow greater than 10,300 cfs. That is to say:

In the last twenty years, Red River floods expected to occur at Fargo only once every ten years have happened every two to three years. 2010 is the fourth year in a row with at least a “ten-year flood.” In the 90 years before 1990, there were only eight ten-year floods.

ANNUAL PEAK FLOW, RED RIVER OF THE NORTH AT FARGO, ND



The standard for a hundred-year flood of the Red River of the North at Fargo set by the Army Corps of Engineers in 2001 is 29,300 cfs, a discharge rate never yet recorded.

A key consequence of global warming predicted by climate scientists is an [increase in overall precipitation](#) as well as extreme precipitation events, leading to [increased flooding](#). As President Obama [said last year](#):

If you look at the flooding that’s going on right now in North Dakota, and you say to yourself, “If you see an increase of 2 degrees, what does that do, in terms of the situation there,” that indicates the degree to which we have to take this seriously.

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on March 1, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

New Atrazine Study

Canadian Globe and Mail: Yikes. Weed killer found to turn male frogs into females.

Posted by: [mattfrehner](#) 7:05 pm Full post: <http://bit.ly/bywk5u>

USA Today: Tap water contaminant atrazine “castrates” frogs

Posted by: [USATODAYhealth](#) 7:00 pm Full post: <http://bit.ly/b2Z7Io>

GHG Regulation and Climate Change

Climate change linked to allergy increase

Posted by: [newswatchoz](#) 6:20 pm Full post: <http://bit.ly/cK4SkC>

NRDC: Music For Action: DL a free “Best of @Bonnaroo” compilation for climate change.

Posted by: [HeadCountOrg](#) 6:05 pm Full post: <http://bit.ly/dnv1hX>

(Dave Matthews Band, Pearl Jam, Phish, Jack Johnson and others compilation. To download, send an original or pre-written [email](#) to your Senator to vote for a Climate Bill with a few clicks. It's simple, free and a great way to make your voice heard.)

Coffee supplies hit by rising demand, climate change

Posted by: [Luppoaus](#) 6:05 pm Full post: <http://ow.ly/1cXZo>

(Note: “There is already evidence of important changes,” said the head of the International Coffee Organization, which represents 77 countries that export or import beans. “In the last 25 years the temperature has risen half a degree in coffee producing countries, five times more than in the 25 years before.” Warming temperatures have forced growers to seek higher, pricier land, where higher-quality beans are grown.)

Reuters: House members pander to contributors, seek to block EPA carbon limits

Posted by: [sanjeevnaik](#) 5:55 pm Full post: <http://is.gd/9tZii>

NY Times Water Article

The odds limits of the Clean Water Act

Posted by: [theeconomist](#) 7:00 pm Full post: <http://bit.ly/bywk5u>

(Note: This stems from two decisions, *Solid Waste Agency v Army Corps of Engineers* in 2001 and *Rapanos v United States* in 2006. William Rehnquist's majority opinion said: "[T]he term 'navigable' has...the import of showing us what Congress had in mind as its authority for enacting the CWA: its traditional jurisdiction over waters that were or had been navigable in fact or which could reasonably be so made.")

Newsweek: Why the EPA Struggles With Water Regulation "

Posted by: [Freshpurewater](#) 6:00 pm Full post: <http://tinyurl.com/yhbtt6x>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Senate Climate Bill Could Ditch Cap-And-Trade (*The New Republic*)

Bradford Plumer March 1, 2010 | 1:00 pm

Over the weekend, *The Washington Post* [reported](#) that John Kerry, Lindsey Graham, and Joe Lieberman are preparing to unveil their much-discussed Senate climate bill in the next few weeks. The eye-opening twist, though, is that their bill probably *won't* include a single cap-and-trade program for the entire economy. Instead, it would include different types of pollution controls for different sectors. Here's a [rough sketch](#) from Greenwire:

Rather than include all major industrial sources of greenhouse gases in one broad economywide cap-and-trade system, the Senate trio will propose different types of limits for different sectors of the economy, beginning with electric utilities and then turning later to manufacturers such as chemical plants and pulp and paper mills.

"The bottom line with utilities is they'll assume a compliance obligation from day one of the program," the Senate staffer said, adding that no decisions have been made on how to allocate valuable emission allowances to the power companies except to incorporate an industry recommendation to shuttle revenue toward consumers to help pay for higher energy bills.

Transportation fuels can expect a carbon tax that rises based on the compliance costs faced by the other major emitters. Several major oil companies, including Shell Oil Co., ConocoPhillips and BP America, floated the original idea on Capitol Hill, and the Senate trio has evolved their plan by funneling revenue toward transportation projects, reducing fuel consumption and lowering domestic reliance on foreign oil. The Highway Trust Fund is also a potential recipient of the carbon tax revenue, Senate aides said.

Manufacturers would face a series of greenhouse gas limits after power plants, but talks are still ongoing over when the phase-in begins and what specific industries fall into the suite of restrictions.

We'll have to see how this pans out before comparing it with the House climate bill. In the abstract, it may not be a terrible idea to treat different sectors of the economy differently when it comes to greenhouse gases. For example, a cap-and-trade program could potentially have a very large impact on the electricity sector, but it probably wouldn't do as much to change our transportation system in the short term. (The House cap-and-trade program, for instance, would only nudge up the price of gasoline by about [13 cents/gallon](#) in the first few years.)

Then again, a piecemeal approach could also get pretty unwieldy. The most elegant and market-friendly way to reduce emissions is, in theory, just to put a simple price on carbon and let businesses adjust for themselves. Originally, this was the preferred conservative approach to reducing pollution—back in the 1980s, Republicans [favored cap-and-trade](#) as a more flexible alternative to regulation. But by now the whole concept has become so anathema to the GOP that Kerry, Graham, and Lieberman seem to be straining to find alternatives.

FUEL

Biofuels Not So Enviro-Friendly (*The Heritage Foundation*)

Author: [Nick Loris](#)

Posted March 1st, 2010 at 5:09pm in [Energy and Environment](#)

Switching from fossil fuels to allegedly cleaner fuels may not be as good for the environment as advertised says the United Kingdom's *Times*. Similar to the renewable fuels mandate in the United States, the UK has a Renewable Transport Fuel Obligation that requires 3.25% of fuel sold to come from crops – increasing to 13 percent by 2020. A new government study suggests that biofuels may [actually be worse for the environment](#):

The findings show that the Department for Transport's target for raising the level of biofuel in all fuel sold in Britain will result in millions of acres of forest being logged or burnt down and converted to plantations. The study, likely to force a review of the target, concludes that some of the most commonly-used biofuel crops fail to meet the minimum sustainability standard set by the European Commission.

Under the standard, each litre of biofuel should reduce emissions by at least 35 per cent compared with burning a litre of fossil fuel. Yet the study shows that palm oil increases emissions by 31 per cent because of the carbon released when forest and grassland is turned into plantations. Rape seed and soy also fail to meet the standard.”

Similar concerns have been raised in the United States, particularly with ethanol. The 2005 energy bill contained the first-ever requirement that renewable fuels be mixed into the gasoline supply. The 2007 energy bill increased the mandate substantially to 36 billion gallons by 2022.

Many environmental organizations [have raised concerns](#) about the increased inputs of energy, pesticides, and fertilizer needed to grow more corn. The same is true for the stress on water supplies, especially now that corn production [is being expanded in locales where rainfall](#) is insufficient and irrigation is needed. Even land that is now protected under federal conservation programs may soon be cleared for corn.

In addition, the facilities that turn corn into ethanol create emissions issues of their own. The goal of the ethanol mandate was to reduce carbon dioxide emissions, but after taking into account the carbon dioxide emitted from ethanol production, the reduction in emissions is modest.

It would be wise for the UK to reconsider it’s renewable fuel obligation and it would be [wise for the United States to do the same](#).

WATER

Genetically Engineered Tobacco Could Clean Up Toxic Pond Scum (*TreeHugger*)

by Matthew McDermott, New York, NY  on 03. 1.10

[Tobacco](#) may do lots of bad things to human health when it's smoked, but some new research done by scientists at [St George's, University of London](#) shows that a genetically engineered strain may be able to do help clean up toxic pond scum, protecting animals and humans from potential illness:

The pond scum in question is [microcystin-LR](#) (MC-LR), which makes water unsafe for drinking, swimming and fishing in many parts of the world. Upon ingestion it can cause serious liver damage, with some studies indicating a connection to causing liver and colorectal cancers.

Antibodies Secreted from Tobacco's Leaves & Roots

Writing in *The FASEB Journal*(that's Federation of American Societies for Experimental Biology, by the way), Dr Pascal Drake and colleagues engineered tobacco to produce an antibody to MC-LR in its leaves and secrete it from its roots into the surrounding growing medium. When the toxin came in contact with the antibody it became bound to it, rendering it harmless.

FASEB's editor was quoted by [Science Daily](#):

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on March 19, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

Newsweek 3/29 issue profiles EPA's Lisa Jackson as a realistic fighter in a DC polluted by [#climate](#) partisanship

Posted by: [CunningDC](#) 5:50 pm Full post: <http://bit.ly/ay1ncC>

MTR Protests

After 30+ hours [#MTR](#) activists just unlocked & climbed down from their purple mountains on [@EPAGov](#) lawn...

Posted by: [billbarnes04](#): 6:00 pm Full post: <http://bit.ly/9QOPgw>

Two days locked-down to the EPA campaigning to end mountaintop removal [#mtr](#)

Posted by: [RayBeckerman](#) 4:45 pm Full post: <http://bit.ly/9qf5Up>

Activists still locked down on EPA lawn 30 hours later! Planning to stay until Lisa Jackson commits to go to Appalachia & see [#MTR](#) herself.

Posted by: [ran](#): 3:15 pm Full post: <http://understory.ran.org/2010/03/19/two-days-locked-down-to-the-epa-campaigning-to-end-mountaintop-removal/>
(Rain Forest Action Network)

EPA, DOE New Steps to Strengthen Energy Star

EPA, DOE Announce New Steps to Strengthen ENERGY STAR

Posted by: [GetSolar](#): 6:50 pm Full post: <http://ow.ly/1oGbM>

EPA, DOE Announce New Steps to Strengthen Energy Star: "Consumers have long trusted the Energy Star brand for prod..."

Posted by: [TWT_SAVE_ENERGY](#): 5:50 pm Full post: <http://bit.ly/bQ9nAz>

EPA steps up testing of appliances and enforcement in the Energy Star program. I'm glad to see this--too many products...

Posted by: [greenwombat](#):: 5:30 pm Full post:

GHG Regulation and Climate Change

KPBS: Military Officials Say Climate Change Could Destabilize Weak Governments, By Ed Joyce, KPBS News.

Posted by: [@SDNewsfeed](#): 6:00 pm Full post: <http://bit.ly/99CQgU>

ROUND-UP OF MAJOR BLOGS

AIR

Next Health Care Battle: The Clean Air Act And Carbon Hotspot Deaths (*The Wonk Room*)

By [Brad Johnson](#) on Mar 19th, 2010 at 5:40 pm

The Clean Air Act requires the Environmental Protection Agency to set standards for plants, cars, and factories that emit greenhouse gas pollution. Because global warming is by definition a global problem, there is support for scrapping individual source standards for a national cap-and-trade system that limits the collective pollution, instead of local emissions. However, new scientific research by Mark Z. Jacobson, finds that [carbon dioxide pollution is a two-fold killer](#) — causing not just global warming but also forming “domes” that trap other pollutants in urban areas:

Jacobson found that **domes of increased carbon dioxide concentrations** – discovered to form above cities more than a decade ago – **cause local temperature increases that in turn increase the amounts of local air pollutants**, raising concentrations of health-damaging ground-level ozone as well as particles in urban air.

Jacobson’s study, “[Enhancement of Local Air Pollution by Urban CO2 Domes](#),” published in *Environmental Science & Technology*, estimates that “reducing local CO2 may reduce 300-1000 premature air pollution mortalities/yr in the U.S. and 50-100/yr in California, even if CO2 in adjacent regions is not controlled.” The deaths represent a small fraction of the population who are suffering increased respiratory problems from carbon domes.

Right-wing polluters have launched a multi-pronged assault on Clean Air Act regulation of global warming pollution, including [petitions by state legislatures](#), lawsuits from [governors](#) and industry trade groups, [resolutions in Congress](#), and [propaganda campaigns](#) by Astroturf groups. Despite the [growing damage](#) of climate change, Environmental Protection Agency administrator

Lisa Jackson has [weakened and delayed](#) implementation of global warming rules to be phased in from 2011 to 2016, decades after the United States ratified the Rio Treaty in 1992.

Left unclear in the [rumors about the proposed Kerry-Graham-Lieberman climate legislation](#) is whether it will preempt existing Clean Air Act rules. Considering that over forty senators, including three Democrats — Sen. [Ben Nelson](#) (D-NE), Sen. [Mary Landrieu](#) (D-LA), and Sen. [Blanche Lincoln](#) (D-AR) — support Sen. [Lisa Murkowski](#)'s (R-AK) Dirty Air Act resolution to nullify the EPA's scientific endangerment finding entirely, and Sen. [Jay Rockefeller](#) (D-WV) wants to suspend Clean Air Act enforcement until 2012, it appears that minds will have to be changed if the Clean Air Act is to be protected in climate legislation. With luck, senators will pay more attention to the health and welfare of their constituents than to the size of their corporate campaign contributions.

Valero Spends \$500,000 To Kill California Emissions Law (*TreeHugger*)

by Daniel Kessler on 03.20.10
BUSINESS & POLITICS

Valero Energy Corporation has spent \$500,000 already in an effort to create a ballot initiative in California that would suspend the Golden State's aggressive climate law, known as AB 32. Valero, which calls San Antonio, Texas, home, has spent the money in part to get the 433,000 signatures required to get the initiative on November's ballot, which would suspend the law until California's unemployment rate goes below 5.5 percent.

According to EE News, the other contributors include:

San Antonio refiner Tesoro Corp. (\$100,000), the anti-tax Howard Jarvis Taxpayers Association (\$100,000), World Oil Corp. (\$100,000), Tower Energy Group (\$100,000), Southern Counties Oil Co. (\$50,000), and the Lumber Association of California and Nevada Political Action Committee (\$5,000).

California has the most ambitious climate plan in the country, which aims to cut emissions and increase the use of renewable energy to 30 percent by 2020. Last week, the [San Jose Mercury News published an op-ed](#) that said in part:

Forecasting the results of a complex law whose full implementation is years off is nearly impossible. A more useful view of the law's potential upside can be gleaned by looking at who stands behind AB 32, and what it has already done for the economy.

Just about every Silicon Valley heavyweight supports the law: Google, Apple, Hewlett-Packard, Cisco, Intel, Applied Materials -- not to mention Whitman's former company, eBay. They all tout its environmental benefits and protections against global warming, but their bottom line is their own profitability.

The law's passage signaled that the clean-energy market will flourish long-term, opening the floodgates for investment in the sector, which nearly tripled, to \$3.3 billion, in the two years after the law was signed. In 2009, 40 percent of cleantech venture capital went to California companies. While the overall number of California jobs shrunk 1 percent in 2007-08, the number of green jobs grew 5 percent.

Corporate power holding us back

The voters of California should be outraged that Valero is spending a half million dollars to maintain the business as usual in their state. The status quo will keep us transferring billions of dollars to other countries to buy fuel that is destroying the climate and keep us dependent on coal, the dirtiest fuel in the world. We need to speak out against Valero and other corporations that want to subvert democracy and keep us from creating a new clean energy economy.

CLIMATE CHANGE/GLOBAL WARMING

David Koch Project Admits Manmade Global Warming Is An 'Experiment' That Is 'Likely To Create Entirely New Survival Challenges' For Humanity (*The Wonk Room*)

By [Brad Johnson](#) on Mar 21st, 2010 at 10:01 am

Last week, the Smithsonian's Museum of Natural History unveiled the \$20.7 million [David H. Koch Hall of Human Origins](#), a new exhibit on the evolution of our species. Koch is the [billionaire scion of Koch Industries](#) and founder of a [vast network](#) of conservative organizations that deny the threat of global warming pollution and other environmental crimes. Such pollution

is essential to the Koch Industries business model, an oil-coal-chemicals-agribusiness giant. However, [Koch's new endeavor](#), the Human Origins Initiative, recognizes that [manmade global warming represents an unprecedented threat](#) to the survival of mankind:

The question ahead is how well our sources of resilience as a species will succeed as our alterations to the landscape, atmosphere, and water sources interact with the tendency of Earth's environment to shift all on its own. This is an 'experiment' just now unfolding, one that has never been tried before. The intensity of environmental change seems likely to create entirely new survival challenges for the lone hominin species on the planet, and many other organisms as well.

Oddly enough, the phrases “global warming,” “greenhouse gases,” “pollution,” or anything else admitting that the human influence on our planet now vastly outweighs “the tendency of Earth's environment to shift all on its own” do not appear. But however obscured, the truth is out there. David Koch's lifework — polluting the planet to acquire billions of dollars — has put the human race at risk. “The problem that we face today [humans are pulling on the strings](#) that in the past led to climate change and extinction,” [Human Origins Initiative director Rick Potts](#) described in a 2008 interview. “We live on a volatile planet and we're doing the same sorts of things that lead to instability.”

‘Regulation Reality Tour’ Peddles Polluter Lies, Endangering American Prosperity (*The Wonk Room*)

By [Guest Blogger](#) on Mar 20th, 2010 at 10:18 am

Our guest blogger is [Rick Piltz](#), founder of Climate Science Watch.

Next week (on March 22) in Arkansas, [Americans for Prosperity \(AFP\)](#) will kick off a nationwide “[Regulation Reality Tour](#)” to block U.S. efforts under the Clean Air Act to protect the health and welfare of Americans by reducing greenhouse gas emissions. The tour “will feature AFP's very own [EPA Carbon Cops](#) in their environmentally friendly Smart cars,” and offer free donuts, lunch, and dinner along the way.

Americans for Prosperity describes itself as “an organization of grassroots leaders who engage citizens in the name of limited government and free markets on the local, state and federal levels.” With strong and generous support from [Charles and David Koch, the billionaire owners of Koch Industries](#), AFP claims that actions to address climate change are based on “global

warming alarmism” and will wreck the economy. AFP is part of [larger network of libertarian organizations](#) with close ties to the Koch brothers that distort climate change science and economics to undermine public support for government action to address the problem.

AFP generally says very little *specifically* about the science of climate change beyond repeatedly stating that regulatory steps by the U.S. Environmental Protection Agency (EPA) and legislation being considered by Congress are based on “[global warming alarmism](#)” — weasel wording used to dismiss the scientific basis for action with few specific details on what AFP believes or doesn’t believe about climate change. AFP says the “costly so-called ‘solutions’ to global warming” being considered by government would “have only a miniscule impact on global temperature and would not be detectable against the background of natural variation.”

[Peggy Venable](#), AFP’s State Director for Texas, is less restrained. In an opinion piece titled [The Feds are Messing with Texas](#) in *The Lone Star Report* (29 January 2009), she says:

The scientific establishment has dropped the ball. **Carbon dioxide is not a pollutant. On the contrary it makes crops and forests grow faster. We exhale carbon dioxide.**

She goes on to discuss the science-based finding by the EPA that greenhouse gases endanger public health and welfare. Specifically, she praised a response to EPA’s endangerment finding that was being contemplated by the state of Texas and suggested by an AFP ally “who proposes attacking the EPA as a purveyor of bad science under federal statutes that prohibit junk science by agencies.”

When the State of Texas announced a year later that it was [taking legal action](#) against EPA over the endangerment finding, Venable wrote “[Hats off to Gov. Rick Perry](#),” along with the state attorney general and the agriculture commissioner. According to a press release from the Texas Governor’s Office [posted on the AFP Texas site](#):

“With billions of dollars at stake, EPA outsourced the scientific basis for its greenhouse gas regulation to a scandal-plagued international organization that cannot be considered objective or trustworthy,” Attorney General Abbott said. “Prominent climate scientists associated with the IPCC were engaged in an **ongoing, orchestrated effort to violate freedom of information laws, exclude scientific research, and manipulate temperature data**. In light of the parade of controversies and improper conduct that has been uncovered, we know that the IPCC cannot be relied upon for objective, unbiased science — so EPA should not rely upon it to reach a decision that will hurt small businesses, farmers, ranchers, and the larger Texas economy.”

On 15 April 2009, AFP joined with other conservative groups in a [letter challenging the EPA’s endangerment finding](#), claiming:

Significant uncertainty persists with regard to climate sensitivity — the core scientific issue. Despite the ongoing increase in air’s CO₂ content, various measures of public health and welfare — life-expectancy, heat-related mortality, weather-related mortality, air quality, agricultural productivity — continue to improve. **Endangerment of public health and welfare is not ‘reasonably anticipated.’**

Despite decades of research and thousands of peer-reviewed publications to the contrary, AFP rigidly adheres to the denialist arguments that greenhouse gas emissions from human activities pose no significant danger to Americans — or the rest of the planet.

Alongside its dismissive position on the science, AFP mischaracterizes the economics of action on climate change. The largest economic consequences of unrestrained growth in emissions are related to the impacts of climate change, the costs of which are growing and will be catastrophic for the U.S. and world economies later in the century if emissions are not dramatically reduced. AFP ignores those costs. It focuses instead exclusively on the costs of reducing emissions, which are likely to be far less over time than the costly consequences of inaction. Furthermore, AFP exaggerates the costs of reducing emissions, cherry-picking analyses that suggest the largest negative economic consequences.

Finally, AFP argues that other major emitting countries will do little or nothing to effectively reduce emissions. This argument contradicts evidence that governments of other countries are growing increasingly concerned about the economic, social and political disruption that will occur as climate rapidly changes. They in fact are taking steps to prepare for the impacts of climate change and to curb emissions, and in many instances are well ahead of the U.S. on the issue.

Read more about Americans for Prosperity at [Climate Science Watch](#).

RECYCLING

The True Cost of Plastic (*The Huffington Post*)

[David de Rothschild](#)

Posted: March 21, 2010 10:12 PM

Our voracious appetite for one-time-use plastics that is now hurtling back toward us as an ever-growing and devastating set of plastic fingerprints on our natural world. It's not well-known that since Leo Hendricks unveiled the first fully synthetic moldable hard plastic called Bakelite to the American Chemical Society in 1909, except for a very small percentage that has been

incinerated, every single molecule of plastic ever manufactured still exists somewhere in our environment.

The most apparent and shocking of which is the plastic waste that can now be found scattered across the surfaces and the depths of our planet's oceans. It's beyond tragic to articulate. Plastic is impervious to enzymatic breakdown. It's literally jamming up the code of nature. Which means the very durability that makes plastic so useful to humans also makes it incredibly harmful to all the natural life cycles in every ecosystem worldwide. The effects of these manufactured materials on the vitality of fish, marine mammals, and birds alike are two-fold.

One is the actual ingestion of plastic, as in the case of the majestic and now endangered albatross. The Laysan albatrosses that nest on Kure Atoll and Oahu, Hawaii, get it the worst. They are mistakenly swapping up squid, fish, and krill for floating plastic items such as fishing line, light sticks, and lighters. *Scientific American* quoted Lindsay Young of the University of Hawaii, summing the problem up perfectly: "There were so many small plastic toys in the birds from Kure Atoll . . . that we could have assembled a complete nativity scene with them." It's estimated that of the 500,000 albatross chicks born every year on Midway, almost half of them die from consuming plastic fed to them by their parents. One was found to have 306 pieces of plastic inside its belly.

But even more ominous is the second major issue regarding the spreading plastic plague, toxicity transference.

In the open ocean, plastic photo-degrades, which means it absorbs the sun's photons and begins to break into simpler and simpler compounds without ever actually disappearing. The tiny pellets that result are called mermaid tears or nurdles. Because of plastic's open molecular structure, mermaid tears sponge up fat-soluble compounds like PCBs, DDT, and a host of herbicides and pesticides present in the ocean in diluted quantities. Plastics also have a nasty affinity for oil; just think of the permanent ring left behind in a food container after storing spaghetti sauce.

The transference occurs as small amounts of these chemicals work their way up the food chain from the filter feeders all the way through to the fish fingers on the kitchen table. All over the world, children and adults alike are unwittingly exposing themselves to low levels of toxicity. Plastic is an odorless and tasteless parasite.

But if killing all forms of marine life and now, potentially, us humans, isn't reason enough to react, there is more. Plastic and other marine debris is smothering beaches as well, especially those in the path of the swirling garbage patch. Currents that drag garbage into the gyres also shoot it out to surrounding landmasses. The nineteen islands of the Hawaiian archipelago, including Midway, for instance, receive massive quantities of trash, some of it decades old. Some beaches are buried under five to ten feet of refuse, and others are riddled with fine granules of plastic or "plastic sand."

In October 2006, the U.S. government established the Northwestern Hawaiian Islands Marine Monument as an attempt to quell the rising tide of debris. Congress passed legislation to increase funding for trash removal and ordered several government agencies to expand cleanup efforts.

This could prove to be an important step if it leads to governments focusing more attention on a problem that, although dire, has received serious scientific focus only since the early 1990s.

That said, the people who are studying the issue continue to point out the overall lack of viable solutions. Trawling the oceans for trash is impractical in terms of budget and logistics, and it would ultimately harm plankton and other marine life. Even if it was safe for sea creatures, cleaning up the north Pacific gyre alone involves clearing a section of ocean that spans the area of a continent and extends one hundred feet below the surface. Maybe more feasible and exponentially more effective is managing the waste on land, where fully 80 percent of ocean debris originates in the first place. (The rest comes from private and commercial ships, fishing equipment, oil platforms, and spilled shipping containers.)

But what's crazy about this situation is that it simply doesn't have to be this way!

If we can shift a common perception of plastic from waste to a valuable resource, we can slow and, in some places even reverse, the alarming environmental damage occurring around the planet. Meeting this challenge doesn't even need to be a chore. It can be an adventure, an honest-to-goodness, swashbuckling adventure. The kind that gets you out of your car, your office, or your bed and into nature, so you understand exactly, even viscerally, what it is you're trying to save.

WATER

The Water Crisis (*The Huffington Post*)

[Gilbert M. Grosvenor](#)

Chairman, National Geographic Society's Board Trustees

Posted: March 22, 2010 08:31 AM

Human use of water is beyond sustainable levels in many parts of the world, and Americans are among the biggest culprits. The average U.S. lifestyle takes 1,800 gallons (6,814 liters) of water a day to support -- twice the global average.

The shortage of freshwater is a crucial problem facing our planet. A mere 3 percent of the Earth's water is fresh. Two percent is locked in snow and ice, leaving just 1 percent available for consumption. Nearly a billion people -- one-sixth of the world's population -- have no access to safe drinking water, 2.6 billion people lack adequate sanitation, and more than 3 million people die from water-related diseases each year. Forty-six percent of people on Earth do not have water piped to their homes, and much of the burden of collecting water falls to women -- women in developing countries walk an average of 3.7 miles to get water.

Freshwater species are disappearing four to six times faster than land or sea animals -- in the United States, nearly half the 573 animals on the threatened and endangered list are freshwater species.

National Geographic has long been a global observer of the impact of freshwater shortages over time. In this role, we have come to identify water scarcity as one of the most critical issues facing us today. In line with our mission to "inspire people to care about the planet," the National Geographic Society is marking World Water Day 2010 (March 22) by launching a wide-ranging, multiyear effort to educate and encourage individuals and communities to live within their water means and to take part in solving water problems in their own backyards and across the globe.

As part of this effort, the April 2010 issue of [*National Geographic Magazine*](#) is a special edition devoted entirely to water. It's an essential primer on the state of the world's fresh water and it explores the global implications of the water crisis.

Because we believe the concerns highlighted in this special water issue so important, we are offering the magazine free to policymakers, educators, students and the public from March 22 to April 2. The special water issue can be downloaded at our freshwater Web site at www.nationalgeographic.com/freshwater.

This dedicated Web site is part of our efforts to motivate people around the world to care about and conserve freshwater and the extraordinary diversity of life it sustains. All of us need to learn to use and manage water in ways that not only meet our needs but allow the rest of life on this planet to thrive too.

As *National Geographic's* newly appointed Freshwater Fellow and internationally renowned water authority Sandra Postel says, "Water is life. Water is finite. All the water on Earth now is all there ever was -- and ever will be. It's all about sharing it -- with nature and each other."

We're on a critical mission -- and we hope you'll join us.

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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PEOPLE ARE TALKING

**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on March 22, 2010:**

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EPA Admin. Announces New Policies for Safe Drinking Water

(Local News) Tougher EPA restrictions announced for drinking water

Posted by: [KHASTV](#): 7:40 pm Full post: <http://bit.ly/aCDdxz>

(Note: KHAS-TV, Nebraska - Monday, EPA said it is putting stricter limits on PCE and three other chemicals that cause cancer. PCE or Tetrachloroethylene has been found in this small community of just more than 60 homes east of Grand Island.)

AWWA Supports New EPA Emphasis on Advancing Safe Drinking Water, Stresses Importance of Sound Science ...

Posted by: [KarenKinnaman](#) 7:10 pm Full post: <http://bit.ly/beSEM6>

(Note: American Water Works Association)

NYT: EPA to Streamline Drinking Water Regs, Tighten Standards for 4 Carcinogens

Posted by: [NMELC](#): 7:00 pm Full post: <http://nyti.ms/bFltqo>

(Note: Four key components: addressing contaminants in groups rather than individually, fostering the development of new treatment technologies, using multiple statutes to safeguard water supplies, and enhancing state and local partnerships.)

AP: EPA to issue stricter drinking water standards

Posted by: [griffinrc](#) 6:10 pm Full post: <http://bit.ly/9rPyQg>

(Note: EPA is tightening [drinking water](#) standards to impose stricter limits on four contaminants that can cause cancer: tetrachloroethylene, trichloroethylene, acrylamide and epichlorohydrin.)

Chesapeake Bay Restoration Guidance

EPA releases bay restoration guidelines for feds

Posted by: [keephealthydiet](#): 7:30 pm Full post: <http://bit.ly/b4b0nY>

(Note: EPA is releasing guidelines to help the federal government cut water pollution from lands it owns in the Chesapeake Bay watershed. The EPA says the guidance will help the federal government lead by example)

GHG Regulation and Climate Change

PhysOrg.com: Cornell Expert: World has underestimated climate-change effects

(Note: Professor Charles Greene in the journal Oceanography)

Posted by: [TNTscience](#) 7:30 pm Full post: <http://bit.ly/aigZA2>

BusinessGreen.com: Obama's healthcare victory clears path for climate change bill

Posted by: [cleantechnws](#): 7:10 pm Full post: <http://bit.ly/9bIUKN>

4 days until WWF [#earthhour](#)! (8.30pm Sat 27 Mar). You can sign up here to show you care about climate change:

Posted by: [iamsrk](#) 7:20 pm Full post: <http://bit.ly/bGjjOk>

ROUND-UP OF MAJOR BLOGS

AIR

Cruise Liner Pollution Kills Up to 8,300 People a Year in US and Canada, Says EPA (*TreeHugger*)

by Brian Merchant, Brooklyn, New York on 03.22.10

Newly proposed restrictions would limit the amount of pollution cruise liner ships can emit in waters 200 miles around the coast of the US and Canada. The proposal is about to be adopted by the UN's International Maritime Organization, and is supported by many governmental groups, including the EPA. In fact, according to Reuters, the EPA argues that adopting the pollution controls would clear the air of particulates in port cities--and would save 8,300 lives a year. Which would mean that unregulated pollution from cruise lines is currently killing 8,300 people a year in the US and Canada . . .

Here's [the report](#), via Reuters:

Proponents, including the U.S. Environmental Protection Agency, say the plan would clear the air around polluted port cities and save up to 8,300 lives a year in the United States and Canada. It would limit emissions of sulfur oxides, nitrogen oxides and particulate matter, pollutants that are linked to asthma and cancer. The Environmental Defense Fund activist group cheered the plan, saying "the dangerous air pollution from these floating smokestacks is a serious health threat to tens of millions of Americans who live and work in port cities."

Of course, the cruise industry execs are crying foul--they complain that the pollution controls would force them to pay up to 40% more for low sulfur fuels, and that they would no longer be able to burn any of the fuels they currently use within 200 miles of land. To which I say, Good.

To cruise ship executives: I am sorry that your fuel expenses will rise--perhaps you will have to increase the price of admission for your monolithic floating tributes to excess, in order to prevent some 8,300 people from dying every year for the crime of happening to live in port cities.

Okay, so that may have been a tad melodramatic--but it seems to me that there's a pretty strong case for limiting pollution from ships, and that the industry's case against doing so rests only on the complaint that it would be expensive. Thankfully for the 8,300 folks whose lives are likely to be saved by the measure, the proposal looks likely to be adopted by the IMO--leaving the world a slightly less polluted place.

CLIMATE CHANGE/GLOBAL WARMING

Can't The EPA And Congress Get Along? (*The New Republic*)

Michael A. Livermore
March 22, 2010 | 2:22 pm

Details about the forthcoming Kerry-Graham-Lieberman climate bill are still as hazy as the smog over the San Fernando Valley. But one tidbit has [already trickled out](#): The Senate proposal would, in all likelihood, eliminate the EPA's authority to regulate greenhouse gases under existing law. This is something industry groups have demanded in exchange for the creation of a CO2 cap-and-trade program set by Congress. Environmentalists, by contrast, see the EPA's Clean Air Act authority as sacrosanct. It's possible, however, to find a compromise here.

Industry groups fear the EPA for much the same reason environmentalists like it: The agency can't be lobbied and is less subject to political pressure, yet it has a huge amount of legal authority over carbon pollution. Some of the industry fears are reasonable. If both the EPA and Congress end up regulating greenhouse gases, that could lead to overlapping rules that could hinder rather than help a smoothly functioning cap-and-trade system. Many of the regulations that EPA [would impose under existing law](#)—such as requiring that every large polluter adopt "best available control technology"—would be inefficient in the presence of a cap-and-trade system, which is set up to allow emitters to work out among themselves how best to meet overall targets.

At the same time, many green groups want to preserve the EPA's broad powers so that there's a fallback option in case whatever cap-and-trade system comes out of Congress is imperfect or

loophole-ridden. That's also understandable. But the best approach here may be somewhere in the middle. There are certain EPA regulations that would interfere with any cap-and-trade system that is set up by Congress, such as setting mandatory concentration levels for greenhouse gases. But other EPA rules could well complement congressional action—for instance, rules to encourage a switch to renewable fuels and reduce dependence on foreign oil. A scalpel is needed, not a sledgehammer.

The same concept should apply for states: If Congress passes a federal climate bill, it may need to preempt certain state initiatives to ensure that businesses are not being unnecessarily burdened. But there will be many instances where states should be free to experiment and rush ahead of what Congress is doing—for instance, on rules that help spur local energy research, or for spurring energy-efficiency policies at the local level. Finding the right balance here will depend on how robust the Senate bill is: The flimsier it is, the weaker the case for paring back EPA and state authority.

There is also a question of timing. The EPA has basically been ordered by the Supreme Court to regulate greenhouse gases, and the agency has already started regulating—a final rule on vehicle fuel efficiency is expected later this month. Given how long it often takes Congress to act, the agency may well do more before legislation passes. In that case, the best thing EPA can do to avoid colliding with Congress is to begin with regulations that will mesh well with an eventual economy-wide cap-and-trade program. For instance, the agency could start by setting up a [cap-and-trade system for motor vehicles](#) (the existing Clean Air Act gives the EPA all the authority it needs to do this). This way, the EPA can complement an eventual bill from Congress, rather than working at cross purposes.

Michael A. Livermore is the executive director of the Institute for Policy Integrity at New York University School of Law. He is the author, along with Richard L. Revesz, of [Retaking Rationality: How Cost-Benefit Analysis Can Better Protect the Environment and Our Health](#).

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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March 24, 2010**

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on March 23, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

EPA Proposes to Add Sources to GHG Reporting

Houston Chronicle: EPA seeks to add to U.S. greenhouse gas reporting

Posted by: [EnerComInc](#): 7:30 pm Full post: <http://bit.ly/avoDFG>

Reuters: EPA asks oil, natgas sectors for carbon data -

Posted by: [ginnilineberry](#) 7:00 pm Full post: <http://bit.ly/91Vn7J>

(Note: EPA issued a new proposal on Tuesday that would expand existing rules on reporting greenhouse gas emissions to include oil and natural gas production facilities and add methane gas for the first time.)

EPA Proposes More Sources For Mandatory GHG Reporting

Posted by: [JDMI](#): 5:00 pm Full post:

http://enewsusa.blogspot.com/2010_03_23_archive.html

(Note: Environmental law firm blog)

EPA proposes mandatory GHG reporting from oil & gas sectors:

Posted by: [dgtww](#): 4:23 pm Full post:

http://www.diesलगasturbine.com/news_detail.asp?pick=2145

Bloomberg: EPA seeks to add oil and gas to U.S. greenhouse-gas reporting

Posted by: <http://www.businessweek.com> 4:00 pm Full post:

<http://www.businessweek.com/news/2010-03-23/epa-seeks-to-add-oil-industry-to-u-s-greenhouse-gas-reporting.html>

(Oil and natural-gas producers would be required to measure and disclose greenhouse-gas emissions to the U.S. EPA under an expansion of reporting rules proposed today.)

Cities with Most Energy Star Buildings

Denver ranks 4th in US in energy-efficient buildings - U.S. EPA.gov

Posted by: [TweetDenver](#) 7:23 pm Full post: <http://ff.im/-hZFpy>

Los Angeles tops EPA's Energy Star buildings list

Posted by: <http://latimesblogs.latimes.com/greenspace> 4:23 pm Full post: <http://latimesblogs.latimes.com/greenspace/2010/03/los-angeles-tops-epas-energy-star-buildings-list.html>

GHG Regulation and Climate Change

Scientific American: Can climate Models Predict Global Warming's Direct Effects in Your City?

Posted by: [sanrau](#): 7:43 pm Full post: <http://bit.ly/deyNIC>
(Note: "Nobody lives in the global average climate. Nor are the massive grid cells favored by [climate models](#) run on today's supercomputers as useful as they could be for planning purposes, Now the National Science Foundation (NSF), along with the U.S. Energy and Agriculture departments are teaming up to financially support the development of new computer models aimed at revealing the anticipated effects of climate change at the regional level.)

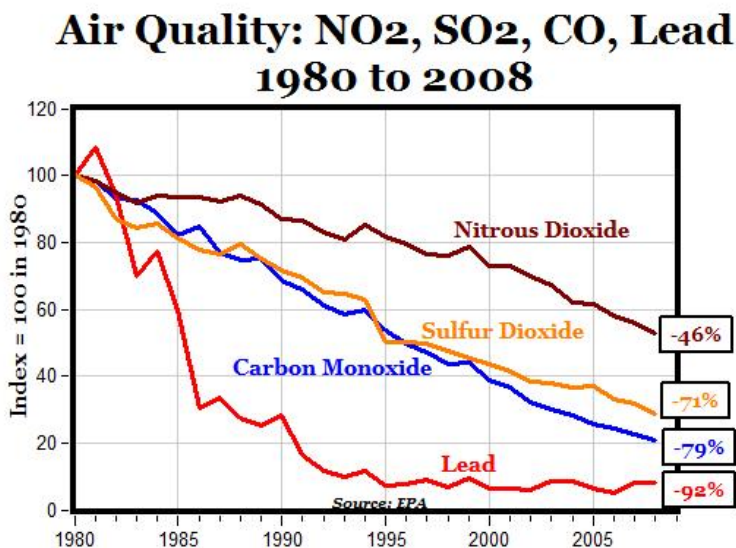
ROUND-UP OF MAJOR BLOGS

AIR

Success Is Confusing (*The New Republic*)

Bradford Plumer March 23, 2010 | 12:26 pm

Over at AEI's Enterprise Blog, Mark J. Perry [has a weird post](#) about how all the dire predictions that environmentalists were making back in the 1970s never panned out. "In fact," he writes, "according to new data available from the Environmental Protection Agency, air quality today in the U.S. is actually better than ever before." He even has a graph:



Okay, but *why* do we suppose pollution just magically dropped like that? Perry claims it's because the United States got richer. Here's another possibility: In 1970, Congress amended the Clean Air Act [to tackle](#), among other pollutants, nitrogen dioxide, sulfur dioxide, carbon

monoxide, and lead (the new rules were slowly phased in over the next decade). Most notably, the law acted to phase out lead from gasoline by the mid-1980s. And lo and behold, it worked—you can see a sharp drop in lead emissions over that period (with a [few further steps](#) needed after that). It was a massive public-health success story.

So the bleak predictions of 1970s-era environmentalists never panned out, but largely because they helped enact rules that prevented those outcomes. Similarly, all those old warnings about the ozone layer never came true because the world got together and banned CFCs. And, likewise, if greens today are successful in pushing the world to sharply reduce greenhouse-gas emissions, then all those apocalyptic forecasts about global warming probably won't come true, either. This isn't that complicated.

CLIMATE CHANGE/GLOBAL WARMING

Americans High on Nuclear, Low on Global Warming (Heritage Foundation)

Posted March 23rd, 2010 at 10:29am in [Energy and Environment](#)

The way Washington is operating, the fate of nuclear energy may be in trouble in the United States. When something's unpopular with the American public, the government will find a way to make it move forward. This past weekend's vote proves to be a pretty good example of that. A [recently released Gallup poll shows](#) support for nuclear at an all-time high of 62 percent:

“A majority of Americans have typically favored using nuclear power to provide electricity for the United States since Gallup began asking about this topic in 1994. Support has edged up in the last two years, eclipsing 60% this year for the first time. In addition, 28% of Americans now say they “strongly favor” nuclear power, also the highest Gallup has measured since the question was first asked in 1994.”

Despite not building a plant in three decades, the public's support for nuclear energy in the United States continues to climb with each passing year. What does the government plan to do about it? Expand loan guarantees for new nuclear plants rather than implement the policy reforms necessary to achieve a thriving, sustainable industry. You can read Heritage's position on the loan guarantee debate [here](#).

Finding a [solution for waste management](#), making the regulatory process [more efficient](#) and equipping the NRC to regulate multiple reactor technologies would do much more long-term good for prospects of nuclear power. Interestingly, the rising support does not come out of fears of global warming, [says Gallup](#):

“While 28 percent of respondents said they worry about global warming a “great deal,” the percentage of those saying they don’t worry at all is a notch higher — 29 percent, which is the highest percentage Gallup has ever recorded for this issue by at least 9 percentage points. The combined 48 percent who worry about global warming “only a little” or “not at all” also appears to be a new high for the poll, and the first time more than 40 percent have responded that way since 47 percent did in 2004.”

Furthermore, the public [overwhelmingly support drilling for oil and natural gas](#) in the United States. So naturally, “A federal judge has approved a first-of-its-kind settlement requiring the government to suspend 38,000 acres of oil and gas leases in Montana so it can gauge how oil field activities contribute to climate change.”

Instead of enacting policies to create jobs and increase energy supplies that would mitigate the public’s concerns about the economy, just the opposite is taking place. Surprised?

Greens Frustrated by America’s Lack of Panic (*Heritage Foundation*)

Posted March 23rd, 2010 at 10:54am in [Energy and Environment](#)

Why has American’s concern with global warming dropped to dead last among issues surveyed (even dead last among environmental issues)? Because a great deal of their concern was based on projections that have been dramatically toned down or exposed as outright fraud. The hysteria is unsupportable and people have caught on.

The very active 2005 hurricane season, underscored by hurricanes Rita and Katrina, put the national psyche in a receptive mood for Al Gore’s inaccurate portrayal of 2005 as the base of an exponentially growing hurricane horror story. Subsequent quiet years and research showing a likely decline in the number of hurricanes took the panic out of that hysteria for many people.

And there is more. The unconscionable exaggeration of the glacial melting in the Himalayas was exposed, which eliminated another panic button.

Wash, rinse, repeat, and repeat, and repeat:

- It turns out the projected loss of rain forest due to warming-induced drought is bogus.
- Where are the missing weather stations in China?
- Where are the missing weather stations in Russia?
- Why are we using so many sub-standard weather stations in the U.S?
- The sub-standard sources (for instance, interviews in a hiking magazine) for melting glaciers in Africa, South America, and the Alps mock the peer-reviewed-only standard at the IPCC.
- Where is Holland?
- Glacier problems arise again in the form of a 40 percent measurement error for Alaska.

Further, “hide the decline” was not some innocent slip of the tongue. By hiding the decline, the researchers hid the fact that these tree-ring proxy data were unfit for documenting significant temperature spikes. That is, since the tree rings in question failed to pick up known recent temperature increases (they actually indicated a temperature decline, hence the need to hide something), the lack of similar findings in the past is hardly proof that current world temperatures have no precedent. (Think: Medieval Warm Period)

If that’s not enough, blizzards in Georgia (the U.S. state, not the country) are blamed on global warming. People remember the story of the boy who cried wolf.

Apologists for the hysterics claim that the basic science is still intact. Since the basic science depends fundamentally on the questionable data, that’s hard to swallow. But even if the basics are there, it’s not enough to get people worked up.

The temperature might go up two more degrees? Hey, why do you think so many people left the Snow Belt for the Sun Belt? Sea levels might rise 6-23 inches in the next 100 years? It rose six inches in the past 100 years and nobody even bothered to mention it.

Will two or three more degrees, if the rise should be that high, impose some net adaptation costs (don’t forget higher temperatures have benefits as well as costs)? It’s possible, but it’s not a catastrophe. Same goes for the 23 inches of possible sea-level rise over a 100-year span.

Cross [posted at National Journal](#)

How and Why the Northeastern US States' Cap and Trade is Working (*TreeHugger*)

by Brian Merchant, Brooklyn, New York  on 03.23.10

What We Can Learn from RGGI

Around this time last year, as talks in Congress about how to curb carbon and give clean energy

and jobs a boost were intensifying, I [briefly exhorted Obama to take a gander](#) at the cap and trade system already up and running in the United States. Called the Regional Greenhouse Gas Initiative, it's a system enacted between 10 northeastern states to curb carbon via the familiar cap and trade mechanism. It's been up and running for six years now--and it's working.

There are plenty of lessons to be learned from RGGI--pronounced 'Reggie' (hey, that should go well with Keggles!)--especially since it goes a length in disproving some of the oft-repeated charges against taking action to curb carbon emissions. [Climate Progress explains](#):

As Congress looks for a way to price global warming pollution at the federal level, 10 Northeastern states have already put in place a market-based carbon emissions reduction program, the Regional Greenhouse Gas Initiative, or RGGI, that just completed its seventh successful auction of pollution permits. And while opponents of clean energy reform falsely claim that a cap-and-trade system would harm the economy, RGGI provides a working model and active case study of how reducing pollution can actually drive economic growth. By 2018 the 10 RGGI states will have reduced their power sector carbon emissions by 10 percent, created thousands of homegrown clean energy jobs, and driven billions of dollars of public and private investment into the clean energy technologies of the future.

All of which, of course, are the primary goals and selling points of a major, nationwide initiative. And despite lowering carbon emissions by a sizable chunk, RGGI hasn't contributed to any sort of economic collapse, as foes of clean energy reform claim carbon reduction initiatives would. On the contrary, the latest survey shows that the mechanism has created jobs, since the hundreds of millions of dollars generated from the pollution permit auctions (\$538 million this year) are put toward the deployment of clean energy technology.

The states that participate in RGGI include New York, Massachusetts, and Connecticut, and together make up a full 20% of the US economy--and RGGI, while far from flawless, has been a boon, not a bane, to each. I for one live in New York, and my power costs haven't risen any noticeable amount over the last four years.

For a persuasive argument that a market-based solution to curbing carbon can work, [look into RGGI](#).

Does Health Care Affect The Climate Debate At All? (*The New Republic*)

Bradford Plumer March 23, 2010 | 4:26 pm

Yesterday, Lindsey Graham got a lot of press [when he announced](#) that Republicans were so upset about the passage of health care reform that it would make it much harder to pass anything else this year—including climate legislation:

"It's going to make it very difficult to do anything complicated and controversial," Graham told reporters yesterday. "I'm still committed to trying to roll out a vision of how you can price carbon and make it business-friendly. We're still going to do that. ... But the truth of the matter is, I think you're going to find most of our colleagues around here risk averse."

But is this really true? For now, there doesn't appear to have been a big shift among potential GOP swing votes. Graham is still pledging to help craft a climate bill. Olympia Snowe was heard grumbling about the health care vote, but she then told reporters that she'd "continue to work" with Democrats on energy and climate legislation. And Susan Collins is holding an event on carbon pricing tomorrow. Granted, any climate bill will face steep—maybe insurmountable—hurdles in the Senate, but so far, it doesn't seem like health care has made much difference either way.

In fact, the only Republican who has firmly committed to sulking is John McCain, who told a radio interviewer in Arizona yesterday: "There will be no cooperation for the rest of the year." But as far as energy policy goes, this changes little. Sure, once upon a time McCain thought global warming was a large, looming problem. But since the 2008 election he's come up with endless excuses for dodging the issue. Just yesterday he was complaining that Democrats "refuse to have nuclear power" in their energy plans. This despite the fact that the Obama administration has [proposed a huge expansion](#) of loan guarantees for new nuclear reactors. McCain hasn't sounded like someone open to cooperation for quite some time.

MINING

Activists Sing Out Against Coal Mining's Destruction Of Our Heritage And Future (*The Work Room*)

By [Brad Johnson](#) on Mar 23rd, 2010 at 6:01 pm

On Sunday, activists sang the gospel of stewardship to Chase Bank, which finances 80 percent of mountain-top removal mining in Appalachia. Reverend Billy and the Church of Life After Shopping (formerly the Church of Stop Shopping) brought the “[murdered mud](#)” of West Virginia’s Coal River Mountain to a Manhattan branch of Chase, asking Chase CEO Jamie Dimon to stop funding Massey Energy’s “[obscene](#)” removal of mountains from this planet:

On March 21st we built a mountain in the lobby of a Chase branch on 2nd Avenue & 10th Street in Manhattan made from the **murdered mud of Coal River Mountain in West Virginia**. Perched on top we left a letter for the CEO of Chase Jamie Dimon. His bank currently **finances 80% of the Mountain-top Removal mining** that is killing Appalachia.

Back in Appalachia, the activists of [Coal River Mountain Watch](#), [United Mountain Defense](#), and [Appalachian Voices](#) keep fighting to save their heritage and convince Congress to [pass the Clean Water Protection Act](#), H.R. 1310. Yesterday, Reverend Billy [offered some more thoughts](#):

I forgot to say that here in our city Chase finances empty buildings at a time of such homelessness. **I wanted to show that urban poverty and rural poverty should not be separated, not if the same bank “warehouses” our city buildings and also finances strip-mining over valleys of small towns of defenseless citizens.** But none of this is on the market, and its invisibility attacks activists as much anyone else.

We remembered to ask people to boycott Chase, although we don’t have a good rhyming rhythmic chant for it yet. We forgot to honor **the decades of victims and heroes who live in the valleys below the leveled mountains**, although we remembered to tell passersby that the little mountain of dirt and rocks and roots that we built in the Chase lobby was from Coal River Mountain in West Virginia. Did we describe the majesty of those peaks, now pulverized by Massey Energy?

Update [It's Getting Hot In Here](#) reports that youth activists were arrested for staging a sit-in to block the sale of Otter Creek, Montana for coal strip mining: Five activists with Northern Rockies Rising Tide (NRRT) shut down a meeting of the Montana State Land Board in Helena, MT last Thursday, temporarily halting the leasing of 572 million tons of state-owned coal reserves. Following over two hours of public comment regarding the leasing of the Otter Creek Coal Tracts and Secretary of State Linda McCulloch’s move to accept the bid, the five activists staged a sit-in, disrupting the meeting as they chanted “You’re not listening! Hands off Otter Creek!” Rushing the front of the Land Board meeting room and locked down to each, the activists refused to leave until the decision to accept the bid was tabled indefinitely (or they were arrested). After halting the bidding process for nearly an hour all five were finally arrested and taken to the Lewis and Clark County Jail with charges of disorderly conduct. All five posted bail and were released Thursday evening. Unfortunately, after the sit-in was broken up, coal giant Arch Coal Inc. won the lease for just under \$86 million, or 15 cents per ton of coal.

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on March 24, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

Get to know EPA's [@lisapjackson](#) thx to Q&A w/ [@post lead](#): From New Orleans 9th Ward to Washington's EPA

Posted by: [postgreen](#) 6:50 pm Full post: <http://ow.ly/1qjvg>

RT [@lisapjackson](#) countdown has begun: 1 month till [#EarthDayRev](#). Don't wait to start thinking green. Make it a lifestyle

Posted by: [jcshott](#) 6:45 pm Full post:

RT [@lisapjackson](#): RT [@EPAResearch](#) Adm Jackson "The HERO database strengthens our science& our transparency- 2 pillars of our work at EPA"...

Posted by: [EPOnline](#) 5:14 pm Full post

EPA must regulate toxic coal ash in [#OurDecade](#). This cannot continue, [@lisapjackson](#).

Posted by: [katmceachern](#) 3:00 pm Full post: <http://huff.to/beQSzb>

(Note: Huffington Post article: "Even the Cows have Cancer – EPA weighs regulation of toxic coal ash")

Farmers think green every day! RT [@lisapjackson](#): Less than 1 mo till EarthDay. But don't wait until then to start thinking green

Posted by: [kscorn](#): 1:10 pm Full post:

The countdown has begun: Less than 1 month till Earth Day. But don't wait until then to start thinking green. Make it a lifestyle.

Posted by: [lisapjackson](#) 12:00 pm Full post:

(Note: lots of RT's)

GOP shuts down Transportation Hearing Today

EPA drops data before GOP shutdowns transportation hearing as part of their broader protest re: the Health Care

Posted by: [CaplanComms](#) 6:45 pm Full post:
EPA drops data before GOP forces shutdown of transportation hearing
(Note: Gina McCarthy, EPA's senior air-quality official, did get to outline the results of a report her agency released last month)

Earth Hour Saturday, March 27th – 8:30 pm EST

Earth Hour is Sat 3/27, 8:30pm EST -- Turn off lights for 1 hour to promote climate change awareness:

Posted by: [Ina3121](#): 6:45 pm Full post: www.earthhour.org

New Ozone Standards

Oil industry blasts new EPA ozone standards

Posted by: [ArgusMedia](#): 6:39 pm Full post: <http://snipr.com/v1iy9>
(Note: The oil industry's main trade group attacked a proposal to strengthen emissions standards for ozone exposure, a rule change that the environmental community said would address the inadequacy of current regulations. At issue are changes to the proposed NAAQS the public comment period closing)

GHG Regulation and Climate Change

Reuters: California says climate change law won't hurt economy -

Posted by: [worldfinance](#): 7:19 pm Full post: <http://bit.ly/adrRAV>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Auto Industry Supports ‘Landmark’ EPA Greenhouse Gas Regulation (*The Wonk Room*)

Our guest blogger is [Dave McCurdy](#), President and CEO of the Alliance of Automobile Manufacturers.

By [Guest Blogger](#) on Mar 24th, 2010 at 6:58 pm

The Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA) are on the verge of finalizing a landmark national program to regulate greenhouse gas emissions and increase new car average fuel economy to an unprecedented 35.5 miles per gallon by 2016. Just as when the process started a year ago, the auto industry stands fully behind this new program and is proud to have played a major role in its development.

While this new national program takes gigantic steps towards our shared goals of increasing fuel economy, enhancing energy security, and reducing greenhouse gas emissions, the auto industry feels that to achieve longer-lasting success, the EPA and NHTSA should quickly start the process of planning for 2017 and beyond.

Clearly, crafting a program for the years past 2016 will be just as important, if not more so, than what we’ve accomplished in the last year. Our goal is to avoid going down the same path that lead to the unnecessarily complex and uncoordinated regulations that we have now fixed by

crafting a strong national emissions and fuel economy plan. The EPA, NHTSA, states, and other stakeholders can promote the continued and unparalleled innovation so greatly needed from the auto industry, by creating an even more unified and harmonious set of goals beyond 2016.

In the last several years, the auto industry has begun reinventing itself, making drastic changes in the way vehicles are conceived, designed and, ultimately, built. We currently have hundreds of models of vastly more fuel efficient cars on the road than were available even 5 years ago. In 2010 there are close to 50 models of hybrids and clean diesel vehicles available and nearly 200 models that achieve 30 miles per gallon or more on the highway. 2009 marked the 5th straight year fuel economy standards for autos increased. This regulation will ensure that trend will continue through 2016 and beyond.

But rest assured, the auto industry is not only making dramatic improvements to old combustion technology: within a year, plug-in vehicles that use even less fuel will start reaching consumers. And further down the road, technologies such as fuel cells and advanced next generation biofuels promise to make an even larger variety of low and zero emissions technology available.

Yet, although we plan on bringing all of these amazing solutions to market, if we ever hope to successfully address our climate concerns and enhance our energy security, these solutions need to be embraced by consumers and most importantly they need to be affordable. Ultimately, the sooner automakers can start planning for 2017 and beyond, the more cost effectively all of these new technologies can be brought to market.

Senator James Inhofe Vs. Physicist Joe Romm: Does ClimateGate Disprove Global Warming? (*TreeHugger*)

by Brian Merchant, Brooklyn, New York on 03.24.10

In what must be one of the most lopsided 'debate' features in recent memory, US News pits physicist and policy expert Joe Romm (of [Climate Progress](#) fame) against everyone's favorite science-blind senator, James Inhofe (of "[oil and gas don't pollute](#)" fame). The question is the bogusly worded 'Did Climategate Expose Global Warming Fears as Unfounded?'

Obviously, the thing seems designed to inspire the more 'controversial' narrative--that fears about climate change are overblown, and that scientists have either screwed everything up or are part of some nefarious conspiracy. And obviously, there's no question of who wins this debate if you're looking at it from a scientifically informed standpoint.

Here's Inhofe's lede:

Call it the global warming crackup, an unfolding process of contradictory claims about glaciers, weather, and scientists asserting a consensus when none exists. Global warming alarmists can't make up their minds because the entire basis for their energy rationing project has collapsed into a mess of errors, exaggerations, and deceit.

The IPCC and Al Gore won the Nobel Peace Prize. Now the IPCC has retracted several false claims concerning, among other things, rain forests shrinking, crops dying, and sea levels rising [note: yes, Inhofe--when errors are made in science, you retract them] We've been told weather is not to be confused with climate, except when you have heat waves or blizzards [Anyone want to defend Inhofe as a man who understands science?]. We've been told cap-and-trade would create thousands of green jobs, yet the Congressional Budget Office, Department of Energy, National Black Chamber of Commerce, and others say it would mean a net loss of jobs.

He goes on to make the garden-variety attacks on the IPCC, claims the EPA regulating the biggest polluters in the nation would cripple the economy, and so on and so forth.

Here's Romm's intro:

Big Oil wants us to remain addicted to oil, a major source of carbon pollution. So it and other special interests have conducted an aggressive disinformation campaign for more than a decade to convince Americans that there's a major disagreement among scientists on the dangers posed by carbon pollution, just as the tobacco industry disputed the science to keep smokers addicted.

Yes, the 3,000-page review of the scientific literature by the United Nations' Intergovernmental Panel on Climate Change in 2007 has a couple of "trivial mistakes" in it, as the Washington Post put it. But as a physicist who writes on climate issues, I've read much of the original literature and talked to dozens of the leading climate scientists. The real story was captured in a recent headline in Scientific American: "Despite Climategate, IPCC Mostly Underestimates Climate Change."

Both pieces continue, and can be read over at [US News](#). If skewed, pointless online polls are your thing, go ahead and vote against the ridiculous poll question as well.

No, Peter Orszag Is Not Declaring War On Green Regulations (*The New Republic*)

Michael A. Livermore

March 24, 2010 | 2:38 pm

Earlier this week, several environmental groups [fired off a letter](#) to the Obama administration condemning the Office of Management and Budget (OMB). Their complaint? The green groups believed that OMB was incorrectly devaluing the cost savings that would come from a new EPA rule on vehicle fuel efficiency. Many greens [were outraged](#). And if OMB was doing what it was accused of doing, it *would* be a real outrage.

Except that, as it turns out, OMB was doing no such thing.

Here's the backstory: One of the comments to the fuel-efficiency rules proposed a high "discount rate" for the consumer fuel savings that would accompany the new regulations. This would mean that the money Americans saved in the future from not needing to buy as much gas would be considered at only a fraction of its value. If a high discount rate was adopted as White House policy, that would make the benefits of other proposed efficiency measures seem smaller than they actually are, and harder to justify using cost-benefit analysis.

But the offending language never came from the OMB—nor was it as significant as it seems. The passage appeared in a summary of comments that were made during an interagency review of the rules, which means they could have come from any agency in the federal government. Indeed, officials at the EPA and Department of Transportation saw the comments in question before proposing the fuel-efficiency rule and chose to ignore them. (See the [original docket submission](#).) And [here](#) is an e-mail exchange in which regulatory czar Cass Sunstein was discussing fuel savings the day after the comments were sent to EPA—there's no word of super-high discount rates. Basically, this is a non-issue, and [accusations](#) that OMB is "the viper in the bosom of the Obama administration" are misguided in this case.

This sort of memo mix-up has happened before. Back when EPA's endangerment findings on greenhouse gases were being debated, a memo surfaced in which OMB supposedly expressed economic misgivings about the finding. But [it turned out](#) that OMB hadn't written the memo at all—some random staffer in the Small Business Administration had made the comment, and OMB had simply added it to the docket of comments about the finding. Since these sorts of confusions seem to come up often, OMB should consider labeling its dockets better.

Meanwhile, it's true that for thirty years cost-benefit analysis has often been misused to block or weaken environmental regulations and support deregulation. So it's understandable that green groups don't trust OMB. But Sunstein, [has expressed interest](#) in a "humanized" approach to analyzing regulations and improving the use of cost-benefit analysis so that it can support sensible regulations. For now, he still appears to be sticking with that approach.

Michael A. Livermore is the executive director of the Institute for Policy Integrity at New York University School of Law. He is the author, along with Richard L. Revesz, of [Retaking Rationality: How Cost-Benefit Analysis Can Better Protect the Environment and Our Health](#).

ENERGY

A New Revelation: Wind Energy Needs Wind to Work (*The Heritage Foundation*)

Posted March 24th, 2010 at 3:14pm in [Energy and Environment](#)

One of the common arguments made against wind power is that without government subsidies, mandates or tax credits, wind turbines would not be built. But even when companies do receive preferential treatment to build windmills, just because they're built doesn't mean they're going to work. For that, there needs to be (drum roll, please)...wind! A [report from Britain says](#):

“The analysis of power output found that more than 20 wind farms are operating at less than one-fifth of their full capacity. Experts say many turbines are going up on sites that are simply not breezy enough. They also accuse developers of ‘grossly exaggerating’ the amount of energy they will generate in order to get their hands on subsidies designed to boost the production of green power.

While it is possible some of the results were skewed by breakdowns, the revelation that so many are under-performing will be of great interest to those who argue that wind farms are little more than expensive eyesores. The analysis was carried out by Michael Jefferson, an environmental consultant and a professor of international business and sustainability. He believes that financial incentives designed to help Britain meet its green energy targets are encouraging firms to site their wind farms badly.”

In other wind farm news, although the event was [called](#) “exceptionally rare and highly unusual”, Europe's largest wind farm had to be shut down because a [14-ton turbine snapped](#). It's not the first time a windmill broke and fortunately no one was hurt. A turbine snapping is no reason to stop building windmills just as coal mining accidents are not reason to completely cut off our coal supply. Accidents happen in any industry and it's a company's job to learn from them and improve both quality and safety.

If businesses find it profitable to build supply energy in a variety of ways without government handouts, increased competition will only benefit the consumer. Yet, we're being told we need to

transition to a clean energy economy and that the United States needs to be the leader in building these technologies [because](#), “the nation that leads the clean energy economy will be the nation that leads the global economy. And America must be that nation,” said President Obama in his State of the Union address. If renewable energy eventually competes in the marketplace, economist Don Boudreaux [says](#), “So what if the Chinese are world-leading producers of such equipment? Specializing in the production of other goods and services – things that we produce more efficiently than the Chinese – we Americans can then buy solar panels and wind turbines from the Chinese for use in our homes and offices. The latitudinal and longitudinal coordinates of the factories where the final assembly of such equipment occurs are irrelevant.” That’s not to say U.S. can’t be a leader in wind mill production, but market-based policies are the best way to ensure that America’s renewable energy production is as competitive as possible.

In addition, the cleanliness in the President’s mission to green our economy may be a bit over hyped. We not only use fossil fuels to make turbines but also provide back up power when the windmills don’t spin. Since it’s too costly to stop and start a power plant, wind simply creates more emissions. Or, as Todd Wynn of the Cascade Policy Institute [points out](#), in some instances wind replaces CO2-free sources of energy, like hydroelectricity: “So when the wind blows, the dams stop generating electricity, and when the wind stops, the dams continue to generate electricity. So, in fact, wind power is just offsetting another renewable energy source. It’s not necessarily offsetting any fossil fuel generation.”

Wind may be economically viable in some parts of the United States, but we should let businesses and electricity consumers, not the government, decide that.

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on March 25, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

EPA's Jackson renews commitment to Safe Drinking Water w/speech to Metro Water Agencies

Posted by: [highcountrynews](#): 8:00 pm Full post: <http://bit.ly/bw167i>

Commodity groups met this morning with EPA Administrator Jackson, USDA Secretary Vilsack. Audio from NAWG president at

Posted by: [wheatworld](#) 5:30 pm Full post: <http://bit.ly/bQNgIK>

Tomorrow, Friday, March 26th, EPA Administrator Lisa P. Jackson to visit Pompton Lakes, NJ

Posted by: [THECCPL](#): 5:15 pm Full post: <http://tinyurl.com/yjtopbe>

RT [@lisapjackson](#): Wrapping up Women's History month. Today amazing women - past and present - will be recognized at the capitol.

Posted by: [NewsEdit2010](#) 5:00 pm Full post:

[@lisapjackson](#) Congratulations!

Posted by: [yds17](#): 2:00 pm Full post:

(Note: re Marjorie H. Parker award)

Farmers think green every day! RT [@lisapjackson](#): < 1 mo til EarthDay. But do not wait til then 2 think green.

Posted by: [fuelinggood](#) 1:00 pm Full post:

Earth Hour Saturday, March 27th – 8:30 pm EST

Let us know what you will be doing in the dark when you switch of 4 Earth Hour

Posted by: [WWF Climate](#) 7:30 pm Full post: <http://is.gd/aTAJ7>

Lead in Folk Remedies

EPA Grant Helps Washington Department of Health Track-Down Folk Remedies ...: “This project will help vulnerable folk

Posted by: [Nomorelead](#) 7:45 pm Full post: <http://bit.ly/9u9tio>

GHG Regulation and Climate Change

State farm groups differ on EPA rules on greenhouse gases, health care law:

Posted by: [RCJournal](#): 7:45 pm Full post: <http://bit.ly/be8XF5>

(Note: Two major South Dakota farm groups differ on how the state should respond to proposed EPA GHG regulations on greenhouse gas emissions. Both the Farmers Union and Farm Bureau oppose the proposal by EPA to regulate GHG. However, the S.D. Farmers Union opposes the state's planned lawsuit against the EPA, while the S.D. Farm Bureau and other ag organizations asked state Att. Gen. Jackley to file the lawsuit.)

HERO Database

Online Database from the EPA Now Publicly Accessible: HERO (Health & Environmental Research Online)

Posted by: [resourceshelf](#) 7:50 pm Full post: <http://bit.ly/bAMxUM>

Law360: EPA Opens Up Scientific Research Database - Law360

Posted by: [Law360](#) 7:40 pm Full post:
<http://www.environmental.law360.com/articles/157681>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOMAL WARMING

Does Carbon Pricing Work? Ask The Northeast. (*The New Republic*)

- *Bradford Plumer*
- March 25, 2010 | 5:43 pm

Not many people realize that there's *already* a cap-and-trade system for carbon emissions up and running in the United States. I'm referring to the [Regional Greenhouse Gas Initiative](#) (RGGI) in the Northeast, which includes a cap that came into effect in 2009 and covers CO2 emissions from power plants in ten states. True, the cap isn't very stringent—it doesn't require power plants to make any pollution cuts until 2014—but it does exist.

So how's the program doing? Sean Pool of the Center for American Progress takes a look in [this new report](#), and the results are... well, mixed. Because the cap isn't very strict, the price of carbon is extremely low—a meager \$2 per ton of emissions—which isn't really high enough to persuade utilities to change their behavior. But all of those carbon permits are auctioned off by state governments, which has allowed states to raise about \$88 million for efficiency and renewable-power programs. So as a funding stream, it's not too shabby (though, in recent months, both New York and New Jersey [have been talking about](#) pilfering RGGI money to shore up their budget deficits).

Pretty soon, the cap will start tightening, prices will go up, and then we'll presumably get a better look at how well the program forces power plants to reduce their emissions. In the meantime, though, maybe the most notable thing about RGGI is that it hasn't been subject to the sorts of

market manipulations or price volatility that people worry about with cap-and-trade. A [recent audit](#) found that the permit auctions have all gone off smoothly—no outsiders are leaping in and creating a carbon bubble. So that's a good sign.

And in future years, these state-level programs could prove to be very significant. Pool points to a [recent analysis](#) by Point Carbon estimating that, between programs like RGGI and the [Western Climate Initiative](#) (a separate cap-and-trade system that's being set up among a bunch of Western states and Canadian provinces), the United States could potentially meet about 41 percent of its carbon-cutting promises by 2020. The two trading program, meanwhile, are expected to raise about \$100 billion over that time for public investments in alternative energy.

Those numbers are pretty striking, given that we're talking about just two fairly modest state-level programs that cover less than half the country. And it raises a question. The climate bill being cobbled together in the Senate right now will probably end up preempting state-level programs like RGGI. But if the Senate bill keeps getting watered down and punched through with loopholes in the drive for 60 votes, then at a certain point, that might not be such a good trade. These state-level initiatives are nothing to sniff at.

Is Climate Science A Jigsaw Puzzle Or A House of Cards? (*The New Republic*)

- *Bradford Plumer*
- March 25, 2010 | 3:22 pm

The Economist has a [smart piece](#) this week about how to think about uncertainties in climate science (as well as the mistakes and mini-scandals that have cropped up of late). This passage, in particular, is a nice way to frame the core question:

In any complex scientific picture of the world there will be gaps, misperceptions and mistakes. Whether your impression is dominated by the whole or the holes will depend on your attitude to the project at hand. You might say that some see a jigsaw where others see a house of cards. Jigsaw types have in mind an overall picture and are open to bits being taken out, moved around or abandoned should they not fit. Those who see houses of cards think that if any piece is removed, the whole lot falls down. When it comes to climate, academic scientists are jigsaw types, dissenters from their view house-of-cards-ists.

The rest of the piece recaps the basic tenets of climatology, uncertainties and all, and makes a solid case that the jigsaw view is the way to go.

Au Revoir, Carbon Tax (*The Heritage Foundation*)

Posted March 25th, 2010 at 12:10pm in [Energy and Environment](#)

As the Obama administration makes it clear they want to pursue a carbon capping policy to reduce greenhouse gas emissions, the French government [announced](#) that it would abandon plans to impose a similar carbon tax on domestic energy and transportation fuels.

The reason for the French government's change of tune is obvious. Sarkozy's party knows that the carbon tax, which would have raised gasoline prices by 17 cents per gallon and domestic gas bills by 7 percent, would have significantly harmed the intra-continental and international competitiveness of French businesses and would have raised considerably the cost of living for the French people. Indeed, Prime Minister Francois Fillon told fellow center-right politicians at a meeting on Tuesday that, "All decisions taken on the issue of sustainable development must be analyzed in the light of our competitiveness." So, the move is designed to quell the evident consternation of the French people by adopting growth-inducing economic policies rather than growth-killing policies.

David Kreutzer, Research Fellow in Energy Economics and Climate Change, says a carbon tax is the most humane way to execute an innocent person. Taxing a substance that has debatable effects on climate change comes with a high price tag and will do little, if anything, to reduce global temperatures. France is already part of the European Union's Emission Trading System (ETS), a multinational cap and trade program to reduce greenhouse emissions wrought with its own problems. The House of Representatives passed a cap and trade legislation last year in hopes that the Senate will act this year, but Europe's experience suggests we should pull the reigns back. The *Wall Street Journal* [details the fraud involved](#) with Europe's ETS.

Last week, spot trading on the ETS ground to a complete halt for three days after a scandal erupted over players gaming the system. In this case, the government of Hungary admitted to reselling "certified emission reduction" credits that companies had already relinquished, or "spent." These credits mark out a project, such as reforestation, to counteract a company's carbon emissions. Once such a CER has already been counted in the EU, regulators would prefer that it not be resold and, hence, risk being double-counted. By reselling the credits, the Hungarian government was, in effect, being rewarded for planting the same tree twice.

This is just the latest in a string of embarrassments that have plagued the system almost from the beginning. European authorities admitted last year that in certain countries, 90% of the trading volume was taken up by value-added tax fraud."

Yet Carol Browner, the White House’s climate czar stressed that the government still stands adamantly behind carbon caps. She [told](#) a *U.S. News & World Report* energy forum, “It is our hope the Senate will act this year and we will do everything in our power to support that.”

Basic economic logic is universal, and the lesson of France applies equally to the United States: carbon taxes [destroy wealth and jobs](#) in an economy. And absent a compelling reason to intentionally hinder economic growth, such as a lack of conclusive evidence of anthropogenic global warming, governments should allow market forces to create jobs and grow the economy – what the American people really want to see.

And yet, even now as the international community grapples with the recent revelations of misinformation contained in the UN Intergovernmental Panel for Climate Change’s 2007 report that made the “unequivocal” case for man-made global warming, and as Americans find themselves still at the outset of an incipient economic recovery, Senators Kerry, Graham, and Lieberman are proposing legislation that would slap energy consumption taxes, sector by sector, on major portions of the American economy. The consequence of such a bill would be [enormously negative](#) for Americans.

Let’s give some credit to the French for their discursive (in both senses of the word) arrival at a good policy. And then let’s ourselves bid adieu to the idea of a carbon tax in any shape or form in America.

[Jeff Witt](#), a member of the Young Leaders Program at the Heritage Foundation, co-authored this post.

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**U. S. Environmental Protection Agency
Blog Round-up**

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March 29, 2010**

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on March 26, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

@lisapjackson THANK YOU THANK YOU THANK YOU.

Posted by: [AustinPHall](#): 6:00 pm Full post:
(Note: Boone, NC resident re MTR decision)

@lisapjackson Are you supporting lights out for Earth Hour? If so please tweet support!

Posted by: [brontyman](#) 5:40 pm Full post:

props @lisapjackson for recommending veto of spruce [#mtr](#) mine

Posted by: [julieeden](#) 4:00 pm Full post:

Hey [@EPAregion3](#) @lisapjackson why is't the regional administrator giving on-the-record interviews about today's Spruce Mine announcement??

Posted by: [Kenwardjr](#) 3:00 pm Full post:

good steps @lisapjackson ! @ RT [@katerooth](#): EPA proposes veto on largest active [#mtr](#) site in wv

Posted by: [njmagel](#): 1:30 pm Full post: <http://bit.ly/aKG6dZ>

Spruce Mountaintop Mining Permit Decision

Arch Coal: Huge disappointment today. EPA blocking validly issued Spruce permit.
Thanks to WVA Gov, members of Congress and friends for speaking out.

Posted by: [archcoal](#) 6:00 pm Full post:

WSJ EPA denies mountaintop removal mining permit for the 1st time in 37 years.

Posted by: [ThinGreenLine](#): 5:20 pm Full post: <http://bit.ly/9bgxVu>
(Note: The EPA Friday said it plans to block a proposal by Arch Coal Inc. to dig the largest mountaintop coal mine in Central Appalachia, the first time in 37 years the agency has vetoed such a project.)

NRDC: EPA Moves to Block Massive WV Mountaintop Mining Permit: To the delight of all of us who oppose mountaintop removal...

Posted by: [NRDCSwitchboard](#): 4:40 pm Full post: <http://bit.ly/cTY9hf>

EPA blocks Clean Water Act permit for the largest mountaintop removal mine in W.Va. history

Posted by: [TnIPL](#) 4:34 pm Full post: - <http://j.mp/a1XkwE>

International Maritime Organization Adopts Emission Control Proposal

Green Groups Praise UN Action on Emissions: Environmental groups praised the International Maritime Organization's...

Posted by: [Freight88](#) 3:30 pm Full post: <http://bit.ly/aAjbXx>

Earth Hour Saturday, March 27th – 8:30 pm EST

yay [#Earthhour](#) 2nite turn ur lights off 8.30-9.30pm raise awareness of climate change

Posted by: [Becky_YT](#) 6:19 pm Full post:

(Note: Auckland, NZ)

Join us in World Wildlife Fund's Earth Hour tomorrow by turning off lights for 1 hr, stand against climate change

Posted by: [newgrass](#): 6:15 pm Full post: <http://www.earthhour.org/>

GHG Regulation and Climate Change

Sierra Club chief: If healthcare reform can pass, so can a climate-change bill:

Posted by: [sierra_magazine](#) 5:40 pm Full post: <http://bit.ly/bcnrB2>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

The High Cost of Environmentalism (*The Heritage Foundation*)

Posted March 27th, 2010 at 3:00pm in [Energy and Environment](#)

In Los Angeles, in the heart of California's anemic economy, Mayor Antonio Villaraigosa and the Department of Water and Power (DWP) hope to massively [raise energy rates](#) by a whopping 21% next year, with other rate increases slated through 2014, for a total 37% hike.

Are the increased rates intended to pay for a budget shortfall? No. Are they going up because the cost of energy is going up, too? Not exclusively. The increased rates would raise money to "invest" in renewable energy. In fact, Villaraigosa thought the hike was so important that he invited former Vice President Al Gore to present at the city council meeting via satellite.

The good news is that some common sense remains in the L.A. city council chambers, and the rate increase has not yet been implemented.

With [unemployment at 12.5%](#) in California, it would seem like now is the worst possible time for a rate hike. That fact, though, will not stop the environmental left. They will stop at nothing to make sure people can't afford essential things like electricity and heating oil, all in the name of [unconfirmed science](#).

Consumers aren't the only ones who would take a hit under the plan. Villaraigosa also proposed a 22% rate increase for businesses and tried to hide the rate increases under the façade of creating 18,000 jobs. His arguments fell on deaf ears at the Valley Industry and Commerce Association, where they voted against his proposal saying "They're just making those [jobs] up."

It is just another costly tax increase that threatens to kill whatever growth there is in the stagnated economy. There is some good news though. Not many council members are in favor of the plan, and those that are say the extra money should go toward improving the DWP.

Councilman Paul Krekorian [said](#) the plan was “an extraordinary burden on our homeowners and businesses” and “unacceptable.”

It is a telling sign that even in a place as liberal as Los Angeles, there is as much opposition to a progressive “green jobs” initiative as there is in this case. It just might be another indicator of the [growing skepticism about global warming](#). Not even the presence of former Vice President Al Gore was enough to sway council members to pass a tax that would lead to more unemployment, more people unable to pay bills, and would worsen the recession in a state that is floundering.

ENERGY

KGL Update: Big Oil Wants A Big Fracking Deal (*Wonk Room*)

By [Brad Johnson](#) on Mar 27th, 2010 at 10:40 am

ConocoPhillips, BP, and Shell Oil Company met with senators drafting energy reform legislation Thursday to request that their legislation [block the federal government](#) from regulating fracking pollution. Climate reform such as the [legislation being drafted](#) by Sen. John Kerry (D-MA), Sen. Joe Lieberman (I-CT), and Sen Lindsey Graham (R-SC) will spur natural gas development, as the fuel has a much smaller carbon footprint than dirty coal. The industry wants to ensure that health and environmental concerns do not impinge their use of the drilling technology of hydraulic fracturing, known colloquially as “fracking.” The oil companies shared a draft “[Sense of the Senate](#)” document with the senators, which opposes Environmental Protection Agency authority:

States with existing oil and gas regulatory programs have the authority to and are best situated to continue regulating hydraulic fracturing processes and procedures.

Fracking is used in most U.S. oil and gas wells and involves [pumping a combination of water, sand, and chemicals](#) under high pressure deep into rock formations that hold oil and gas. The process fractures the rock and holds open the fissures to allow oil and gas to flow to the surface. The natural gas industry [claims the process is completely safe](#), and the only reason they don’t want federal oversight is to protect the “trade secrets” of the chemical cocktails they’re using.

Four years ago fracking was exempted from federal regulation under the Safe Drinking Water Act, following a corrupt report from the Bush-era EPA that found that “[there is no risk of](#)

[contamination](#) of drinking water from fracturing, despite the fact that compounds have been found to contain toxic chemicals like benzene, toluene, ethylbenzene, and xylene.” Since then, citizens near gas drilling operations have begun to find [contaminated drinking water](#) and [toxic spills](#). Reports are coming out of companies [illegally using diesel fuel](#) when fracking near drinking-water aquifers.

Under new leadership, the EPA is just beginning to clean up its fracking corruption, having announced the [initiation of a study](#) of the safety of fracking last week. Several members of Congress, led by Sen. Robert Casey Jr. (D-PA), Reps. Diana DeGette (D-CO), Jared Polis (D-CO), and Maurice Hinchey (D-NY), are working to [close the 2005 toxic disclosure loophole](#) with new legislation.

Kerry, Graham, and Lieberman are attempting the herculean task of drafting climate legislation that can be accepted by both Democrats and Republicans, industry and environmentalists. Although numerous compromises are worth making to reform the disastrous energy status quo, giving free rein for industry to poison Americans is not one of them.

Why Clean Diesel Could Be A Pretty Big Deal (*The New Republic*)

Bradford Plumer

March 26, 2010 | 5:23 pm

It's hard to say, exactly, what the clean, low-carbon cars of the future will look like, but most of the hype revolves around plug-in electric cars and hydrogen vehicles. And why not? Those are both nifty ideas. Yet some of the technology involved still needs plenty of tinkering—plug-ins are [at least several years away](#) from becoming a mass-market item, while hydrogen vehicles are going to require a [few major breakthroughs](#) before they ever catch on. So it's worth paying attention to other, less-ambitious car technologies, too.

And here's an interesting one: Chemical engineers at GM appear to have discovered how to make a cheap diesel catalyst (the research was written up in the [latest issue](#) of *Science*). Why would that be useful? In general, diesel engines are more fuel-efficient and emit less CO₂ than their gasoline counterparts. The catch is that they're also dirtier in some respects and emit more pollutants that produce smog. Mopping up those pollutants can be pricey—often adding as much as \$5,000 to the cost of an engine. So there's a trade-off.

Now, in the United States, we tend to have stricter smog standards and relatively weak fuel-economy standards, so gasoline engines dominate the marketplace. By contrast, many EU countries are the reverse—tougher on fuel-efficiency, wimpier on smog—and diesel engines are a lot more popular there (about half of all passenger vehicles in Europe run on diesel). But if

someone could produce a low-cost "clean" diesel engine, that could help provide a nice short-term means of reducing oil use here in the United States and mopping up air pollution over in Europe.

The Alliance For Energy And Economic Growth Is A Bunch Of Right-Wing Pollutocrats (*Wonk Room*)

By [Brad Johnson](#) on Mar 26th, 2010 at 12:19 pm

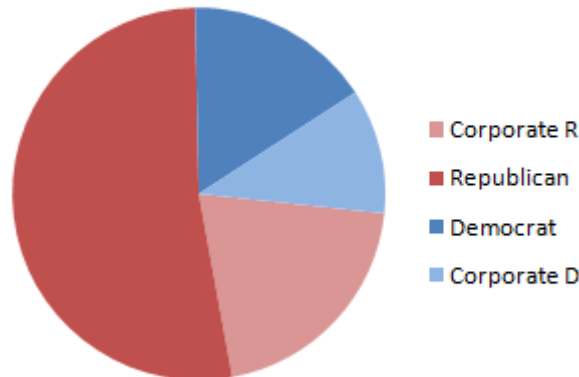
Per Matt Yglesias's note that the "[male-dominated nature](#) of Wall Street is a source of dysfunction," meet the Alliance for Energy and Economic Growth:

These fourteen men are the representatives of the Alliance for Energy and Economic Growth (AEEG) who are [meeting](#) with Sen. John Kerry (D-MA), Sen. Joe Lieberman (I-CT), and Sen. Lindsey Graham to [negotiate the terms](#) of comprehensive [climate and clean energy legislation](#). The AEEG is the U.S. Chamber of Commerce-managed working group of the trade associations representing [America's carbon-pollution industries](#), founded in 2001. Five of these AEEG representatives sit on the U.S. Chamber of Commerce's [Association Committee of 100](#), helping shape the organization's policy.

Five of the groups are [suing to block the Environmental Protection Agency's scientific finding](#) that greenhouse gases are harmful pollutants — the U.S. Chamber of Commerce, the American Petroleum Institute, the National Association of Manufacturers, the Portland Cement Association, and the American Farm Bureau Federation. The American Petroleum Institute ran an [astroturf campaign](#) against the House climate legislation last year, and the U.S. Chamber of Commerce called for a "[Scopes monkey trial](#)" on the science of climate change.

The least conservative of the industry lobbyists are [Dave McCurdy](#) of the Alliance of Auto Manufacturers, a former New Democrat congressman from Oklahoma (and Wonk Room guest blogger), and former general [Evan Gaddis](#) of the National Electric Manufacturers Association. Seven of the lobbyists were [George W. Bush contributors](#), and two others — [Erik Heilman](#) and [Rich Nolan](#) — were Republican staffers. The overall political contributions of these fourteen men is whoppingly Republican, either as a direct contribution or funneled through conservative industry political action committees. They've donated \$326,497 to Republican candidates compared to \$100,346 to Democrats, more than a three-to-one ratio:

Contributions From AEEG Representatives



Total contributions \$621,328. Center for American Progress
Action Fund analysis, from Public Accountability Initiative and
Center for Responsive Politics data.

The Alliance for Energy and Economic Growth representatives meeting with Sen. Kerry, Graham, and Lieberman:

INDUSTRY REPRESENTATIVES AT CLIMATE NEGOTIATIONS			
<i>Representative</i>	<i>Title</i>	<i>Organization</i>	<i>Pct D</i>
Marv Fertel	director and CEO	Nuclear Energy Institute	13
Evan Gaddis	president and CEO	National Electrical Manufacturers Association	47
Jack Gerard	president and CEO	American Petroleum Institute	20
Ed Hamberger	president and CEO	American Association of Railroads	5
Erik Heilman	senior director of government affairs	American Forest & Paper Association	N/A
Bruce Josten	executive vice president for government affairs	U.S. Chamber of Commerce	14
Tom Kuhn	president	Edison Electric Institute	28
Mark Maslyn	executive director of public policy	American Farm Bureau	N/A
James C. May	president and CEO	Air Transport Association	33
Dave McCurdy	president and CEO	Alliance of Automobile Manufacturers	76
Rich Nolan	vice president of government affairs	National Mining Association	0
David N. Parker	president and CEO	American Gas Association	27
John S. Shaw	senior vice president of government affairs	Portland Cement Association	0
Jay Timmons	executive vice president	National Association of Manufacturers	2

Pct D: Percentage of political contributions to Democrats.

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Prepared by the Office of Public Affairs

Friday, January 11, 2013

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLLOBAL WARMING

Sanders: 'I Do Not Want To See A Global Warming Bill Become A Bonanza For The Coal Industry' (*Wonk Room*)

By [Brad Johnson](#) on Mar 29th, 2010 at 7:32 pm

Sen. Bernie Sanders (I-VT) has expressed “deep disappointment” with the direction Sen. John Kerry (D-MA) is heading with climate legislation being crafted with Sen. Lindsey Graham (R-SC) and Sen. Joe Lieberman (I-CT). In a letter to Kerry, the Vermont independent praised Kerry’s “continued leadership” as a “tireless advocate for taking action to reduce greenhouse gas emissions.” However, Sanders has “[serious concerns](#) about provisions that could harm our environment and provide new federal government support for polluters”:

– **State Preemption:** “In my view, preempting leading states would be a huge mistake: we should definitely set a floor, but not a ceiling.”

– **Support for New Nuclear Power:** “If the private sector will not finance new nuclear plants, the government should not risk taxpayer dollars by stepping in.”

– **Offshore Drilling:** “We should not, in a global warming bill, support increased offshore drilling.”

– **Coal Plant Emissions:** “Global warming legislation should move us forward by requiring coal plants to meet increasingly stringent pollution standards. It should not take us backwards by exempting coal plants from this kind of regulation by grandfathering in the dirtiest plants so they can continue to operate for years to come.”

[Ten other senators](#) have challenged new support for offshore drilling in the bill. Sanders also called for several green economy initiatives to be in the legislation, including green jobs and energy efficiency funding that was included in the [Kerry-Boxer climate bill](#) that passed out of the Senate environment committee last December. That legislation [limited EPA and state authority](#) to set rules for global warming pollution, but it appears that Kerry-Graham-Lieberman could go even farther to preempt existing law with a new framework, leading Sanders to warn, “I do not want to see a global warming bill become a bonanza for the coal industry.”

Sanders’ concerns [mirror those of Mike Brune](#), the new executive director of the Sierra Club, who told The Hill:

We will go to the mat for defending Clean Air Act authority. We are also concerned about offshore oil drilling, and we will not be able to accept the dramatic giveaway that offshore oil drilling represents.

Climate legislation will, by discouraging global warming pollution, support existing low-carbon energy technologies like renewables, natural gas, and nuclear power, and will also create a market for advanced coal technology. The [coal, gas, and nuclear industries](#) certainly do not need an additional layer of taxpayer subsidies to thrive in a low-carbon future. However, they have the resources to make clean energy reform an arduous process unless their demands are met, especially if, as Mother Jones’ Kate Sheppard argues, Kerry, Graham, and Lieberman are [“neglecting the Senate’s environmental champions.”](#)

Download the [Sanders letter](#).

Carbon Companies Lose Too Much Value (*The Heritage Foundation*)

Posted March 29th, 2010 at 4:44pm

From the [New York Times Green, Inc Blog](#):

The banking giant HSBC removed two companies involved in carbon trading from its Climate Change Index on Monday because they had lost too much value. Analysts from HSBC said the cause was mainly that governments had failed to come up with a timetable for a global climate deal at the United Nations summit in Copenhagen in December. “Carbon trading was the major loser from Copenhagen,” HSBC analysts said in their March 2010 Quarterly Index Review. ‘Cap and trade needs hard targets and binding rules – and Copenhagen delivered neither,’ HSBC said.”

In 2007 HSBC created a Global Climate Change Benchmark Index and had four climate change indices, two of which include a Climate Change Index and a HSBC Low Carbon Energy Production Index (including: solar, wind, biofuels, geothermal). An HSBC press statement [reads](#): “In creating these indices, HSBC has responded to changing investor sentiment in global equity markets. The HSBC research team has looked at a wide range of stocks and identified approximately 300 companies that are well positioned to benefit from the challenges of climate change.”

This is the big problem of the government creating false expectations. Businesses were convinced that the federal government would continue its trek to regulate CO2 and subsequently prepared for a carbon-constrained future by building business models around it. HSBC’s Global Climate Change Benchmark Index is just one example. Companies, especially in energy-intensive industries, began to prepare to comply with regulations, adjust to higher prices and adapt their operations to reduce CO2. Energy producers became vested stakeholders and lobbied for handouts to produce CO2-free energy to capitalize on their own investments and reap the benefits of government handouts. Major oil companies invested in renewable energy technology to capitalize on subsidies and tax breaks while enhancing their image. Even industries that do not emit relatively large amount of CO2 had to prepare for higher energy costs as well as be more cognizant of its own carbon output.

The regulations have certainly taken longer to put in place (or may not come into place at all) than many of these companies thought and it’s beginning to show. After Copenhagen failed, both procedurally and in its attempts to create a treaty, carbon prices fell dramatically on the European Climate Exchange in London. Government action and inaction is hurting businesses and consumers on all fronts. Government action would result in draconian energy taxes that would be passed onto the consumer – not just in gasoline and electricity consumption – but all producers that would face higher electricity prices. Government inaction is not only resulting in failing carbon markets but also creating business uncertainty. With potentially looming higher energy costs, businesses are hesitating on investing in new capital and labor. Leave it to the government to stunt the economic recovery without passing legislation; of course, passing a bill that [regulates carbon dioxide will only make it worse](#).

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on March 30, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

Ethanol Producer Magazine: Lisa P. Jackson - EPA wont regulate GHGs until 2011

Posted by: [artdena](#): 6:50 pm Full post: <http://url4.eu/245QR>

Battle of Lisas continues: [@lisamurkowski](#) armed w Oil \$, [@lisapjackson](#) backed by science+legal mandate 2 protect public

Posted by: [julieeden](#): 4:50 pm Full post: <http://bit.ly/cnM0oU>

GHG Regulation and Climate Change

Fox News: NASA Data Worse Than ClimateGate Data Space Agency Admits global warming climate change

Posted by: [Frank_Turk](#) 7:05 pm Full post: <http://fxn.ws/dikjXy>

Be one of the half-million grassroots activists & stars to get EPA to cap greenhouse gas pollution [@350ppm](#) - - PLS RT

Posted by: [CenterForBioDiv](#) 7:00 pm Full post: <http://bit.ly/d4KTgQ>

(Note: Center for Biological Diversity)

Reuters: EPA phases in permits for greenhouse pollution

Posted by: [climateneews](#): 6:00 pm Full post: <http://bit.ly/cvN2kh>

Investors Business Daily: EPA Limits On Greenhouse Gases Will Shift US Production Overseas: By WILLIAM O'KEEFE

Posted by: [ecohouses](#): 5:50 pm Full post: <http://bit.ly/bruXsA>

EPA Sets Greenhouse Gases Permitting Requirements for Major Sources: US EPA has announced the timing for major sou...

Posted by: [ennnews](#): 5:45 pm Full post: <http://bit.ly/arkr8e>

EPA calls BPA a Chemical of Concern

EPA to study environmental & health effects of BPA

Posted by: [iMomNetwork](#): 7:10 pm Full post: <http://cot.ag/a3O28h>

Treehugger: 1 Million Lbs of BPA Released Into US Environment Each Year - EPA to Launch Investigation: Ph...

Posted by: [FreeEnergyEarth](#): 6:40 pm Full post: <http://bit.ly/91Ow4h>

Scientific American: BPA a "chemical of concern," EPA makes it official

Posted by: [KPB](#): 6:00 pm Full post: <http://bit.ly/afLVK3>

WP: Plastic is bad for you! - EPA calls BPA a “chemical of concern”

Posted by: [eforthesea](#): 5:150 pm Full post: <http://tinyurl.com/yak3rzo>

Renewable Fuel Standards

Oil Industry Sues EPA Over Low-Carbon Fuel Deadlines, Says Agency Being Unfair:

Posted by: [edmunds](#): 7:00 pm Full post: <http://bit.ly/9bptgq>

(Note: American Petroleum Institute and the National Petrochemical & Refiners Association, the nation's top refining trade group, filed separate legal challenges today in the U.S. Court of Appeals for the District of Columbia over implementation rules for the renewable fuel standard, a mandate for tripling sales of U.S. renewable fuels.)

ROUND-UP OF MAJOR BLOGS

AIR

Lindsey ‘Green Economy’ Graham Bashes The Clean Air Act (*Wonk Room*)

By [Brad Johnson](#) on Mar 30th, 2010 at 12:54 pm

Sen. Lindsey Graham (R-SC) is leading the bipartisan effort with Sen. John Kerry (D-MA) to craft comprehensive climate legislation that can overcome a Senate filibuster. “[The green economy is coming](#),” Graham said when he announced the partnership with Kerry and Sen. Joe Lieberman (I-CT) last November, explaining that he was “convinced with my colleagues that controlling carbon pollution is good business.” However, Graham is also co-sponsoring the effort by Sen. Lisa Murkowski (R-AK) to [reverse the scientific finding](#) by the Environmental Protection Agency that global warming pollution endangers public health and welfare. Speaking to business and environmental leaders Monday in Columbia, SC, Graham declared that he wants “to [stop the EPA](#) from regulating carbon,” which would be “a disaster for every state”:

This administration is not going to back off. They are going to regulate carbon. **If Congress doesn’t get involved, it’s going to be a disaster for this state and it’s going to be a disaster for every state.**

He continued:

The Supreme Court has allowed the regulation of carbon through the Clean Air Act. The question is, **is Congress going to be smart enough to stop it? I want to stop the EPA from regulating carbon and allow elected officials to come up with a statutory scheme** that not only cleans up the air, it creates jobs instead of losing jobs and gets this country on the path to energy independence.

Graham's assertion that Clean Air Act regulation of global warming pollution would be a disaster is baseless. The Clean Air Act has been such a successful piece of legislation that the coal industry front group [American Coalition for Clean Coal Electricity](#) and the oil-funded think tank [American Enterprise Institute](#) tout its track record of cleaning up our air while keeping our economy strong. The myth that environmental protection and economic growth are incompatible has been [repeatedly debunked](#), in theory and practice. A healthy economy thrives on a strong framework of rules.

The Clean Air Act global warming rules for mobile sources — the joint EPA-Department of Transportation greenhouse gas tailpipe standards — have been [embraced by environmentalists and the auto industry alike](#), after years of litigation and astroturf campaigns claiming that such regulation would destroy Detroit. It was the decay of regulation that brought the American auto industry to its knees: the lack of competitive standards for domestic carmakers and the lack of financial regulation that allowed Wall Street to blow up the American economy.

EPA Administrator Lisa Jackson has acceded to the unfounded attacks on the Clean Air Act by [delaying and weakening rules](#) for stationary greenhouse sources that were first proposed by the EPA under the Bush administration, even as politicians promote a fear campaign that “churches, schools, restaurants and even large homes could fall under new federal regulations aimed at curbing greenhouse gases.”

The traditional tools of the Clean Air Act must be complemented by a comprehensive redirection of national energy policy if we are to confront the increasing disaster of climate change. But the idea that Congress should pass climate legislation to prevent the specter of the mean nasty [EPA Carbon Cops](#) — as Koch Industries' Americans for Prosperity is selling in Arkansas right now — is, quite simply, toxic.

CLIMATE CHANGE/GLOBAL WARMING

Report: Koch Industries Outspends Exxon Mobil On Climate Denial (*The Wonk Room*)

By [Brad Johnson](#) on Mar 30th, 2010 at 4:33 pm

The Wonk Room has long detailed the role of the [billionaire brothers of Koch Industries](#), Charles and David Koch, in [destroying American prosperity](#). Their pollution-based fortunes have fueled

a network of right-wing ideologues, from McCain mouthpiece [Nancy Pfotenhauer](#) to loony conspiracy theorist [Christopher Monckton](#). In public, the Kochs like to burnish their reputations by buying [museum](#) and [opera halls](#). In private, however, they've outspent Exxon Mobil to fund organizations of the climate denial machine, as Greenpeace [details in a new report](#):

Although Koch intentionally stays out of the public eye, it is now playing a quiet but dominant role in a high-profile national policy debate on global warming. Koch Industries has become a financial kingpin of climate science denial and clean energy opposition. This private, out-of-sight corporation is now a partner to Exxon Mobil, the American Petroleum Institute and other donors that support organizations and front-groups opposing progressive clean energy and climate policy. In fact, Koch has out-spent Exxon Mobil in funding these groups in recent years. **From 2005 to 2008, Exxon Mobil spent \$8.9 million while the Koch Industries-controlled foundations contributed \$24.9 million in funding to organizations of the climate denial machine.**

This report, "[Koch Industries](#): Secretly Funding the Climate Denial Machine" documents roughly 40 climate denial and opposition organizations receiving Koch foundation grants in recent years, including:

- More than \$5 million to **Americans for Prosperity Foundation** (AFP) for its nationwide "Hot Air Tour" and "[Regulation Reality Tour](#)" campaigns to spread misinformation about climate science and oppose clean energy and climate legislation.
- More than \$1 million to the **Heritage Foundation**, a mainstay of misinformation on climate and environmental policy issues.
- Over \$1 million to the **Cato Institute**, which disputes the scientific evidence behind global warming, questions the rationale for taking climate action, and has been heavily involved in spinning the recent ClimateGate smear campaign.
- \$800,000 to the **Manhattan Institute**, which has hosted Bjorn Lomborg twice in the last two years. Lomborg is a prominent media spokesperson who challenges and attacks policy measures to address climate change.
- \$365,000 to **Foundation for Research on Economics and the Environment** (FREE) which advocates against taking action on climate change because warming is "inevitable" and expensive to address.
- \$360,000 to **Pacific Research Institute for Public Policy** (PRIPP) which supported and funded "An Inconvenient Truth...or Convenient Fiction," a film attacking the science of global warming and intended as a rebuttal to former Vice-President Al Gore's documentary. PRIPP also threatened to sue the US Government for listing the polar bear as an endangered species.
- \$325,000 to the **Tax Foundation**, which issued a misleading study on the costs of proposed climate legislation.

The blockbuster report covers the role of Koch’s dirty network in promoting the [ClimateGate smear campaign](#), pushing [junk science about polar bears](#), fueling supposedly independent [Spanish](#) and [Danish](#) studies that attacked green jobs, and selling a [pack of lies](#) about the costs of climate legislation.

Update Koch Industries Communications Director Melissa Cohlma [responds](#):
In a consistent, principled effort for more than 50 years – long before climate change was a key policy issue – Koch companies and Koch foundations have worked to advance economic freedom and market-based policy solutions to challenges faced by society. These efforts are about creating more opportunity and prosperity for all, as it’s a historical fact that economic freedom best fosters innovation, environmental protection and improved quality of life in a society.

The Greenpeace report mischaracterizes these efforts and distorts the environmental record of our companies. Koch companies have long supported science-based inquiry and dialogue about climate change and proposed responses to it. Koch companies have put tremendous energy into achieving sound environmental stewardship and consistently implemented innovative and cost-effective ways to reduce waste and emissions, including greenhouse gases, associated with our manufacturing and products.

We believe the political response to climate issues should be based on sound science. Both a free society and the scientific method require an open and honest airing of all sides, not demonizing and silencing those with whom you disagree. We’ve strived to encourage an intellectually honest debate on the scientific basis for claims of harm from greenhouse gases. We have tried to help bring out the facts of the potential effectiveness and costs of policies proposed to deal with climate, as it’s crucial to understand whether proposed initiatives to reduce greenhouse gases will achieve desired environmental goals and what effects they would likely have on the global economy.

ENERGY

EPA’s Energy Star — Not Too Bright (*The Heritage Foundation*)

Posted March 30th, 2010 at 10:00am

While the Environmental Protection Agency grinds ahead with its Clean Air Act regulations to force reductions of carbon dioxide emissions from energy consumption, the Government Accountability Office (GAO) released a [report](#) on a different energy conservation program introduced by EPA the under the same law. Whether you are conscious of it or not, you have probably seen the logo for the Energy Star program stuck on a refrigerator, dishwasher or some other consumer product. The logo means the government has deemed the product to be relatively energy efficient. However, just because the government deems something to be more energy efficient does not mean it is. In fact, not only may it NOT be more energy efficient but also it may not even be real.

The GAO recently put the nearly two decade old Energy Star program to the test by establishing several bogus companies – consisting of websites, PO boxes and cell phones numbers – and then sought certification for twenty fictitious products. The results were dismal even for those who don't expect too much from bureaucracy. At least 75% of the bogus products earned Energy Star certification. Of the twenty make-believe products submitted by the GAO, only two were rejected by the EPA or the Department of the Energy which is a partner in the program. Fifteen bogus products were stamped with the Energy Star seal of approval and for three others, the process was incomplete by the time the GAO authored its report.

With three out of four bogus products certified it's hard to imagine that it could be worse but it is. Some of the bogus products that received Energy Star certification were no less than comical. According to the GAO they included: "...a gas-powered alarm clock and a room cleaner represented by a photograph of a feather duster adhered to a space heater..." Judging from the photo in GAO's report, "adhered to" is a nice way of saying "stuck on with tape." Perhaps this would be an energy efficient way to burn down one's house.

Not only are tax dollars spent administering this program but GAO also notes that "... federal agencies must procure Energy Star-qualified or DOE Federal Energy Management Program (FEMP)-designated products, unless the head of the agency determines in writing that a statutory exemption applies" and "The American Recovery and Reinvestment Act (ARRA) of 2009 increased and extended the energy tax credits for homeowners who make energy-efficient improvements to their existing homes."

Good news about the program is that it's voluntary. That's more than can be said for what EPA is planning to do to the economy with its pending carbon dioxide regulatory scheme.

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on March 3, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson and Senate Testimony

Go Jackson! RT [@kate sheppard](#): EPA Admin Defends Climate Science

Posted by: [sciwriter](#) 5:30 pm Full post: <http://bit.ly/dBxg3V>

The Hill: Jackson: Effort to stop EPA “a step backward” for science if successful:

Posted by: [VTConservative1](#) 5:30 pm Full post: <http://bit.ly/ag0SSU>

GHG Regulation and Climate Change

Glacier melting a key clue to tracking climate change

Posted by: [GreenEnergyNews](#) 7:25 pm Full post: <http://bit.ly/cp46bN>

Recession Curbs Ambitions of US Climate Change Advocates: A brutal recession and soaring unemployment have caused ...

Posted by: [greengirl286](#) 7:30 pm Full post: <http://bit.ly/aQz99H>

(Note: International oil publication)

China Daily: Qinghai : Climate change hurting Tibet

Posted by: [askbiof1](#) 7:25 pm Full post:

<http://bit.ly/5wQjRhttp://www.askbiography.com/bio/Qinghai.html>

I just told Chamber of Commerce companies to stop denying global warming and attacking EPA action

Posted by: [greenliberation](#) 7:20 pm Full post: <http://bit.ly/5wQjR>

(Note: Sierra Club petition)

Reuters: US EPA says to ease carbon rules on small business

Posted by: [dgbikegeek](#) 6:30 pm Full post: <http://bit.ly/b4YhIW>

(Note: The Obama admin. will give small businesses a break on coming carbon dioxide emissions rules but big emitters like coal-fired power plants will face a crack-down, U.S. EPA Administrator Lisa Jackson said on Wednesday)

EPA Adds 10 Hazardous Waste Sites to Superfund NPL

Christian Science Monitor: EPA adds 10 sites to the Superfund list By Mark Clayton / Staff Writer / March 3, 2010 ...

Posted by: [livegreenguide](#) 7:35 pm Full post: <http://bit.ly/azr5Qe>

AP: EPA adds 2 Ill. sites to Superfund priorities list

Posted by: [Zowie34](#) 7:15 pm Full post: <http://bit.ly/dkShv9>

Atrazine Study

Reuters: Common weedkiller turns male frogs into females: Atrazine, one of the most commonly used and controversial.....

Posted by: [Chem Info](#) 7:20 pm Full post: <http://bit.ly/aGUYjP>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Heritage Foundation Has Lost Its Grip On Reality, Calls Science ‘Magic’ (*The Wonk Room*)

By [Brad Johnson](#) on Mar 3rd, 2010 at 6:20 pm

The Heritage Foundation, a once-influential conservative think tank, has lost its grip on reality. Mike Gonzalez, Vice President of Communications for Heritage, believes that the [scientific consensus on global warming](#) is a massive hoax, perpetrated because of “politicians putting pressure on scientists to come up with theories that would vastly add to their regulatory and taxing powers.” Gonzalez — who abandoned print journalism to become a [mid-level speechwriter for the Bush administration](#) — argues that the “[whole edifice of global warming](#) is now falling apart” because the Intergovernmental Panel on Climate Change is like a birthday-party magician:

The whole edifice of global warming is now falling apart. It is collapsing with such rapidity that it is worth pausing from time to time to take stock. The foundations of such edifice rest on a single assumption. This hypothesis—one that drove many people, even some reasonable ones, to contemplate upending the world as we know it — is that that **traditional fuels will have cataclysmic consequences on the environment because they emit gases that make the world too hot.**

The authority to turn this assumption into fact rested largely on a U.N. document – the Intergovernmental Panel on Climate Change’s 2007 report – which declared climate change “unequivocal” and its man-made origin “very likely.” The purpose of the IPCC report was to turn hypothesis into fact.

The reason Sens. Kerry, Graham and Lieberman had to turn away from cap-and-trade, and target industries individually, is that the idea of an iron-clad scientific consensus is now being revealed to be a bit, shall we say, exaggerated. **The IPCC’s turning of hypothesis into fact now looks less like the scientific process and more like the magician you paid \$50 an hour to pull flowers out of hats at your daughter’s birthday.**

The IPCC report was a summary of existing scientific literature — its conclusions are [those of the world's scientists](#). The threat of manmade global warming is, quite simply, a fact. As democracy derives much of its strength from the rational debate of ideas, it's sad to see that the Heritage Foundation has fallen into the swamp of conspiracy theories.

The “edifice of global warming” is the edifice of modern civilization, the edifice of free enterprise, the edifice of Western thought. The great scientific endeavor to understand the world around us — not through superstition and demagoguery but through tedious observation and critical examination — has granted us the modern world, with the promise of previously unimaginable wealth and prosperity for billions. Much of the success of the scientific edifice is its ability to clarify inconvenient truths — to allow society to face difficult decisions and recognize unintended consequences. Treating science like a buffet, picking only the facts that fit his reality and ascribing the rest to an inchoate conspiracy, is a threat to the edifice upon which modern man depends.

Can The Climate-Bill Trio Appease Big Oil? (*The New Republic*)

Bradford Plumer March 3, 2010 | 5:28 pm

Details about the forthcoming Senate climate bill are still scarce, alas. As mentioned earlier, the hot rumor of late is that Kerry, Graham, and Lieberman are planning to unveil a plan that would have a cap-and-trade system for emissions from electric utilities and then a separate "carbon fee" for oil and other transportation fuels, with the revenue either getting funneled back to consumers or used for projects that reduce oil consumption. And there are even some signs that this strategy could boost the bill's chances of passage. Darren Samuelsohn [reports](#) that the trial balloon is going over well with the big oil companies, who prefer the fee approach to a single unified cap-and-trade program:

If accepted, the approach—supported by ConocoPhillips, BP America and Exxon Mobil Corp.—could rearrange the politics of the Senate climate debate and potentially open up votes that may not be there otherwise.

"It gets you a solution to the carbon problem that doesn't destroy that part of the economy," Sen. Lindsey Graham (R-S.C.), a lead co-author of the Senate legislation, said yesterday. "Once you have oil people saying, 'We can live with this, this was our idea,' then hopefully everybody else begins to look at this thing anew. That's the hope." ...

"Clearly it softens the reaction and increases the likelihood that a number of people who've been forced to push back will be much more cooperative in the dialogue," said Jack Gerard, president of the American Petroleum Institute.

Now, API and other big oil companies were unrelentingly hostile toward the House climate bill, and I'm a little skeptical that, in the end, they'll ever come around to supporting a Senate bill—even one that explicitly adopts their ideas. But who knows? One reason that electric utilities made out relatively well in the House climate bill is that they played a cooperative role during the debate, while most of the oil industry sat on the sidelines, trying to scuttle the bill altogether. Maybe API will try a different tack this time.

It's also notable that a few key oil-state Democrats have spoken favorably about the new carbon fee proposal. Louisiana's Mary Landrieu, who was long thought to be a surefire "no" vote on any clean-energy bill, [said](#) this week that the Kerry-Graham-Lieberman approach was "moving in the right direction." Still, it's too early for optimism. Not only does this legislation need 60 votes, but it *then* has to get reconciled with the House climate bill. And a lot of coal-state Dems in the House, especially Virginia's Rick Boucher, don't like the idea of moving away from the unified cap-and-trade system—since, after all, they designed the system to be more favorable to coal.

\$7-A-Gallon Gas Needed to Meet Government's CO2 Cuts (*The Heritage Foundation*)

Posted March 3rd, 2010 at 12:08pm in [Energy and Environment](#)

As the national average of gasoline [creeps to three dollars a gallon](#), economists are warning that high gas prices in the United States could slow the economic recovery. Other countries' economies are recovering more quickly and increased production and activity is putting upward pressure on oil prices. That coupled with a relatively weak US dollar spells trouble for American drivers. Throw in carbon dioxide cuts and gasoline prices [could reach unprecedented levels](#):

To meet the Obama administration's targets for cutting greenhouse gas emissions, some researchers say, Americans may have to experience a sobering reality: gas at \$7 a gallon. To reduce carbon dioxide emissions in the transportation sector 14 percent from 2005 levels by 2020, the cost of driving must simply increase, according to a forthcoming report by researchers at [Harvard's Belfer Center for Science and International Affairs](#). The 14 percent target was set in the Environmental Protection Agency's budget for fiscal 2010."

If you think it's out of the question, it's not. Members of Congress are working with oil companies now to [levy a carbon fee on the transportation sector](#): "Key senators are weighing a request from Big Oil to levy a carbon fee on the industry rather than wrap it into a sweeping cap-and-trade system that covers most of the U.S. economy. If accepted, the approach — supported by ConocoPhillips, BP America and Exxon Mobil Corp. — could rearrange the politics of the Senate climate debate and potentially open up votes that may not be there otherwise."

Such an approach would do nothing but cause more economic pain for American households. Higher gas prices lower employment, income, and spending, and Americans will have to dip into

their savings to pay for higher gas prices. Heritage economist Karen Campbell details [these effects in her paper](#), “How Rising Gas Prices Hurt American Households.”

Furthermore, a carbon fee would do very little to reduce CO2 emissions. As Senior Policy Analyst Ben Lieberman [points out](#), gasoline prices have already reached these levels in Western Europe where nations have made commitments to cut CO2, yet we are outperforming them in terms of emissions reductions.

Higher fuel prices adversely affect just about every aspect of the economy. Food prices, for instance, will increase as it costs more to harvest, manufacture and transport food. And as the price of airline tickets rise, people will travel less. It may be easier to support these policies when public transportation is readily available – although the cost of public transportation will rise as well. However, many parts of the country do not have access to public transportation and have to drive a significant distance just to get to a grocery store.

Indeed, the rural, poorer areas will be hit hardest by a spike in gasoline prices as residents in these areas spend a larger percentage of their income on fuel. When gasoline prices passed the \$4-per-gallon mark, Fred Rozell, pricing director at a fuel analysis firm [said](#), “This crisis really impacts those who are at the economic margins of society, mostly in the rural areas and particularly parts of the Southeast. These are people who have to decide between food and transportation.” [This map](#) provided by the *New York Times* shows the percentage of income spent on gasoline throughout the country.

A targeted approach to reduce carbon dioxide emissions will give us the same results as a cap and trade system: Lots of economic pain for negligible reductions in emissions.

ENERGY

Rebuilding The Tool Belt Economy (*The Wonk Room*)

Our guest blogger is [Bracken Hendricks](#), a Senior Fellow with American Progress Action Fund and the founding Executive Director of the Apollo Alliance.

By [Guest Blogger](#) on Mar 3rd, 2010 at 3:40 pm

Yesterday President Barack Obama announced details of his proposed [\\$6 billion energy efficiency rebate program](#), known as Home Star, at Savannah Technical College in Georgia. Informally known as “Cash for Caulkers,” the Home Star program would provide immediate

rebates of up to \$3000 to homeowners who invest in making their homes more energy efficient. President Obama described how Home Star helps Americans on several fronts:

Now, we know this will save families as much as several hundred dollars on their utilities. We know it will make our economy less dependent on fossil fuels, helping to protect the planet for future generations. But I want to emphasize that Home Star will also create business and spur hiring up and down the economy.

With unemployment in the construction industry at [almost 25 percent](#), it is imperative that the Obama Administration implement innovative, effective programs to spur job creation in what has been termed the tool-belt recession. The tool-belt recession has a deep and far-reaching impact on communities. Construction job losses touch every state in the union and hit local economies hard, spilling over to other parts of the economy as well. Job loss in manufacturing industries tied to construction is higher than in manufacturing as a whole. Many construction related industries have shed 20 percent to 30 percent of their jobs since the recession began. Jobs in the construction sector and related industries are suffering more compared to other parts of the economy. It is time for a national response to this tool belt recession. Here are some of the numbers:

- The unemployment rate for experienced workers in construction was 24.7 percent in January 2010.
- Total construction payroll employment has dropped by 2.1 million jobs since 2006, with residential construction down by 1.3 million, or 38 percent.
- For 2009, 12.4 percent of all unemployed workers were previously employed in the construction industry.
- There have been 134,000 jobs lost (10 percent) in construction-related retail, such as building supply stores and lumber yards, since December 2007, with 186,000 lost (14 percent) since July 2006.

With demand for construction jobs at near depression levels, [stimulating consumer demand for residential energy efficiency](#) is a smart business. It creates high-paying jobs for idled construction workers, boosts sales of American-made building materials, and saves consumers money. American companies are ready to hire back crews if we can jumpstart demand for projects. Home performance contracting for energy efficiency is one bright spot on the horizon for the building trades today.

Matt Golden, CEO of home performance retrofit contractor Recurve, and co-author of our study explains:

The tool belt recession is devastating. There is an urgent need in every state of the union to generate skilled, high-paying, long-term construction and manufacturing jobs to grow our economy. But there is hope. As an employer in the hard-hit state of California, **I have seen my**

efficiency business grow by 60 percent, even as the construction industry has lost over 35 percent of construction jobs, around me.

It's time to launch a [national Home Star program](#) which includes incentives for homebuyers to invest in the energy efficiency of their homes, which will jumpstart demand for labor. Congress can quickly create jobs with policies to expand investment in commercial and industrial energy efficiency and financing for retrofit jobs.

Read the whole memo about taking on the tool belt recession [here](#).

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on March 5, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Admin. Lisa Jackson Now on Twitter

New Tweeter: EPA Administrator Lisa Jackson

Posted by: [Just Ask Ellen](#) 7:00 pm Full post: <http://bit.ly/arYw80>
(Note: EPA Admin. Lisa Jackson has become part of the Twitter community. She joined Twitter just yesterday, and she already has 1,434 followers as of this morning. This is one way the EPA, and Jackson in particular, will work to be more open and transparent. The EPA has been progressing to meet all of OPM's guidelines for the Open Government Directive. You can track EPA's progress here: <http://www.epa.gov/open/evaluate.html>)

EPA moves farther into OpenGov: EPA Administrator Jackson has joined Twitter @lisapjackson Welcome!

Posted by: [dmllyons2](#) 6:04 pm Full post:

GHG Regulation and Climate Change

Cuccinelli will continue suit against EPA despite action in Congress: By Cory Nealon 247-4760 Virginia will contin...

Posted by: [GreenResponse](#) 7:15 pm Full post: <http://bit.ly/cJs7en>
(Note: Virginia will continue to challenge EPA's effort to regulate greenhouse gases while federal lawmakers take center stage. Daniel Dodds, a spokesman for state Att. Gen. Cuccinelli, said the state will pursue litigation "until it's rendered moot by anything on the federal level.")

Climate Change Leaders On the Defensive: How Did We Get Here?

Posted by: [EnergyCollectiv](#) 6:52 pm Full post: <http://goo.gl/fb/5MMv>

mon GOP, even ROMNEY admits climate change is real & man-made. Europe & Asia will be way ahead!

Posted by: [melisheath](#) 6:50 pm Full post: <http://bit.ly/d1okwg>

The Hill blog: Gore-backed climate groups form single organization: Two climate change groups that Al Gore founded are merging

Posted by: [E2Wire](#) 6:20 pm Full post: <http://bit.ly/96WyWY>

(Note: The union of the D.C.-based Alliance for Climate Protection and the Tenn. Climate Project will result in “one of the largest non-profit educational and advocacy organizations focused singularly on climate protection issues in the world.”)

BBC World: New Study says human link to climate change stronger than ever.

Posted by: [tcktcktck](#): 6:10 pm Full post: <http://bit.ly/9ONoyM>

(Note: Review from the UK Met Office says it is becoming clearer that human activities are causing climate change. The evidence is stronger now than when the Intergovernmental Panel on Climate Change carried out its last assessment in 2007.)

Tennessee Coal Ash Spill

AP: Disposal of spilled coal ash a long, winding trip

Posted by: [TNTscience](#) 4:10 pm Full post: <http://bit.ly/8YFCQM>

(Note: More than a year after a Tennessee coal ash spill created one of the worst environmental disasters of its kind in U.S. history, the problem is seeping into several other states.)

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Undersea Methane Is Leaking--Should We Panic? (*The New Republic*)

Bradford Plumer March 5, 2010 | 2:36 pm

A [new study](#) about how methane stores in the Arctic seabed are "destabilizing and venting" is getting a lot of attention. [Here's](#) a write-up from the *Times*:

Climate scientists have long warned that global warming could unlock vast stores of the greenhouse gas methane that are frozen into the Arctic permafrost, setting off potentially significant increases in global warming. Now researchers at the University of Alaska, Fairbanks, and elsewhere say this change is under way in a little-studied area under the sea, the East Siberian Arctic Shelf, west of the Bering Strait.

Natalia Shakhova, a scientist at the university and a leader of the study, said it was too soon to say whether the findings suggest that a dangerous release of methane looms. In a telephone news conference, she said researchers were only beginning to track the movement of this methane into the atmosphere as the undersea permafrost that traps it degrades.

But climate experts familiar with the new research reported in Friday's issue of the journal *Science* that even though it does not suggest imminent climate catastrophe, it is important because of methane's role as a greenhouse gas. Although carbon dioxide is far more abundant and persistent in the atmosphere, ton for ton atmospheric methane traps at least 25 times as much heat.

Just to clarify a bit: Yes, methane is bubbling up from the East Siberian Arctic Shelf, but because methane emissions in the area haven't been tracked for very long, it's still not clear whether these are actually *new* emissions—possibly caused by warming in the Arctic—or whether this leak has been around for centuries and it's just that no one ever noticed it before. But the study notes that

there's an "urgent need" to monitor the area better, since there's a decent chance that warmer temperatures could weaken the undersea permafrost even further and allow even more methane to bubble up, causing yet more warming.

So how worried should we be about potential methane feedbacks? Joe Romm [offers a dire view](#): "It is increasingly clear that if the world strays significantly above 450 ppm atmospheric concentrations of carbon dioxide for any length of time, we will find it unimaginably difficult to stop short of 800 to 1000 ppm. ... No climate model currently incorporates the amplifying feedback from methane released by a defrosting tundra." That's why these feedbacks are so unnerving—no one's quite sure how the Earth will respond.

But on the flip side, *Dot Earth* [talks to](#) a few researchers who are a little more sanguine: "But [NOAA's Ed] Dlugokencky, like quite a few other scientists assessing Arctic warming, sees no evidence for a 'tipping point' beyond which this cascades uncontrollably. That doesn't mean this is impossible, just that there's no evidence pointing to such a prospect." That's somewhat comforting, though everyone seems to agree it would be incredibly stupid to just keep heating up the Earth and finding out for sure what happens.

Meanwhile, David Archer has a [good, sober discussion](#) of the paper at *RealClimate*. His bottom line: "For methane to be a game-changer in the future of Earth's climate, it would have to degas to the atmosphere catastrophically, on a time scale that is faster than the decadal lifetime of methane in the air. So far no one has seen or proposed a mechanism to make that happen." So while these methane leaks need a lot more study, they're not cause for panic at the moment. There's enough to worry about when it comes to climate change as it is.

Byrd Says No To EPA Freeze. Wait, *That* Robert Byrd? (*The New Republic*)

Bradford Plumer March 5, 2010 | 11:57 am

West Virginia is a heavy coal state. So it's not a shock to see one of its senators, Jay Rockefeller, [introducing a bill](#) that would freeze EPA regulations over greenhouse gases for a few years, since those rules could well make it impossible to build new dirty coal plants anywhere in the country. (Rockefeller insists he doesn't want to kill the EPA's authority altogether, the way Alaska Senator Lisa Murkowski does; he just wants a few years' delay.) And his bill could pass if enough Republicans and conservative Democrats sign on.

But what *is* surprising is that Rockefeller's West Virginia colleague, Robert Byrd, said today that he won't support the bill. In a statement, Byrd [explained](#) that he was satisfied by EPA

Administrator Lisa Jackson's earlier promise to move slowly on regulating power plants and factories. What's more, he added, "I am reluctant to give up on talks that might produce benefits for West Virginia's coal interests by seeming to turn away from on-going negotiations." That's... surprising coming from Byrd, who for a long time has been one of the most ardent opponents of any and all carbon regulations.

Anyway, this is a good time to link to Jesse Zwick's [piece](#) on why Byrd has recently transformed from coal's biggest defender to taking a somewhat more moderate stance on the issue. His latest move is definitely in line with that shift.

WATER

PSA Shows Life in a Sea of Plastic (*TreeHugger*)

by Stephen Messenger, Porto Alegre, Brazil 🇧🇷 on 03. 7.10

Recent research is shedding light on the disturbing state of our planet's oceans and the incredible amount of waste that has collected at sea, but sometimes a shocking video is more helpful in advancing the urgency of the problem. In this animated PSA produced for The Surfrider Foundation's project *Rise Above Plastics*, the message is clear: "Plastics kill 1.5 million marine animals each year." Sure, the video's portrayal of the ocean being impassably cluttered with plastic waste may be a bit hyperbolic, but for the ocean life killed by the world's refuse washed at sea, it couldn't be more appropriate.

Plastic waste has become so widespread throughout the world's oceans that there are 46 thousand pieces of plastic in every 2.5 square kilometers of ocean surface, according to the United Nations. Much of this plastic is mistaken for food and ingested by marine life, like fish, turtles, whales, and birds.

According to *Jornal A Tribuna*, six years ago, a Minke whale was found dead in Normandy, France, with 800 pounds of plastic bags in its stomach. Birds have also been seen trying to feed bits of plastic to their young, believing it to be food.

While large pieces of waste could hypothetically be collected in an attempt to clean the ocean, the real problem lies in the granule remnants of degraded plastics--which is often mistaken for food by smaller animals. Once ingested, the plastic can remain inside the digestive tract of fish, birds, and turtles for 10 to 15 months, making it more difficult to absorb nutrients from real food.

So many of the problems facing the world's oceans can be traced back to improper waste management, and increasing awareness about its impact on sea life could be capable of slowing the trends--and sometimes a 30-second PSA is just the thing to catch people's attention.

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Lisa Jackson Speech at NPC

Planet Ark: World Environment News - EPA Chief Slams Attempted Delays On Climate -

Posted by: [KyleCrider](#) 7:45 pm Full post: <http://planetark.org/wen/57037>

Reuters (India): U.S. EPA chief slams attempted delays on climate: The U.S. Environmenta...

Posted by: [paycheckindia](#): 7:15 pm Full post: <http://bit.ly/9WVckQ>

EPA Head Sells Economic Plus of Climate Control: ... her economic argument, pointing to a 54 percent drop in emissions...

Posted by: [Nomorelead](#): 6:55 pm Full post: <http://bit.ly/bgYnVI>

EPA responds to criticism related to [#BPA](#): will “finalize an action plan on BPA in the very near future.”

Posted by: [naomistarkman](#) 6:50 pm Full post: <http://tinyurl.com/ybagq3x>

All Politics Watch: EPA administrator responds to criticism related to BPA: Responding to criticism that the Envir...

Posted by: [wisconsinBNN](#) 7:00 pm Full post: <http://bit.ly/boZwSN>

Climate change rules will spur US economy - EPA chief: Climate change rules will spur US economy - EPA chief.

Posted by: [ICISNewsAmerica](#): 6:00 pm Full post: <http://bit.ly/d5cy9X>

This is big news. RT [@EPAgov](#): EPA Has No Plans for Own Carbon-Trading Program, Jackson Says

Posted by: drgrist: 7:10 pm Full post: <http://bit.ly/c34GXJ>

The Hill blog: EPA toughens stance against climate bill rule time-out

Posted by: <http://thehill.com/blogs> 5:10 pm Full post: <http://thehill.com/blogs/e2-wire/677-e2-wire/85491-epa-toughens-stance-against-climate-rule-time-out>

(Note: “I am not in a position where I am going to stand here and support the idea of EPA not being able to use the Clean Air Act,” Jackson told reporters after a speech at the National Press Club.)

GHG Regulation and Climate Change

Reuters: Women hit by climate change head to Capitol Hill: Women hit hard by the effects of climate ...

Posted by: [Mpowerenergy](#): 7:40 pm Full post: <http://bit.ly/d1YnW9>

(Note: Climate "witnesses" from the U.S., Peru, Senegal, Uganda and other countries aim to tell their stories to members of Congress on Tuesday in a lobbying effort timed to follow Monday's International Women's Day. They want to make the strong link between poverty and climate change, and to stress that poor women suffer disproportionately as a result)

Stop Congress from blocking progress on climate change:

Posted by: [RobertAG2](#): 7:30 pm Full post: <http://dfnd.us/9NC7U4>

(Note: Defenders of Wildlife)

ROUND-UP OF MAJOR BLOGS

AIR

How Big A Deal Is Outsourced Pollution? (*The New Republic*)

Bradford Plumer March 8, 2010 | 4:26 pm

It's fairly straightforward to measure how much carbon dioxide a given country is emitting within its own borders. Just count the factories and power plants and cars and so forth and tally up all that pollution. But what about outsourced emissions? After all, the United States and Europe consume a whole bunch of goods manufactured overseas, and *those* emissions usually get chalked up to developing countries like China. So who bears the responsibility here?

It's a dicey question, though the first step is to get a handle on how much carbon pollution actually gets outsourced. And the answer seems to be: quite a bit. A [new study](#) by Steven Davis and Ken Caldeira of the Carnegie Institution for Science finds that the United States outsources about 11 percent of its emissions abroad, while Japan outsources nearly 18 percent and European nations outsource anywhere from 20 percent to 50 percent of their emissions—most of it to developing countries. On the flip side, nearly one-quarter of China's emissions, for instance, go into making goods for other countries. Here's a map showing annual net flows (in millions of tons of CO₂):

couple points could be made here. One is that the EU's success in reducing greenhouse-gas emissions looks somewhat less impressive in this context—if European countries are reducing pollution domestically but outsourcing more of it overseas, that's not progress. Mind you, it's not clear that this is true of *all* EU nations, though one study by the Stockholm Environment Institute found that in Britain's case, at least, outsourced emissions [were offsetting](#) a good chunk of carbon reductions.

There's also the question of whether the United States and Europe should pay for these outsourced emissions at all. It is their junk being produced abroad, after all. One possible way to do this would be to slap a simple carbon tax on imports. China, though, hates this idea (since it also benefits from this outsourcing, after all) and would prefer that, instead, wealthier countries help finance low-carbon projects in the developing world directly. These are the sorts of questions that always tie up global climate talks in knots.

CLIMATE CHANGE/GLOBAL WARMING

American Petroleum Tells Lawmakers It Supports Carbon Fee Because It's Easier To Demonize (*Wonk Room*)

The effort of Senators John Kerry (D-MA), Lindsey Graham (R-SC), and Joe Lieberman (I-CT) to craft comprehensive clean energy legislation that caps global warming pollution has brought some positive words from Big Oil and their political allies. In particular, the senators are considering a proposal by ConocoPhillips, BP America and Exxon Mobil to exclude petroleum producers and refiners from a carbon market and instead [levy a carbon fee](#). “Once you have oil people saying, ‘We can live with this, this was our idea,’ then hopefully everybody else begins to look at this thing anew,” Graham told reporters. “That’s the hope.” However, the American Petroleum Institute’s Jack Gerard explained that the “support” from the oil industry for a carbon fee on petroleum will come in the form of [“signs at the gas pump”](#) letting people know they’re paying more because of U.S. efforts to deal with climate change”:

Industry officials said **they too welcome the discussions of a carbon fee** as part of the Kerry-Graham-Lieberman effort.

“Clearly it softens the reaction and increases the likelihood that a number of people who’ve been forced to push back will be much more cooperative in the dialogue,” said Jack Gerard, president of the American Petroleum Institute.

Gerard said that the carbon fee approach would yield net environmental benefits, while **giving consumers the most transparent signal they can get about what the costs are from the program**. Unlike the House bill’s cap-and-trade system, **oil companies would pass through the costs with signs at the gas pump letting people know they’re paying more because of U.S. efforts to deal with climate change**.

In other words, the oil industry likes the idea of legislators embracing a carbon fee plan — a plan originally proposed by oil companies — because they’ll be able to blame “U.S. efforts to deal with climate change” on high gas prices. And that is what they’re already doing, with [full-page ads](#) in Politico and Roll Call that attack Congress for “new energy taxes”:

Congress will likely consider new taxes on America’s oil and natural gas industry. These new energy taxes will produce wide-reaching effects, and ripple through our economy when America — and Americans — can least afford it.

These unprecedented taxes will serve to reduce investment in new energy supplies at a time when most Americans support developing our domestic oil and natural gas resources. That means less energy, thousands of American jobs being lost and further erosion of our energy security.

Our economy is in crisis, and we need to get the nation on the road to economic recovery. **This is no time to burden Americans with new energy costs.**

The [direct target](#) of this ad is the Obama administration’s effort to remove \$80 billion in loopholes and subsidies for the oil industry, which allowed them to reap windfall profits while helping destroy the American economy under Bush. Even now, rising oil markets are threatening to cripple the fragile recovery. There’s simply no evidence that these subsidies have helped necessary exploration or protected American jobs — instead they’ve fattened corporate profits at taxpayers’ expense.

If the oil industry is willing to launch false attacks on the removal of tax loopholes as “unprecedented taxes,” it doesn’t take a rocket scientist to figure how they’ll portray a carbon fee.

One can bet they won’t mention that even a very strong price on carbon only marginally affects consumer gas prices. Modeling by the Massachusetts Institute of Technology in 2007 of a scenario equivalent to emissions reductions to 1990 levels by 2020 and 80% cuts by 2050 found that [oil producers would pay most of the pollution fees](#), not consumers. In fact, after an initial rise in consumer prices in the first decade of implementation that could be offset by [increased fuel economy standards](#), MIT projects consumer gas prices would decline:

The price of gasoline has fluctuated between two and four dollars a gallon in recent years, whereas the effect of carbon policy is only cents on the gallon. Yet every cent is one that stays in the American economy going to create jobs and maintain our infrastructure, instead of [flowing overseas to countries like Iran](#) and Nigeria. Quite simply, putting a price on carbon is a fundamental threat to the power of the oil industry over the U.S. economy.

Congress should do the right thing—nothing (*The Heritage Foundation*)

Posted March 8th, 2010 at 12:01pm in [Energy and Environment](#)

The same ethical advice for doctors also makes sense for Congress as it considers several pending global warming bills – first do no harm. Given serious questions about global warming science as well as the efficacy of costly proposals to address it, the best choice for Washington is none of the above.

With economy-wide cap and trade stalled in the Senate, a number of slightly scaled back variants have been proposed, including measures targeting selected industries or a carbon tax. All threaten to do more harm than good.

Before considering these measures, Congress should first get to the bottom of Climategate, Glaciergate, Hurricanegate, Amazongate, and other scandals that raise troubling questions about scientific credibility. Virtually every scary claim used to justify precipitous action—unprecedented temperatures, rapidly melting glaciers, increasing hurricanes, plummeting crop yields, disappearing rainforests—is under genuine suspicion. The fact that temperatures have been [statistically flat since 1995](#) is another reason not to treat global warming as a dire crisis.

Haste in light of these scientific doubts is all the more troublesome given the cost of cracking down on fossil fuels, no matter how imposed. All of the legislative proposals have one thing in common—they reduce carbon dioxide emissions by driving up the cost of energy so that individuals and businesses are forced to use less. Inflicting significant economic pain ([likely trillions of dollars and millions of jobs](#) for cap and trade, somewhat less for watered down measures) is how this all works.

These measures have another thing in common—their uselessness. Even if one still believes the worst case scenarios of global warming, unilateral action against the American people and American economy would hardly dent the upward trajectory of emissions. China alone out emits the U.S. and its emissions growth is projected to be [nine times higher than ours](#). And it is hard to ignore Chinese government officials' frequent and unambiguous statements that they will never impose similar restrictions on themselves, though some global warming activists still try.

Washington cracking down on fossil fuels in the name of addressing global warming would result in much economic pain for little if any environmental gain. First do no harm.

[Cross-posted](#) at [The Washington Post's Planet Panel](#).

IMF on Climate Change: We Want to Play (*The Heritage Foundation*)

Posted March 8th, 2010 at 1:43pm in [Energy and Environment](#)

The International Monetary Fund (IMF) is attempting to do what couldn't be done at the international climate change conference in Copenhagen last December: Transfer large sums of wealth from developed countries to developing ones in the name of climate change. From [BusinessWeek](#):

Dominique Strauss-Kahn, head of the International Monetary Fund, said the organization is helping to set up a “green fund” that would raise \$100 billion a year by 2020 to mitigate the effects of climate change in developing countries.

Strauss-Kahn indicated the fund may use its quotas, which reflect member countries' financial capacity and obligations within the IMF, to raise initial funding. The IMF would not manage the money raised, he said. Last year, an increase in quotas allowed the institution to boost global liquidity by more than \$250 billion at the request of the Group of 20 leaders.”

There are prudent ways to help developing countries protect against natural disasters but more foreign aid isn't one of them. Heritage Senior Policy Analyst Ben Lieberman, who witnessed many of the developing countries' pleas for handouts, [lists several problems](#) with foreign aid: “In many cases only a fraction of the funds were well spent, and aid can encourage the perpetuation of the very reasons (and regimes) that gave rise to the need for assistance in the first place. Foreign aid doled out to fight global warming has another big drawback – the problem it addresses is an overstated one.”

More economic freedom will allow developing countries to actually develop and build houses and buildings more resistant to natural disasters. Take the recent tragic setbacks in Haiti and Chile, for instance. In the [2010 Heritage Index of Economic Freedom](#), Chile ranks 10th and is categorized as “mostly free.” Haiti ranks in the “mostly unfree” category at 141st. Income per capita is much higher in Chile and its citizens can afford soundly-constructed infrastructure. Although the earthquake that hit Chilean land was stronger than that of Haiti's, there was far less casualties and structural damage [because](#) “Chileans, on the other hand, have homes and offices built to ride out quakes, their steel skeletons designed to sway with seismic waves rather than resist them.”

Instead of establishing green funds, we should be working to open up markets to help countries improve both their economy and their environment. “Engaging in freer trade is a fundamental part of a strategy to better promote the evolution of sensible environmental regulations by empowering countries with the economic opportunity to develop and raise living standards,” [writes Senior Trade Policy Analyst Daniella Markheim](#).

We do have opportunities to help developing countries become more sustainable and economically prosperous. But they don't involve the IMF and hundreds of billions of dollars annually in wealth transfers.

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NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

CurrentGreen - EPA Administrator Lisa P. Jackson's Live Interview (3 of 4) (Webisode 118)

Posted by: [feeeeed](#): 5:13 pm Full post: <http://bit.ly/cvy506>

RT @lisapjackson: Just posted the latest air monitoring data from the Gulf. Continue to check www.epa.gov/bpspill for air and water updates.

Posted by: [EliVazquezG](#): 4:13 pm Full post:

RT @lisapjackson: Just posted the latest air monitoring data from the Gulf. Continue to check www.epa.gov/bpspill for air and water updates.

Posted by: [DownYonderFLA](#): 1:15 pm Full post:

RT @lisapjackson: Just posted the latest air monitoring data from the Gulf. Continue to check for air and water updates

Posted by: [Sierra Club](#): 12:20 pm Full post: <http://bit.ly/dCwihk>

Gulf Oil Spill & EPA Response

For information about validated environmental air and water sampling results, visit :
www.epa.gov/bpspill

Posted by: [edjanemapsobama](#): 6:20 pm Full post:
(Note: Brazil writer)

Oil Spill in the Gulf of Mexico, EPA Responds: EPA Responds to the BP Oil Spill in the Gulf of Mexico Since the BP...

[Health4YourLife](#): 6:00 pm Full post: <http://bit.ly/cm13TX>

[EPA Response to BP Spill in the Gulf of Mexico | US EPA - epa.gov](#)

Posted by: <http://www.facebook.com/pages/Hancock-County-MS-Emergency-Operations-Center/>: 5:50 pm Full post:

Explore EPA Online Resources: Response to the BP Oil Spill in the Gulf of Mexico [#fb](#)

Posted by: [EsmaaSelf](#): 5:24 pm Full post: <http://bit.ly/amemYn>

EPA Responds to the BP Oil Spill in the Gulf of Mexico

Posted by: [msaizan](#): 5:00 pm Full post: <http://goo.gl/fb/dNB1r>

EPA posts a BP Oil Spill site with details on air and water quality. Regular updates, and data.

Posted by: [spatialsustain](#): 1:24 pm Full post: <http://bit.ly/cGkaJv>

Click here if you'd like to subscribe to EPA email updates on the BP oil spill:

Posted by: [Ecoplum](#): 1:03 pm Full post: <http://bit.ly/cI3C34>

[#EPA](#) launches website on oil spill <http://www.epa.gov/bpspill/>

Posted by: [NIOSH](#): 1:24 pm Full post:

Proposed Coal Ash Regs

Greenwire: EHN Fri PM update: EPA forced away from 'hazardous' label for coal ash by White House

Posted by: [petemyers](#): 6:00 pm Full post: <http://cli.gs/N9LUv0>

Historic Coal Ash Disposal Regulations Finally Proposed By EPA

Posted by: [TStweets](#): 5:00 pm Full post: <http://bit.ly/cUU3Da>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Remarkable Insight Into the Climate Denial Machine (*Huffington Post*)

[Peter H. Gleick](#)

Co-founder/President, Pacific Institute

Posted: May 8, 2010 07:49 PM

On Friday, May 7th, the journal *Science* [published a strongly worded letter](#) signed by 255 of the nation's leading scientists decrying recent political attacks on climate science and climate scientists. This letter drew substantial media attention from a wide range of outlets, including *Time*, *The New York Times* science blog, several major British, Australian, Portuguese, and Canadian papers, and much more. See my [previous post](#) on this.

In a remarkable bit of irony, the art chosen by editors (not by the authors of the letter) at *Science* to accompany the letter was a picture of a polar bear on an ice flow. To the embarrassment of the journal, this photo is "photoshopped" -- combining polar bear, ice flow, clouds, and other elements into a perfectly lovely, albeit made-up piece of art. Oops. The journal, of course, when they realized their mistake, agreed to swap out the photo and post a sheepish correction.

But this incident has also provided a fantastic peek into the way the climate denial "machine" works -- and I call it a machine, because it truly operates like one. The small but vocal part of the infosphere dominated by the climate deniers seized on this "fake" photo to try to paint the entire climate science community as fake.

Here is the logic of the climate deniers: the photo is manipulated, therefore we can claim the science of climate change to be manipulated and we won't have to challenge the actual content of the letter.

Nice try, but no. This focus on the art the editors chose to accompany the letter is an attempt by climate deniers to divert public attention once again from the facts of climate change. ***This is exactly what the scientists are talking about in the [letter](#).*** Instead of challenging the science with better science, the vocal deniers are grasping at any straw to muddy the waters and confuse the public about the real climate threats we face. Mistakes found in the IPCC assessment of climate? Oh, then all climate science must be mistaken.

It doesn't, or shouldn't, work this way. Will the media be taken in, or the more informed part of the blogosphere? We'll see. As the *Science* letter says, there is still "**compelling, comprehensive, and consistent objective evidence that humans are changing the climate in ways that threaten our societies and the ecosystems on which we depend,**" and it highlights that there is nothing identified in recent events that has changed the fundamental conclusions about climate change. That remains true, even as *Science* magazine swaps out its polar bear picture.

Oh, by the way, there really are polar bears on ice flows. I'm sure the editors at *Science* can find a real photo that illustrates the same thing.

Could Lindsey Graham Still Support The Climate Bill? (*The New Republic*)

- *Bradford Plumer*
- May 7, 2010 | 12:04 pm

The latest word on the climate bill? Even though Republican Lindsey Graham has dropped out of the talks, John Kerry and Joe Lieberman are still going to push ahead with legislation—they're planning to release it week Wednesday. Yesterday, Kerry [predicted](#) that Graham was "going to vote for the bill" regardless of whether he was at the unveiling or not.

And what does Graham himself think? *E&E News* has a long [interview](#) with the South Carolina senator today. He says he's still "paused" in the climate-bill negotiations because he's upset with the Senate taking up immigration reform this year. Then he goes on to say that the BP oil spill has probably made it harder to pass energy legislation—mainly because the offshore drilling bits that were intended to lure in conservatives are now a lot more controversial. But, he added, he might vote for the bill "if it doesn't get substantially changed." (That sounds like he's giving himself an out if need be.)

One interesting side issue that Graham touches on: revenue sharing. Lately there's been a lot of questions about where the revenue from taxing any new offshore drilling should go. Historically it's gone to the federal government. But various senators from coastal states like Louisiana or, well, South Carolina are now insisting that some of the money should go to the states that approve new drilling. This is slowly becoming more and more contentious. Louisiana's Mary Landrieu, for instance, [has said](#) "There is not going to be any drilling unless there is revenue sharing," while inland senators like New Mexico's Jeff Bingaman feel just as adamant in the opposite direction. And now Graham's piling on and saying that won't support a climate bill unless there's revenue sharing.

WATER

Biloxi NAACP: Oil Disaster Compounds Environmental, Economic Injustice (*Wonk Room*)

The Wonk Room is [blogging](#), [photographing](#), and [tweeting](#) live from the Gulf Coast. See previous dispatches from [Louisiana](#), [Mississippi](#), and [Alabama](#).

This week, the Wonk Room has traveled the Gulf Coast from [New Orleans](#) to [Pensacola](#), learning how the people of the region are preparing for the oil disaster growing off their shores. Over two weeks have passed since BP's "safe" Deepwater Horizon [exploratory rig exploded](#) 40 miles off the Louisiana coast, killing 11 workers and unleashing an unstaunched undersea torrent of oil. Scientists [shudder to think](#) of the potential ecological catastrophe, and previously [pro-drilling officials are scrambling](#) to respond to the disaster.

Meanwhile, the residents of the coast express a mixture of resignation and determination. The people are tied together by the effort to rebuild from Hurricane Katrina, whose devastation is still evident all along the coast. Once-thriving seaside resorts are quiet, backwater communities decimated, and the joyous spirit of New Orleans still has a somber current, five years after the [global-warming-fueled storm](#) scoured the Gulf Coast.

The Biloxi NAACP has its headquarters on Main Street, next to a Loaves and Fishes soup kitchen. Biloxi NAACP President James Crowell discussed his city and the threat of the BP oil

disaster with the Wonk Room in an exclusive interview on Wednesday. He described how the oil's [destruction of the sea](#) puts the culture of the city — from the fish called “Biloxi bacon” by locals to the shrimp boils at every family gathering — at risk. Crowell also discussed the health, economic, and environmental dangers of this catastrophe, which will hit the most vulnerable residents the hardest:

A lot of people have health problems now, from Katrina. We're likely to see more health problems with the oil coming in to the waters of Biloxi. **There's still people suffering from mental cases of anguish because of that Katrina. This just doubles that**, something else for them to worry about.

Biloxi, MS, is a city of sharp contrasts, from mega-casinos on its white beaches to the endemic poverty of Main Street a few blocks away. With the Keesler Air Force Base, casinos, and the port and fishing industries providing an economic engine, Biloxi has some of the best elementary schools in the state and a highly-trained blue-collar workforce. But as the seas rise and storms strengthen, the peninsular city is on the front lines of global warming — it has [lost 12 percent of its population](#) since Katrina, and home insurance rates have become ruinously expensive. Biloxi also suffers the fate of being in a state run by Gov. Haley Barbour (R), a [corrupt oil-industry lobbyist](#) who [fights on the side of pollution](#) and tried to [reject the federal stimulus](#).



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Friday, January 11, 2013



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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Biblical Floods Devastate Nashville As Tennessee Senators Fiddle On Climate (*Wonk Room*)

By [Brad Johnson](#) on May 10th, 2010 at 3:22 pm

The city of Nashville remains devastated, a week after “biblical” rainfall caused catastrophic flooding. On the first two days of May, [13.53 inches of rain fell in Nashville](#), setting not just six-hour, twelve-hour, one-day, and two-day records but also [breaking the record for rainfall](#) during the entire month of May in Nashville’s history. Country musician Marty Stuart, a regular with the now-flooded Grand Ole Opry, described the floods in [just two words](#):

It’s biblical.

“After living through our recent flood,” one local wrote, “I certainly have a [greater appreciation for Noah](#) and his family.”

Although this devastating event would have been [fantastically unlikely](#) without global warming, scientists have been [predicting for decades](#) that our [hotter world means more intense precipitation](#). The record rains “were accompanied by a surge of very warm air that set record high temperature marks at 21 major airports across the Eastern U.S. on Saturday,” Wunderground’s Jeff Masters writes. “This is not surprising, since more moisture can evaporate into warmer air, making record-setting rainfall events more likely when record high temperatures are present.”

Meanwhile, Tennessee’s senators, Republicans Bob Corker and Lamar Alexander, dither on limiting greenhouse gas pollution. Corker — who has [questioned the existence](#) of man-made global warming — has [flipped](#) and [flopped](#) in recent years on whether mandatory limits on carbon pollution are needed. Similarly, Alexander has [flipped](#) and [flopped](#) on cap-and-trade legislation. When asked “how serious is the problem of global warming” for the people of Tennessee, Alexander responded, “[Long term, it’s a problem](#). On the shorter term, the more serious problem is clean air.”

Nashville's biblical rains come on the heels of [catastrophic rains in the Northeast](#), the [Southeast and the Midwest](#). Floods "of biblical proportions" have struck all regions of the world in recent years, including [Great Britain](#), [Canada](#), the [Canary Islands](#), [India](#), southern [Africa](#), and [China](#).

Oil Spill Not Changing Many Minds In Congress (*The New Republic*)

Bradford Plumer

May 10, 2010 | 2:15 pm

So is the Gulf spill actually changing anyone's mind about offshore drilling? It depends where you're looking. In Florida, sure, it is. A handful of conservative state legislators have recently been rethinking their pro-drilling stance. Charlie Crist, who's running for the U.S. Senate, is now rethinking drilling. And, as Brad Johnson [notes](#), GOP State Rep. Greg Evers was once a huge fan of putting up new rigs right near the Florida panhandle shore. Post-spill, though, he's starting to think the risk to the state's beaches isn't worth it: "You have to understand: this is our way of life. These white sands are our way of life. We must protect them at all costs."

But Florida seems to be an exception. There haven't been nearly as many conversions in Congress. Greenwire [recently asked](#) dozens of senators if any of them are having second thoughts about offshore drilling and only Colorado's Mark Udall said he was starting to rethink his support. Everyone else is pretty much digging in. Longtime drilling skeptics like Florida's Bill Nelson are hollering twice as loud now. And drilling supporters like Louisiana's Mary Landrieu—or, Nelson's GOP colleague in Florida, George Lemieux—are sticking to the same refrain: Yes, the spill's a tragedy, yes, we need more safeguards, but let's not do anything drastic...

In any case, John Kerry and Joe Lieberman are still planning to unveil their big climate bill this Wednesday. But right now it's not clear that the Gulf disaster has really jumbled up energy politics at all. If anything, the two sides seem to have hardened their positions and made a compromise on drilling even less likely. And the White House, oddly enough, is staying awfully circumspect on this issue.

ENERGY

Poll: Climate/Energy Bill Actually Quite Popular (*The New Republic*)

Bradford Plumer

May 10, 2010 | 3:20 pm

As noted below, the BP oil spill [doesn't seem to be](#) causing many members of Congress to change their minds about drilling, or fossil fuels, or much of anything. The conventional wisdom in D.C. still holds that a climate/clean energy bill is political dicey and will be impossible to pass this summer, regardless of whether major oil company has just poisoned vast swaths of the Gulf.

But *is* a climate/clean energy bill really that dicey? I've never seen good evidence that this is the case. In fact, most signs suggest the opposite. Case in point: CleanEnergyWorks just [commissioned a poll](#) from the Benenson Strategy Group—the group that did polling for the Obama campaign—and came away with some results that jibe with a lot of the other polls out there:

* Overall, 61% of 2010 voters support and just 31% oppose a bill "that will limit pollution, invest in domestic energy sources and encourage companies to use and develop clean energy. It would do this in part by charging energy companies for carbon pollution in electricity or fuels like oil."

* 54% would be more likely to re-elect their Senator if he or she voted for the bill (just 30% would be less likely to re-elect).

* 51% would be less likely to re-elect their Senator if he or she voted against the bill (just 30% would be more likely).

* 39% of voters now say they are more likely to support it in the wake of the oil spill.

Now, presumably support will nudge downward once Republicans start devoting all their time to denouncing the Kerry-Lieberman proposal (though, on the flip side, the Benenson poll found that only 31 percent of respondents were receptive to the argument that the bill would be a crippling tax that would send gas prices soaring). But on the whole, there doesn't seem to be much support for the idea that a climate bill is a tough sell right now.

WATER

Is Cleaning Up An Oil Spill Impossible? (*The New Republic*)

Bradford Plumer

May 10, 2010 | 4:08 pm

Just how hard is it to clean up a big oil spill? Here's one pessimistic take: Charles Wohlforth, who covered the Exxon Valdez spill back in 1989 for the *Anchorage Daily News*, [says](#) the lesson from the Alaska disaster is that massive slicks can be nearly impossible to clean up, for the most part:

More than 10,000 workers worked for a summer to wash glue-like oil from cold rocks. After spending more than \$2 billion and inflicting untold additional environmental damage through their efforts, the cleanup recovered, at most, 5 to 7 percent of the oil. Some oil still remains in the beaches.

Eventually I realized I had covered the wrong story. The important point wasn't that Exxon couldn't clean up its oil spill. The point was, no one could clean it up. ...

The truth is that when large amounts of oil go into the ocean, it's a huge success to recover as much as 10 percent. More than that is rarely possible. Oil spreads too rapidly and reacts too quickly with the environment; and the ocean is a challenging place to work, especially considering the logistics of speedily gathering up a blob the size of a small state.

To make things worse, the effects of a big spill that never gets cleaned up can linger around for a very long time: One 2003 [study](#) in *Science*, led by Charles Peterson of UNC Chapel Hill, found that even a decade after the Exxon Valdez accident, the leaked oil was still killing off species, stunting the growth of salmon, and poisoning fish eggs.

So the follow-up question: Is anything different this time around? Not a whole lot. BP's cleanup tactics are still pretty similar to what Exxon was doing back in the 1980s. Both companies lowered booms into the water to keep the spill from hitting the shore—a strategy that can work moderately well *if* the wind and tide cooperate (and they don't always). Second, as happened in Alaska, the Coast Guard and BP have been trying to burn off oil on the surface of the water. But

this wasn't very effective in Prince William Sound and it's not yet clear how well it will work in the Gulf.

Maybe the big difference is that BP is using [far more chemical dispersants](#) to try to break up the crude and sink it to the bottom. But, as in Alaska, those dispersants can be toxic in their own right, and the oil that settles on the seafloor can cause havoc on shellfish and other small-but-key-to-the-food-chain organisms there. (Okay another big difference is the big containment domes that BP is trying to place over the leak, but that hasn't worked so far...) Indeed, all told it's surprising how slowly cleanup technology has advanced since the 1980s—especially since, as Wohlforth notes, so little of the Exxon Valdez spill actually got mopped up.

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PEOPLE ARE TALKING

**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on May 14, 2010:**

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

Outstanding commencement address by Lisa Jackson, head of EPA. Message to all of us: ask yourself "How can I help?"

Posted by: [billwolff](#) 11:20 am Full post:

Just called the EPA to urge top dog Lisa Jackson to implement new rules classifying coal ash as dangerous toxic waste. You can too.

Posted by: [jethomme](#) 3:20 pm Full post:

[#bpoilnews](#) @[Lisapjackson](#) - What do u think of all the lawsuits? Premature? Necessary?

Posted by: [Jon_Lewis](#) 3:10 pm Full post:

@[lisaPJackson](#) EPA Administrators gives updates on gulf coast oil spill

Posted by: [shrmsocmedguy](#) 2:02 pm Full post:

GHG Rules Announcement

Newsweek: EPA Ups the Ante on Climate-Energy Bill

Posted by: [SayfieNews](#) 6:45 pm Full post: <http://bit.ly/aAdz84>

("It's serious stuff. The rule when enacted would be the farthest-reaching effort to reduce the U.S.'s out of control emissions—the most abundant in the world. And it would be President Obama making good on his promise to environmentalists....")

Natl Petrochem & Refiners Assoc calls EPA's final GHG tailoring rule 'unlawful'

Posted by: [smtaber](#) 6:15 pm Full Post: <http://bit.ly/a000yh>

EPA Finalizes "Tailoring Rule" For Major Source GHG Permitting

Posted by: [JDMI](#) 4:50 pm Full post:

http://enewsusa.blogspot.com/2010_05_14_archive.html

AF&AP comments on EPA's tailoring rule

Posted by: [altenergyjobs](#) 4:15 pm Full Post: <http://bit.ly/9nQHi5>

(Note: American Forest & Paper Association President and CEO Donna Harman made the following statement on the U.S. EPA's GHG Tailoring Rule, issued this week: "The EPA's action hurts rural communities by endangering family wage American jobs and reversing economic development in communities that need it the most.")

Gulf Oil Spill & EPA Response

Gulf Oil Leaks Could Gush for Years - [#news](#) [#energy](#)

Posted by: [NatGeoSociety](#) 12:40 pm Full post: <http://on.natgeo.com/c6zFdg>

Seattle Globe: Govt. secrecy update: EPA allows experts to comment on oil spill; this looks like progress. [#epa](#) [#transparency](#) [#gov20](#)

Posted by: [Seattleglobe](#) 2:06 pm Full post: <http://bit.ly/cP7IGY>

(Note: After our [recent outrage](#) about EPA's news conferences where reporters were forbidden to identify government officials who briefed journalists, we on Wednesday were pleasantly surprised by an EPA news conference that's back in the real world. Specifically, when EPA Administrator Lisa Jackson did a phone-in presser on the use of dispersants on oil spill, [the notice](#) listed the names and titles of lower-ranking EPA staffers who would appear....)

On our radar: [#Oilspill](#). Scientists and enviro groups say leak is much larger than US or BP acknowledge.

Posted by: [nytimes](#) 6:30 am Full post: <http://nyti.ms/aDY8mD>

ROUND-UP OF MAJOR BLOGS

WATER

Obama Promises Drilling Reforms. Is That Enough? (*The New Republic*)

Bradford Plumer

May 16, 2010 | 11:44 pm

At the Rose Garden on Friday, President Obama [finally showed](#) some "anger and frustration" over the ballooning oil disaster in the Gulf. To wit: "For too long, for a decade or more, there has been a cozy relationship between the oil companies and the federal agency that permits them to drill. It seems as if permits were too often issued based on little more than assurances of safety from the oil companies. That cannot and will not happen anymore."

He was referring, as most people can guess, to the Interior Department's Minerals Management Service, and his remarks came after *The New York Times* [revealed](#) how MMS had been regularly approving offshore drilling projects without getting the proper environmental permits (in essence, skirting the Endangered Species Act). And yes, the now-infamous *Deepwater Horizon* rig was one of the lucky exemptees. Oops. So now the White House has promised an interagency review of the way MMS conducts its environmental reviews.

That's... a start. It does appear there were massive regulatory failures at work here, and whether or not they would have prevented the Gulf spill, they should certainly be patched. A great deal of blame [has been hurled](#) at the Bush administration, and rightly so: Under Bush's watch, MMS became a genuinely corrupt agency, and there were a lot of crucial decisions made—like allowing rigs to operate without remote-control shutoff switches—that deserve heavy scrutiny. That said, the Obama administration hasn't been exemplary, either. As Corbin Hiar [reported](#), the White House still hasn't nominated a proper inspector general to clean up the agency, and

Obama's MMS [had been approving](#) projects without proper environmental review even *after* the BP Gulf spill.

Yet it's worth noting that Obama's speech was a very particular, narrow response to a colossal ecological disaster—one that, in some ways, mirrors the response to the *Exxon Valdez* spill in 1989. It tends to get forgotten now, but that spill was partly a regulatory failure, too. When the National Transportation Safety Board [investigated the accident](#), it discovered that the fault lay not just in a drunk captain and overworked bare-bones crew, but also in the government's response. For one, the vessel traffic system overseen by the Coast Guard had been in disrepair and hadn't been tracking the tanker. Had the system been working properly, Prince William Sound might have been spared. And, so, in 1990, Congress passed a bill that tried to patch up many of those problems. But, as we're all well aware now, that bill hardly put an end to oil spills. So it seems that's what we'll get now—attempts by the White House and Congress to repair the regulatory system, and little else. The broader mindset seems to be that offshore drilling is all well and good, and if we just have decent safeguards, then it can continue apace without problems. But another way to look at the unfolding Gulf disaster is that these sorts of spills are always going to be with us. The White House can do its best to right the ship at MMS, but eventually, as the years go by, people will forget, attention will fade, oversight will start to weaken, and oil companies and regulators will get cozy again. Accidents, in other words, are inevitable.

There's a case to be made that these sorts of destructive spills are an unavoidable cost of our oil addiction, that cheap gas isn't ever as cheap as it looks, and that we should take into account the nasty side effects of our fossil fuel addiction—from massive spills to the risks of catastrophic climate change—when thinking about energy policy. So far, though, Obama seems uninterested in tying the Gulf disaster to a broader case for energy reform and moving the country away from oil. Instead we're getting [headlines like](#) "White House races to blunt attacks on offshore drilling policy." And so, no matter how many well-intentioned interagency reviews sprout up, it's hard to believe a fiasco like this will never happen again.

Wetland Conservation Expanding 75,000 Acres in 22 States (*TreeHugger*)

by Sara Novak, Columbia, SC  on 05.16.10

The USDA announced last week that they would be expanding funding for wetland conservation in 22 states and Puerto Rico. Nearly \$175,000 million will be distributed in order to extend wetland conservation by 75,000 acres. This is great news in my home state of South Carolina where so much of our land is made up of gorgeous wetlands.

USDA Secretary Tom Vilsack announced a plan to extend \$175 million to our nation's wetland conservation. This is another step in the right direction for an administration that announced last month that it would permanently protect private forestland in 33 states and U.S. territories, 2 million acres of land in all.

Such wetland protection is crucial because the wetlands are the life blood for so many species. In fact, wetlands are comparable to rain forests in terms of native biodiversity. Wetlands also slow down the water as it reaches shore and prevent the erosion of the land. Wetlands can store up to 60 days worth of floodwater. Even more than that they act a high tech filtration system, keeping pollution out of our water supply. Their protection is critical.

The funds will be distributed to the following states:

Alabama \$ 4,925,233
Arkansas \$ 10,177,680
California \$ 10,177,680
Florida \$ 29,400,977
Georgia \$ 1,881,920
Indiana \$ 4,071,072
Iowa \$ 6,106,608
Kansas \$ 594,885
Kentucky \$ 3,053,304
Louisiana \$ 11,124,510
Minnesota \$ 5,088,840
Mississippi \$ 4,071,072
Missouri \$ 20,864,244
Nebraska \$ 18,319,824
New Hampshire \$ 1,781,094
North Carolina \$ 3,781,008
Oregon \$ 6,680,754
Puerto Rico \$ 668,202
South Carolina \$ 4,071,072
South Dakota \$ 4,071,072
Tennessee \$ 6,106,608
Texas \$ 14,738,553
Wisconsin \$ 3,053,304
Total \$ 174,809,516

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Lisa Jackson

Senate EPW will discuss the [#oilspill](#) with EPA's Lisa Jackson, DOI's Ken Salazar, and CEQ's Nancy Sutley Tues @ 2:30pm

Posted by: [agigap](#) 5:05 pm <http://bit.ly/aPmw2i>

@[lisapjackson](#) AQ disconnect: EPA reports AQ normal this time of yr, LEAN scientists rpt otherwise:

Posted by: [WhoDat35](#) 2:04 pm Full post: <http://bit.ly/cZOWNd>
(LEAN = Louisiana Environmental Action Network)

Gulf Oil Spill & EPA Response

CBS News - White House to Create [#OilSpill](#) Commission -

Posted by: [GreenIsTweet](#) 6:25 pm Full post: <http://bit.ly/bOVT1h>

Gulf residents report oil smell but EPA says air quality safe.

Posted by: [k47i3hd](#) 5:25 pm Full post:

Oil dispersants used in Gulf of Mexico spill causing alarm

Posted by: <http://blog.al.com> 4:55 pm Full post:
http://blog.al.com/al/2010/05/oil_spill_dispersants_could_be.html

Here is how EPA has responded to the BP spill: <http://www.epa.gov/bpspill/>.

Posted by: [RunnerGrrl96](#) 4:54 pm Full post:

What EPA doing on BP oil Spill -

Posted by: [mspavan](#) 4:24 pm Full post: <http://lnkd.in/GB6Pna>

Markey to EPA on Oil Dispersants: How Toxic, How Effective?: Questions Arise on Chemicals Used in Gulf Spi...

Posted by: [GlobalWarmHouse](#) 3:02 pm Full post: <http://bit.ly/aBjtSJ>

Trans. & Infra. Committee Examines Oil Spill Prevention and Response at hearing May 19th; BP President and EPA Administrator to attend

Posted by: [HouseTransInf](#) 4:00 pm Full post: <http://tinyurl.com/24bc9gz>

(Note: ...to examine the circumstances surrounding the ongoing spill, including potential environmental effects, ongoing response actions, long-term cleanup challenges, and potential natural resource damages.)

Is [#BP](#) [#oilspill](#) already heading for Florida Keys?

Posted by: [MilesGrant](#) 4:40 pm Full post: <http://ow.ly/1Md9k>

Bad news. It indeed seems the oil spill has now encountered the [#LoopCurrent](#). Where will it go?

Posted by: [wxchannel](#): 4:56 pm Full post: <http://bit.ly/94oXqV>

Sen Boxer and EPW Dems demand civil & criminal investigation into [#BP](#) assurances on [#oilspill](#) risk to fish/enviro on [#MMS](#) drilling permit

Posted by: [suzyji](#) 4:50 pm Full post:

HuffPost: At what cost? BP Spill Responders Told to Forgo Precautionary Health Measures in Cleanup

Posted by: <http://huff.to/aMXFX2> 12:25 pm http://www.huffingtonpost.com/riki-ott/at-what-cost-bp-spill-res_b_578784.html

(Note: The EPA [findings show](#) that airborne levels of toxic chemicals like hydrogen sulfide, and volatile organic compounds like benzene, for instance, now far exceed safety standards for human exposure.)

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Climategate before Climategate (*The Heritage Foundation*)

Posted May 17th, 2010 at 2:00pm in [Energy and Environment](#)

The [Heartland Institute's International Climate Change Conference](#) commenced in Chicago last night, bringing together some of the world's leading climatologists who offer dissenting views from the mainstream "global warming is a serious, human-induced problem" view. This year 73 scientists, economists, and policy analysts from 23 countries will present to over 700 attendees.

Heartland's conference provides a valuable forum for accomplished scientists to showcase their work and offer different reasons as to why the planet is warming and cooling and how fast it is doing so. Several of the panels will bring together analysts, including Heritage's Ben Lieberman, to look at the policy implications behind global warming legislation.

In a sense, Heartland's conference (this being the fourth annual) was Climategate before Climategate. Before leaked emails and other documents from the Climatic Research Unit at the University of East Anglia brought climate change skepticism to the headlines of papers, Heartland's conference showed there was another side to the story. The purpose of the conference is not necessarily to expose flaws in the climate research used by our politicians to justify carbon dioxide regulations as Climategate did – although some panels have done so in the past – rather provide an opportunity for debate on climate science.

It was fitting that Sunday night's keynote speaker was climate expert Stephen McIntyre, a [leader in exposing the data mismanagement](#) in Climategate, most notably Michael Mann's hockey stick theory. He is author of the blog [Climate Audit](#) and his presentation focused on the "Nature trick"

to “hide the decline.” This was the most notorious of the leaked emails where Intergovernmental Panel on Climate Change author Mann “chopped off the inconvenient portion of the tree ring data – the portion where it goes down – and tucked the end point under other data, giving a rhetorical impression of consistency.”

Defenders of the leaked emails said the language was common practice but McIntyre’s talk reveals otherwise. McIntyre [spent two years and \\$5,000 of his own money](#) to uncover much of this information and his full presentation goes into much more detail. You can find it at [Heartland.org](#), and for those who couldn’t attend, [PajamasTV is covering](#) the entire event.

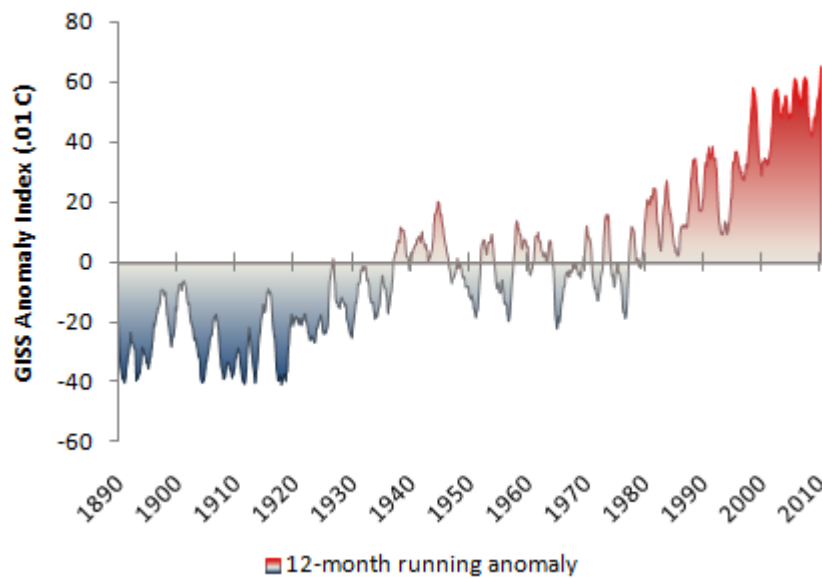
You can watch McIntyre’s speech from last year above.

Global Boiling: The Past Twelve Months Were The Hottest In History (*The Wonk Room*)

*APRIL is the cruellest month, breeding
Lilacs out of the dead land, mixing
Memory and desire, stirring
Dull roots with spring rain. — T.S. Eliot*

The past twelve months were the hottest in recorded history. According to NASA’s Goddard Institute for Space Studies, the global mean surface temperature for April 2010 was the [hottest of all Apriils](#) since their record begins in 1880. March 2010 was similarly the hottest March, January-April 2010 the [hottest start of any year](#). The twelve months from May 2009 to April 2010 were the [hottest consecutive twelve months](#) in history, over 1.18°F above the 1951-1980 average:

APRIL 2009-2010 THE HOTTEST 12 MONTHS IN HISTORY



Fueled by this extreme heat, which comes despite an [extended solar minimum](#), record-breaking catastrophic climate events have been devastating the United States:

April 2010: Biblical floods in [Nashville](#)

March 2010: Calamitous floods in [Rhode Island](#) and [North Dakota](#)

February 2010: Record warmth in [Vancouver](#) and another round of record snowstorms in the [Mid-Atlantic](#)

January 2010: The most powerful storm in the history of the [Southwest](#)

December 2009: Record snowstorm in the [Mid-Atlantic](#)

November 2009: Record heatwave in [Arizona](#)

October 2009: Record rainfall in the [Midwest](#)

September 2009: Epic flooding in [Atlanta](#)

August 2009: Record rainfall in [Washington DC](#), [Louisville](#), and [northeast Indiana](#)

July 2009: The record three-year drought in [California](#) continues

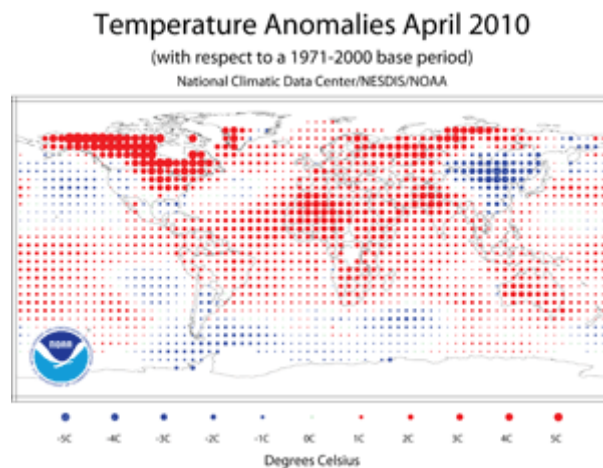
June 2009: Record storms in [western Pennsylvania](#)

May 2009: [Catastrophic storms](#), heat waves, wildfires and floods in Alabama, Alaska, Arkansas, California, Illinois, Kentucky, Mississippi, Missouri, North Carolina, and West Virginia

The climate is similarly becoming [increasingly catastrophic](#) around the globe, with the consequences of unrecoverable economic damage and untold human suffering. As the world burns, the national media ignores this terrible reality and instead [promotes the propaganda](#) of global warming [conspiracy theorists](#), [ideological cranks](#), and the [fossil-fuel industry](#).

Update [Paul Krugman](#) opines: "Now, I'm sure that the climate deniers will find a way to ignore the latest facts. But I'm not sure what that way will be."

Update [Climate Progress](#) notes that NOAA's National Climatic Data Center confirms the NASA results: "This was also the [34th consecutive April](#) with global land and ocean temperatures above the 20th century average."



HAZARDOUS WASTES

How to Clean Up the Oil: Lessons that Amoco and Exxon Didn't Learn (*The Huffington Post*)

[RP Siegel](#)

Inventor; Author, [Vapor Trails](#)

Posted: May 17, 2010 12:15 PM

In 1978, the oil tanker [Amoco-Cadiz](#) broke up off the coast of France, dumping 220,000 tons of heavy crude oil into the Atlantic. The spill was so large that the entire Brittany coast was impacted. Because of the tremendous costs involved, only selected sections were treated with detergents and dispersants. [Ecological studies](#) five years later showed that the untreated areas had fully recovered. But, the areas that were treated have still not recovered 32 years later. How could this be?

Oil is a naturally occurring material. It is not uncommon for oil to seep up from cracks in the ocean floor. According to [Terry Hazen](#), a PhD micro-biologist working on bioremediation in the Earth Sciences division of the DOE's Lawrence Berkeley Laboratory, there are thousands of varieties of petroleum-degrading bacteria who are happy to feast on the oil and break it down into simpler and generally safer compounds. Whenever an oil spill occurs, local concentrations of these bacteria are seen to increase up to 100,000 fold.

That means that if the oil is contained and remains at sea, eventually it will be broken down. That's an important point to keep in mind.

Eleven years after the Amoco-Cadiz, there was the [Exxon Valdez](#) incident which resulted in 11 million gallons of heavy crude entering Prince William Sound and despoiling 1300 miles of pristine coastline.

ExxonMobil has spent over \$7 billion to date on the cleanup with relatively little to show for it. Crews attempted [bioremediation](#) there, providing fertilizer to encourage the bacteria to grow. Some of the oil was broken down that way, though side effects, such as [eutrophication](#), where the water becomes oxygen depleted and unable to support life, were significant. This effect is also responsible for numerous [dead zones](#) already existing in the Gulf of Mexico, the result of fertilizer-laden water coming down the Mississippi River as it passes through the Midwestern farm belt. Hazen is concerned that these dead zones may become significantly larger as the result of the recent spill because of the bacterial growth that will inevitably occur.

This is not to say that nothing should be done. But the [options are few](#), and many of them -- such as burning or the use of toxic dispersal agents -- can create as much or more harm than they are trying to prevent. Unfortunately, urgency and prudence don't seem to mix any better than oil and water do.

According to [Riki Ott](#), marine toxicologist and author of "Not One Drop: Betrayal and Courage in the the Wake of the Exxon Valdez Oil Spill," spraying [Corexit 9527A](#) (which contains [2-Butoxyethanol](#)) in the Gulf, as BP is currently doing, in an attempt to minimize damage to the coast, [will kill the shrimp eggs and larvae and young fish that are in the water column now](#). The chemicals in them can linger in the water for decades, especially when used in deep water, where low temperatures can inhibit bio-degradation. The use of this chemical was responsible for the collapse of the herring fishery in Alaska after the Exxon Valdez. What is so counterproductive about this is the fact that this chemical will also kill the very micro-organisms that would

otherwise naturally break down the oil. Ott's biggest concern is the "young of the year," the eggs and embryos and very young fish who are so much more sensitive to these chemicals. "There will be a delayed reaction," she said, "when these fish don't show up as adults when they're supposed to."

Terry Hazen feels that chemical dispersants should only be used, if at all, in a lesser-of-two-evils scenario, where their use might keep the oil from reaching particularly fragile areas or those harboring endangered species. According to Hazen, the most effective and the safest things we can do are to try to prevent the oil from coming ashore and damaging wetlands by erecting barriers and then physically mopping up as much as the oil as we can get our hands on. But where can we possibly find a mop that big?

It turns out that a number of interesting ideas have been proposed, including the use of human hair and cotton gin waste. But by far the most compelling idea I've heard about comes from a Michigan woman named Adria Brown. Brown's company, [Recovery I Inc.](#), has developed and patented a product called Golden Retriever that is designed to recover oil from water. It is made from corn cobs. Corn cobs turn out to be especially effective in this task, due to the fact that they are buoyant, and the fact that they tend to spin in moving water, which exposes their entire surface to the oil which clings readily to it. The absorption occurs quickly, and once adhered to, the cob will remain afloat without leaching, for over 24 hours allowing plenty of time for retrieval using skimmers. As an added benefit, the oil can be completely recovered by centrifuge and the cobs can be reused. Brown has been working with an extensive farm network across the Midwest, led by Feeders Grain and Supply of Corning, Iowa, to acquire the needed materials in quantity. Together, they have amassed a stockpile of close to 34,000 tons of material that is ready to be deployed to the Gulf, where it can be administered using barges, that is, as soon as someone down there asks for it. [Sen. Chuck Grassley](#) has also been involved, helping to move the paperwork in Washington.

Where will the manpower come from? How about the thousands of fishermen who are now out of work and are willing to do anything they can to save their livelihood? How about paying them instead of paying expensive outside consultants with their exotic chemical cocktails? According to Ott, who was on location in Lafayette, LA, when I spoke to her, "the people down here are looking for something that is "bayou-degradable."

We can only hope that the folks in charge of the cleanup will listen to sensible suggestions, rather than continuing to rely on rash measures, in the appearance of "doing something" about the problem.

In the mean time, we will find out in about [75 days](#) if BP's effort, to drill a second well to release the pressure will work. By that time more than twice the oil that came out of the Exxon Valdez will have entered the Gulf waters.

It is very difficult to find any kind of silver lining in this story. All we can hope for is that the damage can be contained to the extent possible and that maybe all Americans will stop and reconsider the impact that our way of life is having on the planet that sustains us. I know, for me

personally, every time I get in my car and drive somewhere, I imagine a few drops of oil being added to the Gulf of Mexico in my name.

RP Siegel is the co-author of [Vapor Trails](#), a story about an oil spill and the man responsible for it.

Think The Gulf Spill Is Bad? Check Out Nigeria. (*The New Republic*)

Bradford Plumer May 17, 2010 | 1:35 pm

[Here's](#) some alarming perspective on big disastrous spills. Over the past 50 years, Shell and other companies have spilled an estimated 1.5 million tons of oil into the Niger Delta ecosystem. That's the equivalent of one *Exxon Valdez* accident per year, *every single year*, for five decades.

And this isn't just some long-gone problem that's now been fixed. Last year, Shell [reported](#) losing some 14,000 tons of crude around Nigeria, double what made its way into the delta in 2008. That was largely due to thieves damaging a wellhead and militants bombing a pipeline, but the amount is staggering no matter what the cause. And it underscores the point that banning new offshore drilling in the United States without doing anything about our underlying oil addiction doesn't really solve the environmental problem—it just pushes production to places like Nigeria, where devastating spills are a regular fact of life.

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**U. S. Environmental Protection Agency
Blog Round-up
Prepared by the Office of Public Affairs**

Friday, January 11, 2013



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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on May 20, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

Go Lisa! RT @[lisapjackson](#) We've given BP 24 hours to find a more effective, less toxic dispersant to use in oilspill-

Posted by: [ArcticFrank](#) 6:30 pm Full post: <http://budurl.com/tyhv>

@[LisaPJackson](#) tells @[WolfBlitzerCNN](#) "We're marginally closer" to stopping the [#oilpocalypse](#).

Posted by: [climatebrad](#) 5:15 pm Full post

@[lisapjackson](#) Appreciate your efforts & have to say so many more protective measures need to be put in place to correct future oilspill

Posted by: [Blessingstoyou](#) 4:25 pm Full post:

EPA's @[LisaPJackson](#) says tests on [#oilspill](#) dispersants so far have shown 95% survival so "it's not immediately toxic to these organisms."

Posted by: [craigtimes](#) 4:35 pm Full post:

Gulf Oil Spill & EPA Response

US Homeland Security and EPA demanded BP starting publicly providing all data, reports, etc. the company has on oil spill mitigation.

Posted by: [PlattsOil](#) 6:13 pm Full post:

Secretary of the DHS and Administrator of the EPA challenge BP to meet oil spill responsibilities -

Posted by: [WireUpdate](#) 5:12 pm Full post: <http://bit.ly/bR9svA>

(Note: Sec. Napolitano and Admin. Jackson requested that BP make publicly available any data and other information related to Deepwater Horizon oil spill that has been collected, or will be)

EPA launches Spanish Web Site on BP Oil Spill

Posted by: [kgdc1](#) 5:08 pm Full post: <http://ht.ly/1NQ0X>

EPA directs BP to use less-toxic dispersant at subsea, surface: May 20 --The US Environmental Protection Age...

Posted by: [EnergyOil_News](#) 5:05 pm Full post: <http://bit.ly/bupmwf>

HuffPost: BREAKING: Federal Flow Rate Technical Team Established To Determine Extent of BP Oil Spill

Posted by: <http://www.huffingtonpost.com> 4:20 pm Full post: http://www.huffingtonpost.com/brendan-demelle/breaking-federal-flow-rat_b_583902.html

LA Times blog - Gulf Oil Spill: Should the Army Corps start dredging?

Posted by: <http://latimesblogs.latimes.com/greenspace> 4:40 pm Full post: <http://latimesblogs.latimes.com/greenspace/2010/05/gulf-oil-spill-army-corps-of-engineers-dredging.html>

(Note: The Corps is consulting with the U.S. Environmental Protection Agency and the U.S. Fish and Wildlife Service)

AP: EPA demands a less toxic dispersant in Gulf spill: - The Environmental Protection Agency has directed oil giant...

Posted by: [greenetrain](#) 3:45 pm Full post: <http://bit.ly/bRpVoJ>

Thick [#oilspill](#) washing ashore Elmer's Island

Posted by: [mediamadam](#) 2:45 pm Full post: <http://is.gd/ci6mp>
(Note: WWLTV – Louisiana)

Bloomberg: EPA Asks BP to Use Less-Toxic Dispersant on Oil Spill (Update1) - BusinessWeek: May 20

Posted by: [BPOilSpill](#) 2:45 pm Full post: <http://url4.eu/3bibE>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

What The Senate Climate Bill Would Do (*The New Republic*)

Bradford Plumer May 20, 2010 | 5:08 pm

The Peterson Institute for International Economics has just put out a [great assessment](#) of the Senate climate bill, the American Power Act. Dave Roberts [has a post](#) over at *Grist* with lots of colorful graphs pulled from it, but I thought this drab little chart was maybe the most helpful of the bunch. It shows how we can expect different energy sources to perform under the bill,

compared with business as

Table 1 Energy consumption by source

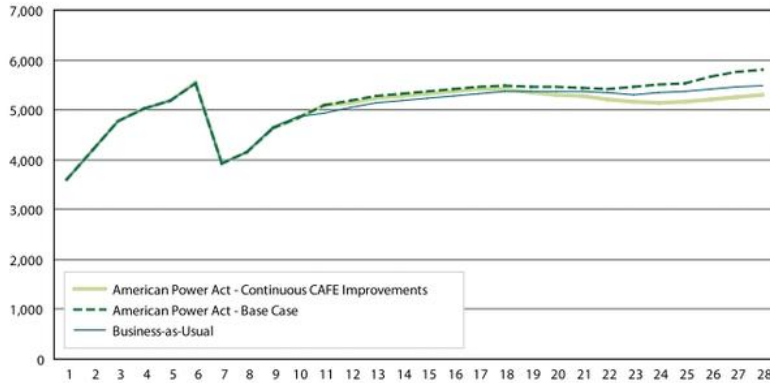
quadrillion btu	2008	Business- as-usual		American Power Act	
		2020	2030	2020	2030
Petroleum	38.3	37.3	38.1	36.1	35.9
Natural gas	23.7	22.1	24.2	21.2	21.1
Coal	22.4	24.4	25.4	20.9	16.8
Nuclear power	8.3	9.1	9.3	10.5	14.7
Renewables	7.7	11.6	13.8	13.0	16.7
Hydropower	2.6	2.9	3.0	2.9	3.0
Biomass	2.3	3.0	3.6	4.4	4.7
Biofuels	1.5	2.6	4.0	2.5	5.0
Municipal solid waste	0.4	0.4	0.4	0.5	0.5
Wind	0.5	2.0	2.0	2.0	2.4
Solar	0.0	0.1	0.1	0.1	0.1
Geothermal	0.3	0.5	0.6	0.5	1.0
Other	0.2	0.1	0.0	0.1	0.1
TOTAL	100.5	104.7	110.8	101.8	105.4

Source: Authors' estimates of the impact of the American Power Act as modeled using the Energy Information Administration's AEO2009 version of the National Energy Modeling System.

usual:

If this thing ever passed, oil consumption would drop quite a bit, coal use would go down, and even natural gas would drop a bit (this despite the fact that the bill has incentives for natural gas, which is the cleanest of fossil fuels). Nuclear does very well. Interestingly, the bill would make virtually no difference to the solar and wind industries. But that's not too surprising—the Senate's renewable energy standard [is woefully weak](#), and not likely to do much to improve on existing state standards. Meanwhile, here's a graph of how the bill would affect energy prices:

Figure 4 Average Annual Household Energy Expenditures
 Real 2007 US dollars per household



Source: Authors' estimates of the impact of the American Power Act as modeled using the Energy Information Administration's AEO2009 version of the National Energy Modeling System.

The impact on consumers is relatively minor—by 2030, households can expect to pay anywhere from \$136 more to \$35 less in energy prices each year than they otherwise would, depending on whether and how cars and trucks keep getting more fuel-efficient.

And, in fact, the Senate bill could do even better on this front. As ACEEE has pointed out, the efficiency provisions in the Senate bill would [only save one-third](#) as much energy by 2030 as those in the House climate bill. By and large, efficiency improvements can save households a lot of money, but there are a variety of regulatory reasons why power companies don't always pursue this course ([this old TNR piece](#) on the always-fascinating world of electric utilities gets into why).

Again, if environmentalists wanted to strengthen the bill, boosting the efficiency and renewables sections seems like one of the most promising routes of attack. As the House vote on the "cash for caulkers" bill a few weeks ago showed, it's usually possible to pick off a few Republican votes for these items—cutting energy waste is such an obviously sound idea that even conservatives have a hard time objecting. (Well, sometimes.)

HAZARDOUS WASTES

Scientists: BP Is Lying About Extent Of Oil Disaster (*The Wonk Room*)

By [Brad Johnson](#) on May 20th, 2010 at 5:45 pm

BP and Obama administration officials have repeatedly downplayed the extent of the growing oil disaster in the Gulf, arguing that attempts to accurately measure the rate of flow at the seabed are impossible and unnecessary:

Jane Lubchenco, National Oceanic and Atmospheric Administration Administrator: “Simply observing where the oil is coming out is **insufficient to really calculate any flow rate with any degree of accuracy.**” [White House briefing, [4/29/10](#)]

Lamar McKay, President of BP America: “The volume estimates are based effectively on surface expression, because **you can’t measure what’s coming out at the seabed.**” [Senate testimony, [5/12/10](#)]

Tom Mueller, BP: “**We’re not going to take any extra efforts now to calculate flow** there at this point. **It’s not relevant to the response effort,** and it might even detract from the response effort.” [[5/14/10](#)]

Doug Suttles, BP COO, Global Exploration: Since the beginning, we’ve said it’s almost impossible to get a precise number. But ourselves and people from NOAA and others believe that something around 5,000 — it’s actually barrels a day — is **the best estimate.**” [ABC News, [5/14/10](#)]

Rear Adm. Mary Landry, U.S. Coast Guard: “If the well let go, the design engineers will tell you that it could be approximately 55,000 barrels per day. **We don’t think we have that much,** because we’ve got satellite imagery; we know what we’re responding to. We know how much we’re seeing on the surface; we can estimate that. So **the upward bound of worst case could be approximately 55,000 barrels.**” [Blogger call, [5/17/10](#)]

Since April 29, the joint BP-federal command has relied on an estimate from NOAA scientists that the oil rate was increasing by 210,000 gallons (5000 barrels) a day, even though on April 27, independent scientists looking at the same satellite imagery estimated the flow rate was [at least 850,000 gallons a day](#). Without explanation, the administration allowed BP to [block scientists from observing the disaster](#) and to suppress video feeds of the spewing oil.

On Wednesday, May 19, Purdue engineering professor Steve Wereley testified before the House Energy and Environment Subcommittee that the statements made by BP and administration officials are false:

There are two statements in the media that I'd like to take issue with and I think that many scientists take issue with. **The first is that this leak can't be measured, and the second is that it doesn't need to be measured.**

I think there's no — **I don't see any possibility, any scenario in which their number is accurate.** I could see potential scenarios in which our numbers could come down, particularly based on the gas to oil ratio. But from what I see in the videos, I don't see the numbers coming down that significantly.

That's the expected value, there's an error bound around that, which I put at about 20 percent. So it could be considerably lower, roughly something short of 70,000, up to somewhere around 115,000. I'm definitely happy with saying that **it's fully an order of magnitude higher than what BP projects, without question.**

[Surface analysis](#) by Dr. Ian McDonald and Dr. John Amos, and [subsea video analysis](#) by Dr. Eugene Chang, Dr. Timothy Crone, and Dr. Steve Wereley all indicate the apocalyptic oil spill is growing at a rate between 840,000 gallons to 4,200,000 gallons a day. The surface analysis is clearly a lower bound, as an unknown percentage of the oil is remaining below the surface in the form of [toxic plumes](#) hundreds of miles long. Over [ten Exxon Valdezes](#) worth of oil may have flooded the Gulf of Mexico already.

There is not, as Dr. Wereley testified, "any possibility" that the BP-NOAA "best estimate" is accurate.

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ROUND-UP OF MAJOR BLOGS

BP SPILL

The Great Shame: America's Pathetic Response to the Gulf Catastrophe (*The Huffington Post*)

[Peter Daou](#)

Political consultant, former adviser to Hillary Clinton

Posted: May 23, 2010 11:03 AM

Shame on us.

A calamity is unfolding before our eyes - the greatest oil spill in history - and America's response is little more than a big yawn.

Bob Herbert [writes](#):

The vast, sprawling coastal marshes of Louisiana, where the Mississippi River drains into the gulf, are among the finest natural resources to be found anywhere in the world. And they are a positively crucial resource for America. The response of the Obama administration and the general public to this latest outrage at the hands of a giant, politically connected corporation has been embarrassingly tepid. ... This is the bitter reality of the American present, a period in which big business has cemented an unholy alliance with big government against the interests of ordinary Americans, who, of course, are the great majority of Americans. The great majority of Americans no longer matter. America is selling its soul for oil.

Where is the outrage? Where are the millions marching in the streets, where is the round-the-clock roadblock coverage tracking every moment of the crisis, every effort to plug the leak, every desperate attempt to mitigate the damage?

Where is the White House? Where are Republicans? Where are Democrats? Where is the left? Where is the right? Where is the ["fierce urgency of now?"](#)

Prominent oceanographers [are] accusing the government of failing to conduct an adequate scientific analysis of the damage and of allowing BP to obscure the spill's true scope. The scientists assert that the National Oceanic and Atmospheric Administration and other agencies have been slow to investigate the magnitude of the spill and the damage it is causing in the deep ocean.

In the movies, pretend heroes like Bruce Willis and Will Smith save the planet while the whole world watches with breath and belief suspended. In real life, a global catastrophe is treated like a mere annoyance, mismanaged by a rapacious oil company, while drill-baby-drillers double down on their folly and the White House puts out defensive fact sheets about how they were on it from "day one."

Is this really the best we can do?

America is capable of greatness -- but our reaction to this unprecedented event is [anything but great](#).

In some parts of the country, the sight of oil drifting toward the Louisiana coast, oozing into the fragile marshlands and bringing large parts of the state's economy to a halt, has prompted calls to stop offshore drilling indefinitely, if not altogether. Here, in the middle of things, those calls are few. Here, in fact, the unfolding disaster is not even prompting a reconsideration of the 75th annual Louisiana Shrimp and Petroleum Festival. "All systems are go," said Lee Delaune, the festival's director, sitting in his cluttered office in a historic house known as Cypress Manor. "We will honor the two industries as we always do," Mr. Delaune said. "More so probably in grand style, because it's our diamond jubilee."

Granted, some scientists are telling us the truth, some reporters are digging up unpleasant facts, some citizens are rising in anger, some federal agencies are doing what they are tasked to do. People *are* working to fix this. But by and large, America's collective response to this crisis is disproportionately anemic.

Leadership is virtually non-existent. Blaming BP for being greedy and destructive is the least we should do, not the only thing we do. We need to turn the tide once and for all against those whose ideological rigidity is ravaging the planet.

A month before the spill, I wrote about [green-bashing](#):

Of all the wrongheaded ideas proudly trumpeted by America's right, anti-environmentalism occupies a unique position: it is at once the most devoid of a rational or moral foundation and the most dangerous. It is selfish, crass, illogical, willfully blind, a denial of the undeniable reality that humans are pillaging irreplaceable natural resources and spewing filth into the air and water and soil at unsustainable rates. Green-bashers stubbornly negate what is directly before them. There is no moral imperative underlying their belief (or lack thereof). It's about unbridled hostility at the suggestion that we must all make shared sacrifices. It's about refusing to acknowledge that the environmental movement has been right to sound the alarm. It's about

laziness. And greed. And irresponsibility. And colossal shortsightedness. Green-bashing exposes the rot at the core of modern conservatism.

The Gulf disaster is a singular moment - an opportunity to bring the human race together to save itself, to protect its only home. This should be a rocket-boost for the environmental movement, a time to finally put to rest the notion that environmentalists are misguided alarmists, a chance to finally marginalize green-bashers and put an end to their fatal obstructionism. Instead, this grand debacle will gradually fade into the background once some political gaffe or sports game or celebrity scandal occupies us.

Lawmakers can say that the law mandates BP take responsibility for clean-up and costs; federal officials can list all the things they're doing to fix the problem; President Obama can launch as many fact-finding commissions as he sees fit. But we shouldn't be impressed that they are doing what we elected them to do - it's their job to deal with emergencies promptly and effectively. Far more is called for in this uniquely cataclysmic circumstance: a level of outrage, alarm, intensity and focus worthy of the size and scope of the spill.

We need, and must demand, boldness and resoluteness worthy of a planetary emergency - true leadership, rallying the nation and the world to action. Offense, not defense. We're not getting anything close to that from Democratic leaders. And from Republicans, far less.

The administration seems miffed and mystified that it is being criticized. After all, it can reel off dozens of swift actions taken in the aftermath of the spill. The White House's defenders want the spotlight aimed exclusively at BP. But this is a situation where body language and words are just as important as actions. Scheduling an 'angry' presidential news conference weeks after oil started gushing into the Gulf waters is exactly the wrong thing to do. Authentic anger isn't something you turn on for the cameras and leak to the press the previous day. Indignation and defensiveness are precisely the [wrong message](#)...

White House Press Secretary Robert Gibbs faced a barrage of questions at his daily briefing about why the federal government is not intervening to take over responsibility for the cleanup from BP. "Again, we are overseeing the response, OK?" Gibbs said just hours before the news about the commission broke. "I don't know what you think - we're - we're working each and every day. That's why Secretary (Steven) Chu - the Department of Energy - it sounds technical. The Department of Energy doesn't have purview over oil, oil drilling. That's not in their governmental sphere."

That this lame response from various quarters of the administration, Congress, the media and the public comes on the heels of a banner year of climate denialism is no coincidence. We are at an inflection point, one that will likely determine the fate of our species. Green-haters have been winning the message war, the all-important battle of public opinion. If those of us who want to salvage and protect our earth don't rise in righteous anger and use this moment to cement our case, then we have failed ourselves and future generations.

America is perfectly capable of extended, intense, undivided attention. Michael Jackson's death is a good example. But for some reason, the Gulf disaster can be sidelined by an offensive

remark from Rand Paul or a meaningless debate over Elena Kagan's sexual orientation. And BP is taking its cues - America's apathy is their [cover](#):

BP has told the Environmental Protection Agency that it cannot find a safe, effective and available dispersant to use instead of Corexit, and will continue to use that chemical application to help break up the growing spill in the Gulf of Mexico. BP was responding to an EPA directive Thursday that gave BP 24 hours to identify a less toxic alternative to Corexit -- and 72 hours to start using it -- or provide the Coast Guard and EPA with a "detailed description of the alternative dispersants investigated, and the reason they believe those products did not meet the required standards."

Why has this unfolded so badly?

- Democratic leaders have been blindsided by this spill, having just come out in favor of offshore drilling to appease Republicans.
- The right, for the most part, is stuck in the 19th century, consumed by a manic hatred for anything green.
- Oil companies are after one thing: money.
- The press and punditry are busy chasing the story du jour.
- Defenders of the administration are loathe to critique it, out of a sense of loyalty.

Consequently, we're left with a halfhearted and halting, shameful response to a profound tragedy.

This isn't Katrina II, it's worse. As the oil keeps gushing and the damage keeps growing, we are squandering a rare chance to turn the tide against those whose laziness and greed and ignorance is imperiling every living thing on our wonderful and beautiful - and wounded - planet.

Words are a necessary precursor to deeds, anger is an essential ingredient for social change. Speaking up and speaking out is the difference between apathy and action. 30 years of conservative message dominance is a function of the right's ability to master outrage. Now is the time for Democrats and progressives to muster (and master) the kind of outrage worthy of this calamity.

UPDATE: Over at [The Seminal](#), Rayne lists 11 steps the White House can take to deal with the spill and asks readers for more suggestions.

Follow Peter Daou on Twitter: www.twitter.com/peterdaou

President Obama, Give the Spill Investigation the Right Mandate (*The Huffington Post*)

[Frances Beinecke](#)

President, Natural Resources Defense Council

Posted: May 22, 2010 03:23 PM

I am pleased the Obama Administration has [announced](#) that two experienced and fair-minded figures will head up his independent commission to investigate the Deepwater Horizon oil disaster. On May 4, we sent [a letter to the President](#) urging him to take launch an investigation, and I appreciate that he has responded.

Former Senator Bob Graham was raised in the Everglades and has been a champion of responsible environmental protections as governor of Florida and in the U.S. Senate. As Chairman of the Senate Select Committee on Intelligence, he co-sponsored legislation overhauling the intelligence community in the aftermath of the attacks of Sept. 11, 2001. He is well equipped to assess this disaster and recommend needed change.

William Reilly served as administrator of the Environmental Protection Agency for four years under President George H.W. Bush. Prior to that, he was president of the World Wildlife Fund and The Conservation Foundation. As president and CEO of Aqua International Partners, Reilly overseas international investments in water purification and wastewater management in developing countries.

Both men have demonstrated the expertise and the commitment to environmental protection needed to ensure the success of this commission's vital work.

But it's essential that the commission be given the right mandate. As [I told the New York Times](#), the commission must review whether, when, and where offshore drilling should occur.

In order to do that, it must have a broad and wide-ranging charge. That is the only way to ensure the commission is free to make credible and comprehensive recommendations on how to prevent future disasters and protect our oceans and coastlines.

On Friday, NRDC sent another [letter](#) to President Obama elaborating on what the commission should be asked to do. Specifically, it should address three sets of issues.

1. The causes of the disaster and the adequacy of the response. The problems that led to the destruction of the Deepwater Horizon, the loss of 11 lives, and the massive oil leak cannot be solved if they are not fully understood. This means not only exploring the mechanical causes of

the blowout, but also understanding the systemic regulatory failures that seem to have made such an event more likely and more damaging.

The commission must also look at everything from the way standards for equipment and operations are written and enforced to the way leasing, exploration plans, and production plans are evaluated and approved. It should also evaluate the response to determine whether BP and the government had effective procedures in place to contain and clean up the oil, protect public health and the environment, keep the public informed and carry out their legal responsibilities related to liability.

2. The regulatory changes needed to strengthen environmental protection and prevent future disasters. The commission should be charged with making specific recommendations on how to change statutes, regulations, and monitoring and enforcement procedures. This should include procedures designed to prevent blowouts and other oil spills, both acute and chronic. And it should include the systems that must be in place to enable both oil companies and the government to respond adequately when such events do occur.

3. The guidelines for siting offshore drilling. The commission should recommend the criteria the government should use when deciding whether, where, and how seismic exploration and offshore drilling should be allowed to occur, given the risks these activities pose. These recommendations should inform the Administration's broader efforts to implement a more comprehensive ocean policy that would increase the protection of our oceans.

As we await the commission's report and recommendations, the administration should place a moratorium on all new oil drilling activities -- including the drilling planned in the Arctic this summer. The current broken system is not capable of ensuring the safety of new offshore drilling activities, especially in challenging and extremely vulnerable environments like the Arctic Ocean. No one can claim at this point to be ignorant of the extent of the risks moving forward.

I realize that the investigation we are suggesting would be extensive and require a variety of expertise. But the continuing crisis in the Gulf has demonstrated beyond any doubt that every aspect of our system of regulating oil exploration is broken. We need a thorough enough review so we can learn how to start over.

This post originally appeared on NRDC's Switchboard [blog](#).

BP Is 'Very Optimistic That The Gulf Will Fully Recover' (*The Wonk Room*)

By [Brad Johnson](#) on May 21st, 2010 at 7:02 pm

BP is confident that the Gulf of Mexico will “fully recover” from its growing oil disaster, as vast oil plumes spread beneath the waves and toxic sludge chokes Louisiana’s fragile wetlands. Appearing on CBS’s Early Show Friday morning, BP Chief Operating Officer Doug Suttles expressed his confidence that because the gulf is “a large body of water,” it will survive his company’s negligent catastrophe without any permanent damage:

It’s hard to actually know for certain because I’m not an expert, but I do know there have been larger spills and the gulf has survived. The experts tell me that there are many things going for us in this case. It’s a large body of water, it’s a warm body of water, it has natural oil seeps which the environment deals with, but we’re gonna put a lot of effort into monitoring this and do everything we can to minimize its impact. Time will tell. But **I’m optimistic, very optimistic that the gulf will fully recover.**

When asked if BP will survive this disaster, Suttles replied, “I believe we will,” noting that BP is the biggest producer of oil and gas in the United States.

Meanwhile, the approximately [60 million gallons of oil](#) that have spewed into the gulf has already brought irreversible devastation to Louisiana’s precious coast, dragging BP’s reputation literally through the muck.

If the higher flow estimates by independent scientists are correct, BP’s ongoing disaster (131 million gallons) has already surpassed the 1979 Ixtoc I blowout (126 million gallons) as the second largest spill in history, behind only the 1990 [Persian Gulf war spill](#). Suttles expressed confidence the Deepwater Horizon gusher would be shut down by early August.

Many Scientists Believe That Toxic Dispersants Could Be More Dangerous Than The Oil Itself (*The Work Room*)

Our guest blogger is [Ellen-Marie Whelan](#), a Senior Health Policy Analyst and Associate Director of Health Policy at the Center for American Progress Action Fund. Whelan and [Lesley Russell](#), a Visiting Fellow at the Center for American Progress Action Fund, are the co-authors of the new report “[The Oil Disaster Is a Health Disaster, Too](#): How to Protect Public Health in the Aftermath of Major Disasters.”

By [Guest Blogger](#) on May 21st, 2010 at 1:11 pm

All hands are on deck to stop the oil gushing out of the Gulf of Mexico and clean up the [millions of gallons](#) of oil that now pollute it. Eleven workers lost their lives in the explosion of rig. In addition to this horrible loss of life, there may be an additional, emerging public health emergency from this disaster that must not be overlooked.

Many of the human health problems evolving from the BP oil disaster are insidious and unknown. The effects of the oil are the most pressing and most obvious. This is mostly a risk for those living near the coast, and workers cleaning up oil as it washes ashore. But the effects from exposure to the [dispersants](#) BP is using to “clean up” oil also pose a serious health threat. In fact, [some](#) believe the chemical toxicity of what’s in the dispersant could be more dangerous than the oil itself.

BP claims that the dispersants are safe but we don’t actually know all the chemical components in the dispersants or their long-term effects since their exact makeup is kept secret under competitive trade laws. Worse still, the New York Times [reported](#) that BP chose to use dispersants manufactured by a company with which it shares close ties, “even though other U.S. EPA-approved alternatives have been shown to be far less toxic and, in some cases, nearly twice as effective.” And with this disaster, for the first time ever, the EPA has authorized BP to use these dispersants underwater, at the source of the leak.

And who is charged with protecting the public’s health?

Well, the EPA is ramping up. In a surprising – and welcome – twist to the unfolding disaster in the Gulf Coast, the [EPA just informed](#) BP that they have 24 hours to choose a less toxic form of chemical dispersants to break up its oil spill. BP must then use the new dispersants both on the surface and underwater within 72 hours after the EPA approves of the new chemicals.

It is a good sign that the EPA has mandated the use of less toxic chemicals – but this is also after 600,000 gallons have already been used in the Gulf and the leak has been going on for over 4 weeks. This is why we must take the opportunity to learn from how we have handled (or mishandled) public health emergencies in the past. In each of the following cases, there was no – and remains no – Federal entity in place at the beginning of the developing public health crisis to monitor potential health risks.

The most obvious comparison to the burgeoning BP crisis is the response that was mounted after the Exxon Valdez accident in 1989. Eleven million gallons of oil emptied from the tanker, exposing cleanup workers to oil mist that was [much higher](#) than government-approved limits. Thousands of workers came down with “[the Valdez Crud](#),” a condition that caused respiratory problems and flu-like symptoms. Though most of these were dismissed as simple cases of colds and seasonal flu, [many](#) of the exposed workers developed much more severe complications. Unfortunately, there were not proper monitoring entities in place to track this development.

The public health response after the World Trade Center attacks was haphazard and [did not adequately address](#) health problems for the first responders and people working at Ground Zero. No one could predict the health effects from exposure to the dust and debris from the towers' destruction. Yet there was no Federal infrastructure in place to monitor the unfolding symptoms of the first responders, clean-up crews and NYC residents experienced. What followed were numerous hearings, studies, and pieces of legislation to mount the proper federal response. And many still wonder if we've done enough.

We were also worried at the onset of Hurricane Katrina about potential health problems that might arise from the flood waters, yet the federal government left this public health monitoring up to the local governments that were more focused on rebuilding their communities. Despite the lessons from these very real public health emergencies, we are now facing what some are calling the worst-ever ecological disaster without an appropriate public health response in place.

President Obama plans to soon appoint an [independent commission](#) to investigate the BP oil disaster soon. In addition to determining the cause and responsibility for this calamity, the commission must also assess the health impacts posed by the oil gusher and efforts to stop it. And BP, Transocean, and Halliburton must be held morally and financially responsible for the pain and suffering of people exposed to the oil or dispersants.

Yes, The Size Of The Gulf Spill Matters (*The New Republic*)

Bradford Plumer May 21, 2010 | 4:49 pm

In the past week, there's been a long back-and-forth about how big, exactly, the Gulf oil spill is and how much crude is leaking out of BP's well. First the oil company said 5,000 barrels per day were gushing out. Then that was shown to be false. Now some experts estimate it might be closer to 95,000 barrels per day, and various members of Congress have been accusing BP of a "cover-up" and demanding a precise barrel count.

Is any of this even important, though? For awhile, both BP and the federal government argued that all this gallon-guessing was beside the point, and they had better things to do than analyze videos of the leak and conduct estimates. But, as Lisa Suatoni [explains here](#), knowing the size of the oil flow is quite crucial for a whole bunch of different practical reasons—and not just because people have a right to know:

1. Scale. The flow rate estimates differ by a factor of ten. Differences on this scale are not quibbles; they are big, fundamental differences.
2. Response. The discrepancy is sufficiently large enough to influence response strategies. For example, to promote the efficacy of dispersants, they are applied at a specific ratio to the volume

of oil. This is not possible if the volume is unknown, by this large of a degree. In addition, the ability to successfully cap the well, engineer a dome, or pump the oil to the surface depends on a good estimate of the oil flow rate (both in terms of volume of oil and the force with which it is exiting the pipe).

3. Law. Under the Oil Pollution Act of 1990, a natural resource damage assessment (NRDA) must be conducted. This entails assessing the input of oil, its fate (i.e., where it goes, what it coats and contaminates), and the damage it caused. The ability to fully conduct this accounting—or ‘mass balance’—requires knowing the initial volume of oil.

4. Financial Penalty. Following discharge of oil into a water body, the federal Clean Water Act allows for a civil penalty of up to \$1,000 per barrel of oil spilled. This penalty can not be calculated to its fullest extent without knowing the total volume of oil.

5. Future emergency plans. Knowing the magnitude of this spill is necessary to inform future emergency response plans. Substantial underestimates of the volume of oil leaking from Deepwater Horizon will leave us unprepared in the future.

The financial penalty part is interesting. If BP's leak estimates were correct, then it'd be facing something like a \$140 million fine so far. But if the high-end estimates are right, well, the oil giant could be facing penalties in the billions. Yesterday, Interior Secretary Ken Salazar [said](#) the government would make its own independent assessment of the numbers, though it's unclear why this wasn't done earlier.

Rand Paul: Pressure On BP "Un-American" (*The New Republic*)

Bradford Plumer May 21, 2010 | 12:35 pm

We've had to wait all week, but Rand Paul has finally decided to bless us with [his thoughts](#) on the oil spill in the Gulf:

STEPHANOPOULOS: But you don't want to get rid of the EPA?

PAUL: No, the thing is is that drilling right now and the problem we're having now is in international waters and I think there needs to be regulation of that and always has been regulation. What I don't like from the president's administration is this sort of, you know, "I'll put my boot heel on the throat of BP." I think that sounds really un-American in his criticism of business. I've heard nothing from BP about not paying for the spill.

And I think it's part of this sort of blame game society in the sense that it's always got to be someone's fault. Instead of the fact that maybe sometimes accidents happen. I mean, we had a mining accident that was very tragic and I've met a lot of these miners and their families. They're very brave people to do a dangerous job. But then we come in and it's always someone's fault. Maybe sometimes accidents happen.

Ah yes, the "oops" defense. But let's focus in on Paul's bit about "I've heard nothing from BP about not paying for the spill." We now know that the oil company has been [wildly lowballing](#) the amount of oil leaking from the well: BP originally claimed 5,000 barrels per day, but that hasn't survived scrutiny, especially after video of the leaking pipe was made public. And why was the oil giant understating the amount? One possible motivation, as McClatchy [reported](#), is that BP's low-end estimate "could save the company millions of dollars in damages when the financial impact of the spill is resolved in court."

Note also that BP *isn't* fully on the hook for the spill. Under current law, the company is obliged to pay direct cleanup costs, but its liability for indirect damages to wildlife or fisheries or beaches is limited to \$75 million—and with the crude slick [now lapping at](#) the coastal wetlands of Louisiana and possibly spreading up through Florida, the total costs are surely going to be much higher than that. In essence, the government has socialized the risk BP and other drilling companies face. Surely that would bother a staunch libertarian like Paul, right? And yet Senate Republicans [have been blocking](#) attempts to raise the liability cap to \$10 billion, and Paul hasn't said a word on the subject. Odd, that.

CLIMATE CHANGE/GLOBAL WARMING

Rand Paul Falsely Accuses The EPA of Running 'Amok' Without 'Congressional Oversight' (*Wonk Room*)

By [Ian Millhiser](#) on May 21st, 2010 at 2:20 pm

In an interview notable for his [claim that government pressure on BP is "un-American,"](#) anti-government extremist Rand Paul (R-KY) attacks the EPA for preparing to [use its power to regulate greenhouse gasses](#) if Congress does not pass a comprehensive energy plan—falsely claiming that EPA is thwarting the will of Congress:

I find it particularly galling that the EPA puts out a press release and says that if Congress doesn't do anything about greenhouse emissions that they will. **I think that's a regulatory commission run amok and I think we need to have congressional oversight. I don't think regulatory agencies should write regulations without approval of the people through their representatives.** And I stick to that and that's absolutely my point of view.

Were Paul correct that Congress has not passed a law enabling EPA to regulate greenhouse gasses, then he would have a point. But he must have forgotten about the Clean Air Act, which gives EPA broad authority to regulate “air pollutants.” Indeed, in 2007, the Bush Administration made a similar argument to Paul’s, defending its decision not to regulate greenhouse emissions by motor vehicles by arguing that such emissions are beyond EPA’s power to regulate. The Supreme Court [smacked them down](#):

While the Congresses that drafted [the Clean Air Act] might not have appreciated the possibility that burning fossil fuels could lead to global warming, they did understand that without regulatory flexibility, changing circumstances and scientific developments would soon render the Clean Air Act obsolete. The broad language . . . reflects an intentional effort to confer the flexibility necessary to forestall such obsolescence. **Because greenhouse gases fit well within the Clean Air Act’s capacious definition of “air pollutant,” we hold that EPA has the statutory authority to regulate the emission of such gases from new motor vehicles.**

Paul is correct that Congress has not passed comprehensive energy legislation this year, but so what? Congress also did not pass comprehensive worker safety legislation this year, but no one suggests that [OSHA](#) lost its power to protect workers simply because Congress didn’t recently give them even broader authority.

So it turns out that the only thing that’s “run amok” is Rand Paul’s mouth. Maybe next time he’ll actually bother to learn the facts before he pretends to be a legal expert on national TV.

Why The Climate Bill Is Stuck In Neutral (*The New Republic*)

Bradford Plumer May 21, 2010 | 3:09 pm

Now that financial reform has passed through the Senate, is energy next? As always, that's... unclear. A big problem right now is that no one actually seems to be at the forefront of shepherding the Kerry-Lieberman American Power Act through the chamber. As Darren Samuelsohn [reports](#), Harry Reid was supposed to take charge of the process, but he's still trying to figure out whether to move ahead with a big climate bill or a smaller "energy-only" bill (which, in its current form, is basically a grab bag of subsidies that wouldn't actually accomplish all that much).

Reid is waiting to see how a couple different things unfold. First, he wants the White House to get actively involved—the way Obama helped salvage a deal at Copenhagen or stepped in [during the intra-party skirmishes](#) over the Waxman-Markey climate bill in the House. But so far, the administration has stayed aloof. (That's not too mysterious: According to Eric Pooley's excellent book [The Climate War](#), Rahm Emanuel was extremely skeptical of having the House pass a

climate bill, deeming it a political loser.) True, a few officials here and there have tried to make the link between the Gulf spill and energy reform, but the president certainly hasn't been pounding on that connection publicly, and he's done little more than voice perfunctory support for the climate bill.

Lately, a handful of frustrated green groups [have begun running ads](#) imploring Obama to get in the game. But this quote from ClimateWire pretty much sums up the state of affairs:

"The silence from the White House is deafening," said a former Clinton-era White House aide. "Clearly without a White House push there does not seem to be adequate political momentum."

The second thing Reid wants is a Republican ally who can help corral a few votes on the other side of the aisle. That point-person used to be Lindsey Graham, until Graham got in a tiff with Reid over immigration and bowed out of the whole process. Will he come back? That seems increasingly unlikely. [Here's](#) the latest from the South Carolina Republican:

Since leaving the Kerry-Lieberman talks, Graham has added to his list of demands for what needs to happen before he returns to the bargaining table. Now, Graham says he also wants a resolution to the uncertainty surrounding the month-old Gulf of Mexico oil spill.

"I know we need to enhance on- and offshore drilling, to make us more energy independent, but I'm not willing to say let's go forward boldly now until I find out what happened," he said. ... Graham also said he could vote for a Senate energy and climate bill, but he must see offshore drilling provisions he originally negotiated with Kerry and Lieberman added back into the bill. At issue is language stripped out at the behest of Sen. Bill Nelson (D-Fla.) that would maintain a 2006 law to keep rigs 125 to 235 miles off Florida's Gulf coast.

It's quite unclear what sort of clarity Graham needs before he's willing to work on an energy bill, but this is vague enough that he's essentially giving himself an all-purpose out—after all, this Gulf Coast mess is going to linger on indefinitely. And his second new demand looks like a deal-breaker. Opening up Florida's coast for further drilling would undoubtedly cause Florida's Bill Nelson to filibuster the bill. So unless Graham can haul in a slew of additional supporters for a climate bill (and he hasn't been able to so far), you'd just be swapping Graham's vote for Nelson's and getting nowhere.

Are there any other potential Republican backers? Samuelsohn [quotes](#) Georgia's Johnny Isakson as saying he's intrigued by the fact that the Kerry-Lieberman bill would lead to a huge expansion of nuclear power (at least according to the Peterson Institute study [I discussed yesterday](#)). Isakson claims he'll keep an open mind until he reads the bill. But how likely is that? And, meanwhile, Kerry and Lieberman are reaching out to Olympia Snowe, Scott Brown, Judd Gregg, and Florida's George Lemieux, but nothing's come of those talks yet, either.

So, yes, there's still a slim chance that a big climate bill can pass this year. But something needs to change. Maybe the White House decides to make a full-court press. Maybe some of those Republicans who always claim to care about global warming (Snowe, Collins, Gregg) decide they actually want to do something meaningful about it. Or maybe after the EPA models the bill—and that will be done sometime in mid-June—the results will be so eye-catching that

senators take a second look. But until there's some dramatic outside shock, the bill's stuck in neutral.

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U. S. Environmental Protection Agency Blog Round-up

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on May 6, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

Follow EPA Administrator [@lisapjackson](#) for [#EPA](#) news on [#BP](#) [#OIL](#) [#SPILL](#) [#oilspill2010](#) [#bpoilnews](#) [#oilspill](#)

Posted by: [Jon Lewis](#): 5:03 pm Full post:

(Note: Jon Lewis is a consumer justice attorney helping consumers with traumatic injuries in Birmingham, AL)

RT [@lisapjackson](#): Visit www.epa.gov/bpspill for latest air and water monitoring data from the Gulf [@Oil Spill 2010](#). Additional updates

Posted by: [SafetyLinks](#) 4:03 pm Full post: <http://budurl.com/yn2b>

(Note: Lots of RTs)

[@lisapjackson](#) do you believe the DoE's EIA oil price estimates, which project \$200/barrel in 10 years?

Posted by: [jsalsman](#): 2:01 pm Full post:

[#EPA](#) admin Lisa Jackson's facebook page for real time updates:

Posted by: [GCPLearning](#): 9:00 am Full post: <http://ow.ly/1GoDa>

Gulf Oil Spill & EPA Response

TreeHugger: Concerned about gulf oil spill? Join [@Sierra Club](#) ED [@bruneski](#) at 4:30 PT 4 live video chat about BP Oil Disaster. FB:

Posted by: [TreeHugger](#) 6:05 pm Full post: <http://sc.org/dwwrkB>

BP Oilspill in [#Gulf](#) Officially Hits Louisiana Barrier Islands

Posted by: [MirelaMonte](#): 6:10 pm Full post: <http://bit.ly/diiyqu>

HuffPost: Another Wake-Up Call For The World's Biggest Oil Junkie

Posted by: [HuffPo](#) 5:40 pm Full post: <http://huff.to/9VXcYE>

If you want to help out with the oil spill, check out the what you can do feature on this web page:

Posted by: [KarenR1213](#) 5:20 pm Full post: www.epa.gov/bpspill

Sierra Club: Send a message to President Obama - no more drilling!

Posted by: [Milieunet](#): 3:20 pm Full post: <http://goo.gl/dKYc>

#EPA launches website on oil spill <http://www.epa.gov/bpspill/>

Posted by: [NIOSH](#) 1:24 pm Full post:

Climate Change & GHG Regulation

NYT – DOT Earth: Scientists Lash at ‘McCarthy-Like Threats’

Posted by: [revkin](#) 5:54 pm Full post: <http://grn.bz/bmbMsV>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Climate Change and the Integrity of Science (*Huffington Post*)

[Peter H. Gleick](#)

Co-founder/President, Pacific Institute

Posted: May 6, 2010 03:13 PM

The recent escalation of attacks on the science of climate change and on scientists working in this field by the small number of climate deniers and their political supporters has drawn a sharply worded response from 255 members of the U.S. National Academy of Sciences, including at least 11 Nobel laureates. In an essay published in the May 7th issue of the journal *Science* as the Lead Letter, the scientists say:

"We are deeply disturbed by the recent escalation of political assaults on scientists in general and on climate scientists in particular."

The essay continues:

"There is compelling, comprehensive, and consistent objective evidence that humans are changing the climate in ways that threaten our societies and the ecosystems on which we depend."

In recent months, a small minority of vocal climate deniers have been emboldened by minor errors identified in some of the international scientific assessments of climate change and by the publication of private email exchanges from some in the climate community. A recent independent commission in the UK, chaired by Lord Ron Oxburgh to review this debate, concluded that, "We found absolutely no evidence of impropriety whatsoever." The *Science* essay explicitly and strongly addresses these issues, saying:

" there is nothing remotely identified in the recent events that changes the fundamental conclusions about climate change:

- *The planet is warming due to increased concentrations of heat-trapping gases in our atmosphere. A snowy winter in Washington does not alter this fact.*
- *Most of the increase in the concentration of these gases over the last century is due to human activities, especially the burning of fossil fuels and deforestation.*
- *Natural causes always play a role in changing Earth's climate, but are now being overwhelmed by human-induced changes.*
- *Warming the planet will cause many other climatic patterns to change at speeds unprecedented in modern times, including increasing rates of sea-level rise and alterations in the hydrologic cycle. Rising concentrations of carbon dioxide are making the oceans more acidic.*
- *The combination of these complex climate changes threatens coastal communities and cities, our food and water supplies, marine and freshwater ecosystems, forests, high mountain environments, and far more."*

The essay also includes a sharply worded rebuke to politicians who have recently threatened climate scientists whose scientific conclusions disagree with their political inclinations.

"We also call for an end to McCarthy-like threats of criminal prosecution against our colleagues based on innuendo and guilt by association, the harassment of scientists by politicians seeking distractions to avoid taking action, and the outright lies being spread about them."

It is hard to get 255 members of the U.S. National Academy of Sciences to agree on pretty much anything, making the import of this letter even more substantial. Moreover, only a small fraction of National Academy members were asked to sign (the signatories are all members of the U.S. National Academy of Sciences but were not speaking on its behalf). Because of a desire to produce a statement quickly, the coordinators of the letter focused on those sections of the NAS most familiar with climate science and the ongoing debate. But the NAS (and Academies of Sciences and other professional scientific societies from dozens of other nations) has previously published a long set of assessments and reviews of the science of climate change, which support the conclusions laid out in the Science essay.

And in the concluding paragraph of the essay, this group of leading scientists argues for taking action to deal with the risks of climate change:

"Society has two choices: we can ignore the science and hide our heads in the sand and hope we are lucky, or we can act in the public interest to reduce the threat of global climate change quickly and substantively."

In the end, we have only three choices: we can act to mitigate the risks of climate change by reducing greenhouse gas emissions, we can expand efforts to adapt to a changing climate, or we can suffer the consequences of doing nothing. The only real question is, what is the balance among these three options.

Are the climate deniers going to go away? No. Nothing will convince them, since science hasn't. There are still people -- a lot of people -- who do not believe in evolution, or plate tectonics, or the Big Bang theory. But the longer that policymakers hesitate to act, the more the balance will shift to suffering. I believe that history will prove those delaying action to be dangerously wrong, at a time when it is urgent that society be courageously right.

Peter H. Gleick is one of the 255 signers of the Lead Letter in the May 7th issue of the journal Science.

Florida Panhandle GOP No Longer Supports 'Drill Baby Drill' (*Wonk Room*)

The Wonk Room is [blogging](#), [photographing](#), and [tweeting](#) live from the Gulf Coast. See previous dispatches from [Louisiana](#), [Mississippi](#), and [Alabama](#).

By [Brad Johnson](#) on May 6th, 2010 at 6:20 pm

Florida Panhandle politicians who had been ardent offshore drilling advocates are changing their tune as the [BP oil disaster](#) begins harming their constituents. State Representative Greg Evers (R-FL-1) and State Senator Don Gaetz (R-FL-4) joined Florida Attorney General Bill McCollum (R-FL) at a press conference at the Pensacola Chamber of Commerce yesterday. Before the explosion of the Deepwater Horizon rig, both Gaetz and Evers advocated drilling near the Florida shoreline. Now that "a lot of businesses are already feeling the pinch," however, Evers says the white beaches of Escambia County "[must be protected at all costs](#)," and Gaetz says that the "many" economic losses coming from this oil spill mean "[these are the worst of times](#)":

GAETZ: We are very, very fortunate that in this fight for our economic and ecological lives, the Attorney General Bill McCullom is at the front of the fight. . . . **These are the worst of times.** We don't know how badly or when we'll be hit, but we're pretty sure we will be hit.

EVERS: You have to understand: this is our way of life. These white sands are our way of life. **We must protect them at all costs.** . . . At this point, no, I'm definitely not comfortable with [drilling off the Florida coast], until actual safety precautions are put in place before any drilling is done, **whether it even be off the coast of Texas right now.**

Before this looming catastrophe, Evers and Gaetz were enthusiastic about bringing oil rigs within sight of their beaches. Evers called for an expansion of "[clean, spill-proof drilling](#)." After the commander of the Eglin Air Force Base said in January that "oil and gas drilling in Florida

waters could [pose a threat to military operations](#),” Gaetz told reporters those concerns “are still not enough to convince him to oppose offshore drilling.”

In contrast, it should be noted that Republican State Senator Durrell Peaden (R-FL-2), who also represents the Panhandle coast, has never liked “the idea of [risking our beaches on a crap shoot](#).”

McCollum, a candidate for Florida governor who had previously [raised objections](#) to bringing oil rigs off the valuable coast of Florida, told the Wonk Room he is [willing to consider punitive damages](#) against BP when the time comes.

Watch the full Wonk Room interview with Rep. [Greg Evers](#).

The Answer To The Gulf Spill Is... Corn? (*The New Republic*)

- *Bradford Plumer*
- May 6, 2010 | 3:54 pm

Since environmentalists are all trying to pivot off the Gulf disaster to make the case for climate and energy legislation, I suppose you can't really blame the ethanol industry for wanting to join in the fun, too. Earlier today, Bob Dinneen, president of the Renewable Fuels Association, [sent a letter](#) to the White House today calling for more support for—you guessed it—ethanol in light of BP's big oil spill.

The thing kicks off with some lamenting: "The juxtaposition of a green American farm field and the copper-toned oil slick spreading across the Gulf is striking." And then Dinneen goes on to demand that the EPA allow a 12 percent ethanol blend in every gallon of gasoline, as well as more loan guarantees for next-generation biofuels (like the ever-elusive cellulosic ethanol we keep hearing about).

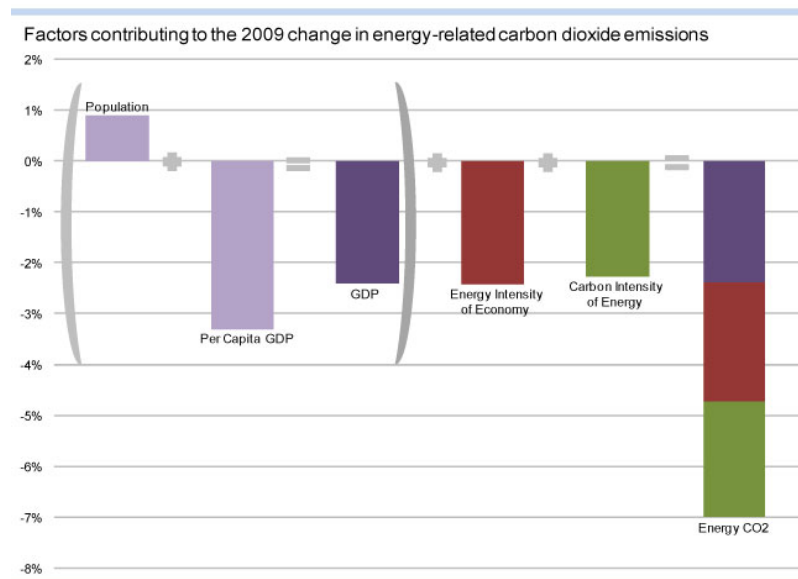
But it's a bit ironic for a biofuels trade group to be so concerned about an ecological disaster in the gulf. Corn-based ethanol production, after all, has been helping to create yawning "dead zones" in the very same region. [Here's](#) how it works: Every summer, farm runoff carrying nitrogen-rich fertilizer washes into the Mississippi and down to the Gulf of Mexico, creating enormous plankton blooms that then decompose and deprive the water of its oxygen. These dead zones can reach the size of New Jersey, and no fish or shrimp can survive within them. And the majority of the nitrogen runoff comes from corn crops. Ethanol's not the *only* cause—lord knows we use corn for plenty else—but [recent studies](#) have found that it's making the situation worse. And at this point, the gulf doesn't need a whole lot more abuse.

Emissions Are Already Plummeting, So Why Not A Stronger Bill? (*The New Republic*)

- *Bradford Plumer*
- May 6, 2010 | 12:56 pm

Let's get some good news for a change. I've written before that the climate bills in Congress could stand to be a lot more ambitious, and the reason is that U.S. emissions are *already* plunging at a fairly rapid clip. Case in point: The Energy Information Administration just put out a [new report](#) finding that CO2 emissions in the United States from energy sources—that is, excluding cow belches and landfills and whatnot—are now down 10 percent from 2005 levels.

Is that all due to the economic slump? Nope. Only about one-third of the drop is from the recession. Another third is due to the U.S. economy getting more energy efficient—probably a response to the sky-high oil prices in the summer of 2008. And the other third is due to the fact that electric utilities are switching to cleaner energy sources. Power companies are swapping out dirty coal for natural gas (which emits about half the CO2), in part because new discoveries of the latter have caused prices to drop. Renewable power is also gaining ground. Here's a graph:



Interestingly, as Joe Romm [highlights](#), the EIA expects these trends to continue on their own in the years ahead: "[L]onger-term trends continue to suggest decline in both the amount of energy used per unit of economic output and the carbon intensity of our energy supply, which both work to restrain emissions."

This report deserves a lot more attention, especially if Congress ever starts debating climate legislation. Right now, the Kerry-Graham-Lieberman bill would try to cut greenhouse gas emissions 17 percent below 2005 levels by 2020. But we're already more than halfway there—and it's quite likely we'll drop a bit more even without a bill. So there's no good reason why Congress can't craft a much more ambitious carbon cap. The EIA report suggests that meeting that target would be pretty easy.

And yes, Obama pledged a 17 percent cut at Copenhagen, but at the moment, even when you add up all the Copenhagen pledges, the planet still [seems to be on course](#) for a 3°C or 4°C rise in temperatures by the end of the century, well past what many climatologists consider the "safe" limit of 2°C. If the world wants to avoid a major calamity (and that seems like a good idea), then something big has to change, and more-aggressive-than-promised U.S. action would certainly be a start.

ENERGY

Renewable Energy: Free as the Wind? (*The Heritage Foundation*)

Posted May 6th, 2010 at 1:00pm in [Energy and Environment](#)

The Senate Committee on Energy and Natural Resources met this morning and, among other things, discussed a national renewable electricity standard (RES). The RES, which mandates that a certain percentage of our nation's electricity production come from wind, solar, biomass and other renewable energies, already passed out of committee but is likely to be a part of any energy agenda this year. A [new Heritage Foundation study analyzing the costs of an RES](#) finds that a national mandate for pricier, less reliable electricity would be harmful to American families, American businesses and the American economy.

The Heritage [analysis](#) models the effects of an RES that starts at 3 percent for 2012 and rises by 1.5 percent per year. This profile mandates a minimum of 15 percent renewable electricity by 2020, a minimum of 22.5 percent by 2025, and a minimum of 37.5 percent by 2035. It looks solely at onshore wind, which is currently the cheapest renewable energy source that can be scaled in significant fashion. While some studies have attempted to model the economic effects of an RES and found only marginal price increases, they fail to take into account the true cost of renewable sources. Wind is not dependable, it cannot be stored and it must be built in geographically disadvantageous locations that require significant new build for transmission

lines. A detailed analysis of this [can be found in the study](#). The Heritage Foundation's Center for Data Analysis [projects that an RES would](#):

- Raise electricity prices by 36 percent for households and 60 percent for industry;
- Cut national income (GDP) by \$5.2 trillion between 2012 and 2035;
- Cut national income by \$2,400 per year for a family of four;
- Reduce employment by more than 1,000,000 jobs; and
- Add more than \$10,000 to a family of four's share of the national debt by 2035.

The reality is if electricity created by wind and other renewables were cost competitive, consumers would use more of it without a federal law to force consumption. Recent experience with the mandate for renewable fuels like corn ethanol also suggests significant cost increases as well as technical shortcomings. Proponents for wind and solar argue that the two energy sources are still in the infant industry phase and that more reliable sources of energy such as coal and natural receive preferential treatment. But solar and wind have been around for decades and receive subsidies of over \$23/Mwh compared with the \$0.44/Mwh for conventional coal and \$0.25/Mwh for natural gas. The Energy Information Administration [crunched these numbers](#) before the passage of the stimulus bill that allocated billions more for clean energy production. At any rate, we believe we should peel back the subsidies for all energy sources (including coal, oil, natural gas and nuclear) so the government does not give preferential treatment to any one over another.

Americans concern about the economic costs of cap and trade throw a wrench in congressional plans to cap carbon dioxide. Alternative approaches like a renewable electricity standard would be just as economically painful. Check out the full study: [A Renewable Electricity Standard: What It Will Really Cost Americans](#).

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Nov. 9, 2009:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Climate Bill

EPA head says "proud" of U.S. climate efforts: WASHINGTON (Reuters) - While the United States is still far away from...

Posted by: [GreenEnergyNews](#) 6:30 pm Full post: <http://bit.ly/2FwnF7>

Sen. Inhofe To Dems: "Get A life. You Lost. I Won."

(Note: Media Matters Action Network)

Posted by: [mmaction](#) 5:56 pm Full post: <http://bit.ly/YQMN7>

Texas Gov. Perry: Cap-and-trade would harm state - WTVF: ... trade climate bill in Congress would increase taxes..

Posted by: [AchieveGreen](#) 5:50 pm Full post: <http://tinyurl.com/yg9becl>

Polling from 3 key states — and 5 key districts — finds strong support for the climate and clean energy bill.

Posted by: [all_about_warm](#) 5:43 pm Full post: <http://bit.ly/1rFZQc>

Pew polls find majorities support climate bill in Michigan, Ohio, & Missouri.

Posted by: [EnvAm](#) 4:46 pm Full post: <http://bit.ly/qOZy9>

EPA CO2 Endangerment Finding Goes to White House

EPA Sends Global Warming Finding to White House: Congress may be dithering on climate change....

Posted by: [SaveEnergyOrg](#) 5:30 pm Full post: <http://tinyurl.com/yzcusxr>

Breaking: EPA sends C02 endangerment finding to White House: Reuters reports: The U.S. Environm...

Posted by: [ClimaTweets](#) 4:00 pm Full post: <http://bit.ly/2scOSW>

EPA Study in White House Hands

Posted by: [CleanSkiesNews](#) 5:00 pm Full post: <http://bit.ly/24zYN5>

EPA May Need more Time for Ethanol Blend

EPA may need more time on raising ethanol blend

(Note: 3,000 followers)

[gasdieselprices](#) 5:55 pm Full post: <http://bit.ly/QJIGp>

EPA may need more time on raising ethanol blend: WASHINGTON (Reuters) - The U.S. Environmental Protection Agency.

Posted by: [BssNews](#) 4:56 pm Full post: <http://bit.ly/3xR0X>

ROUND-UP OF MAJOR BLOGS

AIR

Smog Could Cause 2.5°C+ Warming, Even With Strong Global Climate Deal (*TreeHugger*)

by Matthew McDermott, New York, NY on 11. 9.09

We've written about the [increasingly acknowledged impact of black carbon](#), soot and smog in global warming, but here's a sobering thought on all that: Dr Veerabhadra Ramanathan of the [Scripps Institute of Oceanography](#) says that even with a strong climate change agreement next month at [COP15](#) we still could see [global temperatures rise above 2°C](#) -- all because of smog:

Atmospheric Brown Cloud To Blame

Technically its the [Atmospheric \(néé Asian\) Brown Cloud](#) -- the dense smog that hangs over Los Angeles and other parts of the US, in Brazil, in parts of Africa, China and South Asia -- that's the culprit.

It's made up of up to 55% black carbon (emissions from autos, biomass cookstoves, and other sources) in some places, with the rest being methane, ozone and halocarbons.

Breaking down that black carbon composition further, 25% is from biomass cookstoves and 42% from open burning.

Without addressing the ABC as well as carbon dioxide emissions, Dr Ramanathan says you will still have at least 2.5°C temperature increases.

via: [IPS News](#)

Black Carbon Accelerates Glacial Melting

Related... Recent research shows both how serious and how solvable this part of the global warming equation is. Black soot has been found to be [accelerating glacial melting in the Himalayas](#) -- with fine coatings found in areas that are otherwise pristine.

But Solution Is Within Reach

The good news is that by replacing older biomass cookstoves with [more efficient newer models](#) less soot is emitted (a double bonus for indoor air pollution and deforestation). And since black carbon particles can come out of the air in a matter of weeks, the warming effect can be ameliorated.

CLIMATE CHANGE/GLOBAL WARMING

“War on Climate Change” Will Not Advance Security or Freedom (*The Heritage Foundation*)

Posted November 9th, 2009 at 5.23pm in [Energy and Environment](#).

In his [speech](#) to the UN on climate change, President Obama warned that the “security and stability of each nation and all peoples—our prosperity, our health, our safety—are in jeopardy” and that “we must seize the opportunity to make Copenhagen a significant step forward in the global fight against climate change.”

This message of fighting climate change in order to ensure national security has become a major element of mainstream environmental rhetoric, so much so that many have likened the battle to a [full-scale](#) “war.” While examples of this are numerous, a few stand out: in a [speech](#) given at Oxford this summer, Al Gore said that the fight against climate change can be compared to the way in which “Winston Churchill aroused this nation in heroic fashion to save civilisation in World War II.” Likewise, Britain’s Environment Agency Chief Executive, Lady Young, has said that the fight against climate change is “World War Three... We need the sorts of concerted, fast, integrated and above all huge efforts that went into many actions in times of war.”

The Obama Administration has emphasized many times that the fight against climate change has two goals: to reduce carbon emissions on the one hand and to strengthen national security on the other. The problem is that this legislation cannot achieve both goals together but can only achieve a reduction of emissions at the expense of national security and the economy. [According to James Carafano](#), a leading expert in defense and homeland security at the Heritage Foundation,

“A sharp decline in economic productivity would likely have a deleterious impact on U.S. security. For example, a collapse in U.S. economic growth would result in even more draconian cuts to the defense budget, leaving America with a military much less prepared to deal with future threats. Indeed, if America’s military power declines, there would probably be more wars, not fewer. Likewise, a steep drop in American economic growth would lengthen and deepen the global recession. That in turn will make other states poorer, undermining their ability to protect themselves and recover from natural disasters.”

If the Obama Administration decides to fight this war on climate change, the United States will ultimately lose, coming out of the battle with a weaker economy, weaker security, and weaker personal freedoms. Unlike World War II or the Cold War, when America sought to advance the security of nations and the cause of freedom, this war on climate change will do much to weaken national security and shackle the freedoms of Americans. In its wake, the government will have unprecedented control over the energy industry: the development of fossil fuels will no longer be an option for Americans and the government will decide what kinds of energy can be produced or purchased.

As the Copenhagen Climate Change Conference draws near, the words of President Reagan again become relevant. [In his famous](#) “tear down this wall” speech towards the end of the Cold War, Reagan argued that freedom is an essential ingredient for the security of nations:

We believe that freedom and security go together, that the advance of human liberty can only strengthen the cause of world peace.”

Reagan’s words remind us that policies that weaken defense, the economy and personal liberties are not the answer in our efforts to keep America safe and free.

- Author: [Katie Brown](#)

ENERGY

Senate Finance Committee Calls On Polluter Lobbyists To Defend Pollution Economy Yet Again (*Wonk Room*)

By [Brad Johnson](#) on Nov 9th, 2009 at 6:02 pm

Tomorrow, Sen. Max Baucus's (D-MT) Finance Committee will look at the effect of clean energy legislation on the "future of jobs." Appearing before the committee are [four industry or conservative lobbyists](#) and one coal-industry union lobbyist, Abraham Breehey. The only economist to testify will be [Margo Thorning](#), a lobbyist for the anti-tax American Council on Capital Formation. Also testifying is Carol Berrigan, a nuclear industry representative, Van Ton-Quinlivan of [Pacific Gas & Electric](#), and American Enterprise Institute fellow [Kenneth Green](#).

One could point out that Breehey's union, the International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers, supports the Kerry-Boxer Clean Energy Jobs and American Power Act in large part because it provides so much [support for the coal industry](#).

One could point out that Berrigan's organization, the Nuclear Energy Institute, is not satisfied that clean energy legislation will spur nuclear energy through free-market competition, but is [demanding massive subsidies](#) and tax breaks as well.

One could point out that ACCF and AEI have received [millions](#) of [dollars](#) in funding from Exxon Mobil alone, or that Thorning [refuses to reveal her methodology](#) and Green has [tried to buy climate scientists](#) for \$10,000 a pop.

Instead, let's just note that tomorrow's testimony will likely rehash the talking points that these witnesses have delivered time and again for the past ten years.

Margo Thorning:

- 3/26/09 [House Ways & Means](#)
- 3/18/09 [House Energy and Commerce](#)
- 9/18/08 [House Global Warming](#)
- 11/8/07 [Senate Environment and Public Works](#)
- 7/24/07 [Senate Environment and Public Works](#)
- 7/11/07 [House Foreign Affairs](#)
- 4/5/06 [Senate Commerce](#) & Senate Judiciary
- 4/3/06 [Senate Energy and Natural Resources](#)
- 10/5/05 [Senate EPW](#)
- 6/5/03 [Senate Environment and Public Works](#)

Kenneth P. Green

- 10/28/09 [Senate Environment and Public Works](#)
- 10/22/09 [House Global Warming](#)
- 10/15/09 [Senate Foreign Relations](#)
- 6/9/09 [Senate Environment and Public Works](#)
- 9/25/07 [Senate Environment and Public Works](#)
- 3/13/02 [Senate Governmental Affairs](#)

Carol Berrigan:

- 11/6/07 [Senate Energy and Natural Resources](#)
- 9/27/07 [Senate Environment and Public Works](#)

Abraham Breehey

- 2/14/08 [Senate Finance](#)
- 2/2/05 [Senate Environment and Public Works](#)

If the Finance Committee is really trying to learn something new about whether reforming our pollution-based energy infrastructure would [create new jobs](#), one would think they could have put a little more effort in witness selection.

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Two More Inconvenient Voices at the EPA (*Heritage Foundation*)

Posted November 10th, 2009 at 2:41pm in [Energy and Environment](#).

In the alleged new era of transparency, the Environmental Protection Agency (EPA) is making quite a name for itself as being the agency of opacity. The latest is the EPA's suppression of a [video entitled](#), "The Huge Mistake" by Laurie Williams and Allan Zabel, two lawyers currently working at the Environmental Protection Agency (EPA) – a video that says cap and trade will not work. From the [Public Employees for Environmental Responsibility \(PEER\)](#):

"The U.S. Environmental Protection Agency has ordered two of its attorneys to remove a video they posted on YouTube about problems with climate change legislation backed by the Obama administration or face "disciplinary action", according to documents released today by Public Employees for Environmental Responsibility (PEER). The couple had received clearance for posting the video but EPA took issue with its content following publication of an op-ed piece by the two in The Washington Post on October 31."

PEER Executive Director Jeff Ruch [remarked](#), "EPA is abusing ethics rules to gag two conscientious employees who have every right to speak out as citizens. EPA reversed itself because someone in headquarters had a tantrum about their Washington Post essay."

In their *Washington Post* [column](#), Williams and Zabel rightly criticize the carbon offset measure in cap and trade, arguing that past experiments with offsets have led to nothing but fraud with no reduction in carbon dioxide. They also stress that likening the carbon cap and trade program to the acid rain cap and trade program is comparing apples and oranges because minor modifications and low-cost alternatives aren't available for reducing carbon dioxide emissions from fossil fuels - as they were to address sulfur dioxide emissions linked to acid rain.

This comes after the [EPA suppressed an internal report](#) from one of the agency's own, 35-year analyst Alan Carlin - a scientist who specializes in climate change. His report warned that the science of climate change was dubious and that we shouldn't pass laws that will raise energy prices, hurt American families and hobble the nation's economy without a full understanding of climate change.

We spoke to Dr. Carlin when the story first broke in June and he [said](#), "I've been involved in public policy since 1966 or 1967. There's never been anything exactly like this. I am now under a gag order."

Once the Competitive Enterprise Institute released some of the EPA's back-and-forth emails with Dr. Carlin, it became blatant that report [had been smothered for political reasons](#): "One of the e-mails is from Dr. Al McGartland, director of the EPA's National Center for Environmental Economics reads, "The administrator and administration has decided to move forward on endangerment, and your comments do not help the legal or policy case for this decision. ... I can see only one impact of your comments given where we are in the process, and that would be a very negative impact on our office."

This also comes after Senators Boxer and Kerry produced a 'semi-final draft' version of their cap and trade bill, which included the billions of dollars worth of emission allowance permits to different industries and released it only to the EPA to model the economic impacts. The draft was unavailable to the public until after the Environment and Public Works committee voted on it. The Heritage Foundation is one of few organizations [to have modeled the economic effects](#) of the Waxman-Markey cap and trade bill. Bill Beach, the director of The Heritage Foundation's Center for Data Analysis, [wrote a letter](#) to Senator Boxer (Ccing Senator Kerry, EPA Administrator Lisa Jackson and Senator Inhofe) asking for a copy of the semi-draft legislation to model the economic effects of the bill but did not receive a copy of the bill.

Zabel has first hand experience with cap and trade, overseeing California's cap and trade and offsets programs. Apparently, this was the problem according to the *Wall Street Journal's* Keith Johnson. He [writes](#), "One EPA official said that the agency's response wasn't due to the content of the attorneys' writings, but to the way they highlighted their EPA experience in making their arguments."

But isn't Zabel exactly the type of person who should be warning us about the inefficiencies of a cap and trade system. Wouldn't you want to utilize his highly specialized knowledge and experience?

President Obama, in his memorandum for the heads of executive departments and agencies, [wrote that](#) "Government should be transparent. Transparency promotes accountability and provides information for citizens about what their Government is doing. Information maintained by the Federal Government is a national asset. My Administration will take appropriate action, consistent with law and policy, to disclose information rapidly in forms that the public can readily find and use."

Given Obama's propensity for hiring czars, maybe the solution to the EPA's cover ups is a transparency czar.

- Author: [Nick Loris](#)

If Cap and Trade Doesn't Work, Obama will Make it Work (*Heritage Foundation*)

Posted November 10th, 2009 at 12.58pm in [Energy and Environment](#).

All the talk in Washington is surrounding a government health insurance plan, but there's a little discussed insurance plan in the Boxer-Kerry cap and trade bill that's worth some attention. The Senate version of the cap and trade bill includes a section that grants the President the authority to "direct relevant federal agencies" to impose additional greenhouse gas regulations. Senators [David Vitter](#) (R-LA) and [John Barrasso](#) (R-WY) have been working assiduously to uncover the true costs of cap and trade legislation.

Greenhouse gas concentrations are measured in parts per million (ppm). Many global warming alarmists believe that upper limit on carbon dioxide and other greenhouse gas emissions in order to prevent catastrophic harm is 450 parts per million (ppm). Once we reach that threshold, water will rise to the torch of the Statue of Liberty, California will be an island, the polar ice caps will cease to exist and island nations will no longer be nations but submerged pieces of land. To put the numbers in some perspective, Sharon Begley [notes](#) in her *Newsweek* column that the carbon dioxide concentration is currently at 386 ppm; we were at 280ppm before the Industrial Revolution. If you include the carbon dioxide equivalent greenhouse gases, we've arguably reached the 450 ppm threshold. The Boxer-Kerry legislation says that if global greenhouse gas concentrations exceed 450 parts per million of carbon dioxide equivalent:

Sec. 707 Not later than July 1, 2015, and every 4 years thereafter—

(1) the President shall direct relevant Federal agencies to use existing statutory authority to take appropriate actions identified in the reports submitted under sections 705 and 706 and to address any shortfalls identified in such reports.

The passed House version, Waxman-Markey, also contains language that grant the administration similar authority. So, for those who thought cap and trade legislation would preempt costly regulations, think again. This is more or less an insurance policy that would allow EPA officials regulate just about every aspect of the market and guarantees there will be economic pain. Even EPA Administrator Lisa Jackson [said](#), "We get further faster without top-down regulation." Added regulations on top of cap and trade would be a bureaucratic nightmare that could delay economic projects and tie them up in litigation and result in hundreds of thousands, if not millions, of dollars in compliance costs.

If we've learned anything from the health care debate, it's that companies shouldn't trust government promises that their bottom lines will not be affected. Proponents of a government-run option made repeated claims that private businesses would remain competitive but Karen Ignagni, president of America's Health Insurance Plans, recently sent a letter to the White House and Speaker of the House Nancy Pelosi [saying](#) the plan "would bankrupt hospitals, dismantle employer coverage.

The same can be said for cap and trade. In order to garner business support, Members promised generous allowance revenue handouts for various industries and special interests. President Obama originally called for an auction of the emission allowances, forcing companies to bid on the right to emit. Businesses, knowing very well this would impose a severe cost on their bottom line, sent their lobbyists to Washington to protect them. And it worked – at least they thought it did. Sections 705-707 of the Boxer-Kerry cap and trade bill would pile costly regulations on these allegedly protected companies. And these costs would be passed onto the consumer, making the bill all that more painful.

Even if we are only at 386 ppm, the way China and other developing countries are growing and refusing to cap greenhouse gas emissions, global greenhouse gas concentrations could reach 450 ppm in no time. George Will [writes](#), "On Oct. 21, China, the world's leading emitter of greenhouse gases, and India, which ranks fourth — together they account for 26 percent of emissions — jointly [agreed](#): They, with their combined one-third of the world's population, will not play in what increasingly resembles a global game of climate-change charades. Neither nation is interested in jeopardizing its economic growth with emissions caps of a sort that never impeded the growth of the developed nations that now praise them."

With the rate of growth of global greenhouse gas emissions, cap and trade paired with top down regulation assures economic pain for every part of the economy, especially the American energy consumer, with nothing to show for it.

- Author: [Nick Loris](#)

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PEOPLE ARE TALKING

**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Nov. 12, 2009:**

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Climate Bill

[Wonk Room] 14 Democratic Senators Stick Up For Coal

Posted by: [ClimaTweets](#): 6:40 pm Full post: <http://bit.ly/Z8Ukp>

Climate Change Bill makes chilling reading

(Note: breaking news – England – 7,000 followers)

Posted by: [TelegraphNews](#) 5:40 pm Full post: <http://bit.ly/2zuCHi>

Climate bill advocates want to see President Obama in Copenhagen: Supporters of the legislation say Obama's attend

Posted by: [thehill](#) 4:00 pm Full post: <http://bit.ly/qI0NF>

Filibustering! How 7.4% of Americans can block humanity's efforts to save itself

Posted by: [grist](#): 3:30 pm Full post: <http://bit.ly/37BN6S>

Silicon Valley GOP supporter of climate bill may flip to oppose it: One of the few Republicans

Posted by: [ElectaR2010](#): 3:00 pm Full post: <http://bit.ly/2nggLk>

CO2 Market

Dear people in a tizzy over possible CO2 market manipulation: the US *has* a CO2 market, and it's working fine

Posted by: [drgrist](#) 4:45 pm Full post: <http://bit.ly/y1LYE>

TSCA/ BPA

Study Says BPA-Plastic Might Be Harmful

Posted by: [tweetstube](#): 6:20 pm Full post: <http://bit.ly/1JF6GX>

Schumer seeks law to ban chemical dangerous to toddlers: TROY -- U.S. Sen. Charles Schumer announced today he h..

Posted by: [timesunion](#) 6:15 pm Full post: <http://bit.ly/42aC0b>

Americans want EPA to take immediate action on dangerous chemicals -EDF blog re @ poll

Posted by: [saferchemicals](#) 2:30 pm Full post: <http://bit.ly/3E0iH>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

US Temperatures: Yup, Still Rising (*TreeHugger*)

by Brian Merchant, Brooklyn, New York on 11.12.09

Even though many Americans don't think it's a critical problem, and that a few fact-denying loudmouths keep trying their damndest to dominate climate news, temperatures are still indeed continuing their alarming warming trend. Climate change is still happening, and it's happening right here in the US. That's the problem with facts--no matter how loud you yell, data is still data. And the most recent data from a brand new study reveals that we're now seeing more record high temperatures and fewer lows in the US than ever before.

Andrew Revkin of Dot Earth explains:

Scientists sifting for trends in record high and low temperatures across the United States have found more evidence of long-term warming of the climate, with the biggest shift coming through a reduction in record low nighttime temperatures.

And while that's big news, it isn't too much of a surprise. In fact it's a "pattern long predicted by climate scientists using computer simulations." The researchers also carefully sifted through the data to ensure that any "possible distortion of trends related to changes in instruments or conditions at and around weather stations." The results are plotted on the graph below:

The research finds that even at the end of the 21st Century, according to the models, even after the temperatures have warmed up 3 degrees Centigrade on average, we'll still be seeing a few

record lows--that's one of the study's key messages. So for the last time, that cold day in a Minnesota summer is not a valid refutation of climate change.

The findings in this study are being submitted to the peer-reviewed journal Geophysical Research Letters, and were produced by a partnership between the Weather Channel and the non-profit Climate Channel, according to Revkin.

More on US Temperatures:

[Mercury Rising: Temperature Will Soar in Some U.S. States Within Ten Years](#)
[How Hot, Wet & Dry Will the US Become Because of Climate Change?](#)

Fourteen Democratic Senators Stick Up For Coal (*The Work Room*)

By [Brad Johnson](#) on Nov 12th, 2009 at 5:37 pm

Today, fourteen Democratic senators, led by Sen. [Tom Harkin](#) (D-IA), affirmed their allegiance to the profits of polluting industry at the expense of the health and jobs of their constituents. In a letter to Senate leaders, a bloc of senators with powerful coal interests in their states called for “fair emissions allowances in climate change legislation.” Their definition of “fair,” unfortunately, turns out to be full taxpayer subsidies for global warming polluters. They call for the free allocation of pollution permits to electric utilities to be distributed “[fully based on emissions](#)”:

We urge you to ensure that **emission allowances allocated to the electricity sector** – and thus, electricity consumers — be **fully based on emissions** as the appropriate and equitable way to provide transition assistance in a greenhouse gas-regulated economy.

The signatories on the letter defending coal-heavy polluters are Senators Tom Harkin (D-IA), Al Franken (D-MN), Roland Burris (D-IL), Byron Dorgan (D-ND), Herb Kohl (D-WI), Russell Feingold (D-WI), Kent Conrad (D-ND), Michael Bennet (D-CO), Amy Klobuchar (D-MN), Mark Udall (D-CO), Robert Byrd (D-WV), Carl Levin (D-MI), Debbie Stabenow (D-MI) and Sherrod Brown (D-OH).

Their demand is a basic violation of a [core principle of environmental economics](#) — that companies should pay based on their pollution. The transition-period formula in the House bill, Waxman-Markey, and the current Senate legislation, Kerry-Boxer, at least distributes the free permits based 50 percent on electricity production. This formula was negotiated with the U.S. Climate Action Partnership and has received the endorsement of the Edison Electric Institute, the largest lobbying organization for the nation’s utilities. In contrast, President Barack Obama

called for a [full auction of pollution permits](#) to avoid rewarding polluters at the taxpayers' expense, instead dedicating the revenues to creating jobs, lowering taxes on the middle class, and [building a clean energy economy](#).

The argument that the most “fair and effective,” “appropriate and equitable” way to help the constituents of their states is to *increase* subsidies to coal-powered utilities is frankly absurd.

Read the letter:

November 12, 2009

Dear Senators Reid, Boxer, Baucus and Kerry,

As the Senate formulates and debates energy and climate change legislation, it is clear that revamping our energy systems with alternative energy resources and technologies will be fundamental to our strategy for achieving energy security and reducing greenhouse gas emissions. A transition of this magnitude will take years to accomplish and will incorporate major changes to the way we produce and use energy. Both the House-passed “American Clean Energy and Security Act” (H.R. 2454) and the recently introduced “Clean Energy Jobs and American Power Act” (S. 1733) recognize the importance of helping individuals and firms by alleviating potential financial impacts as this transition takes place. This assistance, in the form of the allocation of greenhouse gas emission allowances, is an important tool for protecting consumers and businesses as we move to adopt new energy systems and decrease greenhouse gas emissions. To be fair and effective, any legislation must equitably allocate these allowances to individuals and across states and regions and economic sectors.

The House bill falls short of that equitable distribution goal with its formula for allocating allowances to local distribution companies based 50 percent on emissions and 50 percent on sales. Unfortunately, the Senate bill currently under consideration includes the same 50/50 allocation provision. Under the proposed 50/50 formula, utilities that are more coal dependent will need to purchase even more allowances than they would have if all allowances were allocated based on emissions, and those higher costs will be passed on to their customers. Meanwhile, many utilities with relatively lesser emissions will receive sufficient allowances to completely cover their initial requirements. Thus, their customers will experience no price increases resulting from the legislation.

We believe it is essential that we strive to formulate legislation that equitably distributes transition assistance across individuals, as well as states and regions and economic sectors. We urge you to ensure that emission allowances allocated to the electricity sector – and thus, electricity consumers — be fully based on emissions as the appropriate and equitable way to provide transition assistance in a greenhouse gas-regulated economy.

We thank you for your efforts to build consensus on the critical issue of energy and climate legislation. The change we recommend would contribute to a more balanced and equitable bill for the Senate's consideration, and a better strategy for America.

Sincerely,

Senator Tom Harkin Senator Al Franken Senator Roland Burris Senator Byron Dorgan Senator Herb Kohl Senator Russell Feingold Senator Kent Conrad Senator Michael Bennet Senator Amy Klobuchar Senator Mark Udall Senator Robert Byrd Senator Cark Levin Senator Debbie Stabenow Senator Sherrod Brown

ENERGY

How Much Will \$37 Trillion Buy Us? (*The New Republic*)

- *Bradford Plumer*
- November 12, 2009 | 11:52 am

Yesterday, the International Energy Agency, at its "World Energy Outlook" conference in London, [announced](#) that the world would need at least \$37 trillion in investments between now and 2030 to stabilize greenhouse-gas emissions below sustainable levels. (By "sustainable," they mean keeping carbon concentrations in the atmosphere below 450 ppm—note that some climatologists, notably NASA's Jim Hansen, worry we need to [dial back to 350 ppm](#) to avoid the worst effects of climate change.)

Now, \$37 trillion is the sort of heart-stopping figure that makes this all seem undoable. But things start to look different when you bore down into the numbers. The world will already need \$26 trillion in energy investments, no matter what, between now and 2030—that's just to keep up with expected growth in demand, and it would be necessary even if we kept burning fossil fuels willy-nilly. So then we'll need another \$10.4 trillion if we want to shift to cleaner sources of energy. (Bear in mind these are investments, not deadweight costs.) But then *those* investments—which will include a lot of efficiency improvements—will bring at least \$8.6 trillion in benefits from lower energy bills alone. And that's not including the benefits from better health and, of course, reducing our risks for drastic global warming.

In any case, *Greenwire's* [write-up](#) of the IEA conference has some useful tidbits. Becoming more energy-efficient—which includes everything from wringing out the [waste in our power sector](#) to smarter appliances to CFLs to fuel-economy standards—would likely account for more than half of the cuts in carbon-dioxide emissions by 2030. Nuclear and renewable power supply the next biggest chunk. The shift to electric vehicles will play a mid-sized role. And meanwhile, capturing carbon emissions from coal plants will likely get just a bit part—accounting for just 10

percent of the emissions savings by 2030. (And, judging by [recent reports](#), even that target might be too ambitious for CCS.)

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Recycling Day Nov. 15 – E-Waste



America Recycles Day: The Value of Proper E-Waste Recycling (from Treehugger)

Posted by: [climateprogress](#) 5:10 pm Full post: <http://is.gd/4UvdB>

America Recycles Day: The Value Of Proper E-Waste Recycling

Posted by: [EWAinfo](#) 5:18 pm Full post: <http://bit.ly/2FBc3A>

America Recycles Day Sunday, Nov. 15. I feel it is appropriate to recycle this tweet about recycling. :)

Posted by: [orangeman7](#) 5:20 pm Full post: <http://bit.ly/3yC4rR>

Climate Bill

Europe to easily beat Kyoto target — looks like European Trading System worked after all

Posted by: [climateprogress](#) 4:15 pm Full post: <http://bit.ly/2QbLuk>

Video: Al Gore on Larry King Live: solving the climate crisis is a moral issue.

Posted by: [repoweramerica](#) 4:10 pm Full post: <http://tr.im/ETuI>

Senate Climate Bill Preserves EPA Authority for Now: Cap-and-trade legislation approved last week by the Senate..

Posted by: [livegreenguide](#) 4:05 pm Full post: <http://bit.ly/k0Am6>

Climate bill would be a boon to farmers « Climate Progress

Posted by: [EnergyAuditTX](#) 3:40 pm Full post: <http://bit.ly/3A0aoV>

EPA Nominee on Hold

Hey Sen@DavidVitter, what's w/ blocking Obama's EPA R&D nominee? Anything to do w/ \$\$\$ you got from big polluters?

Posted by: [motherjones](#) 4:45 pm Full post: <http://bit.ly/3AFh3e>

(Lots of retweets)

Ethanol

EPA May Not Meet Dec 1 Deadline on Ethanol Blend Decision

(Note: environmental lawyer)

Posted by: [smtaber](#) 4:10 pm Full post: <http://bit.ly/2CYJee>

EPA Decision of E15 May Be Delayed: Thousand of Americans and ethanol industry groups may have to wait longer for...

Posted by: [Farm Investment](#) 4:00 pm Full post: <http://bit.ly/3l4CEw>

Cap and Trade Video

RT @darrellissa Don't let Obama white wash climate change dissent. WATCH and help these brave EPA whistleblowers.

(Note: U.S. House of Representatives Committee on Natural Resources, Republicans)

Posted by: [NatResourcesGOP](#) 4:33 pm Full post: <http://bit.ly/39YawT>

Don't let Obama white wash climate change dissent. WATCH & help brave EPA whistleblowers

(Note: Rep. Issa is Congressman Calif. 49th District and Minority Lead for Oversight and Government Reform Committee)

Posted by: [darrellissa](#) 4:00 pm Full post: <http://bit.ly/39YawT>

(Lots of retweets)

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Is Texas A Model Environmental State? (*The New Republic*)

- *Bradford Plumer*
- November 13, 2009 | 12:57 pm

Texas is one of the biggest polluting states in the country—home to oil giants like ExxonMobil and ConocoPhillips. But over the past few years, it's *also* seen the biggest drop in greenhouse-gas emissions—CO₂ output fell some 10 million metric tons between 2004 and 2007, long before the recession took hold. How is that possible? Over in the *Wall Street Journal*, Ángel González [reports](#):

The reductions are due to lower industrial use of natural gas and a burst of clean-energy development in the state.

Those were the years that Texas became the wind-power leader in the U.S. At the same time, many electricity providers switched from coal to natural gas, which burns a lot cleaner. The report says that on a per-capita basis, emissions from Texas electric generators fell 4% between 2004 and 2007.

I wrote a TNR [piece](#) a few years ago on how Texas became the wind-power capital of the United States (oddly enough, then-Governor George W. Bush played a not-insignificant role). But the picture's not totally rosy—it also seems some of the drop has been due to manufacturers packing up and moving the state:

But the biggest reduction came from lower industrial consumption of natural gas, as producers shifted manufacturing to cheaper locations. It's relatively easy to improve a region's greenhouse-

gas profile when industries move elsewhere. Part of California's stellar energy-efficiency push is due to its lack of heavy industry, for example.

And China's greenhouse-gas emissions soared just as it became the world's workshop. In fact, one thing China will have to do to reduce its carbon intensity and clean up its economy is to reduce the role manufacturing plays in coming decades.

This lends weight to the argument that any cap-and-trade program should also include carbon tariffs, since it doesn't do much good for a state to cut its emissions if the pollution's just getting outsourced to China or elsewhere. [Here's](#) an earlier post on the pros and cons of carbon tariffs—and whether they'd make an international climate deal easier or harder. In the *Washington Post* today, Fred Bergsten and Lori Wallach tried to [sketch out](#) a way to tackle carbon tariffs without igniting a global trade war. Worth a read.

Obama to Copenhagen but No Berlin? (*The Heritage Foundation*)

Posted November 13th, 2009 at 2.55pm in [Energy and Environment](#).

Proponents of cap and trade legislation and an international treaty to reduce greenhouse gas emissions are pushing for President Obama to make the trip to Copenhagen. For instance, Carter Roberts, CEO of the World Wildlife Fund [affirmed](#), “We believe it's fundamental for the president to go to Copenhagen, to look other leaders in the eye convey our commitment as a country, and secure theirs.”

President Obama has left the plane door open for a trip to Denmark, [saying](#), “If I am confident that all of the countries involved are bargaining in good faith and we are on the brink of a meaningful agreement and my presence in Copenhagen will make a difference in tipping us over the edge, then certainly that's something that I will do.”

Granted, that's a big ‘if’ since the hype surrounding Copenhagen has dulled a bit and the chances of an international agreement to reduce greenhouse gas emissions are dwindling. But the timing of the President's remarks is interesting; his absence at the fall of the wall anniversary in Berlin drew much criticism both here and abroad.

President Obama's staff cited a packed schedule for him not making the trip; of course, the date of the Berlin Wall hasn't changed. German newspaper *Der Spiegel* [called](#) it “Barack Too Busy”, and especially given [Ronald Reagan's integral role](#), Newt Gingrich [said President Obama's absence](#) was “a tragedy.”

Regardless, if President Obama does make the trip to Copenhagen, he should go with these things in mind:

- **Byrd-Hagel Still U.S. Policy:** Heritage Senior Policy Analyst in Energy & Environment [writes](#), “In 1997 the U.S. Senate unanimously passed the Byrd-Hagel Resolution, which warned President Clinton not to enter into any global warming treaty that leaves out developing nations or hurts the American economy.” Any country, including the U.S. that agrees to emissions cuts is also agreeing to stunt its economic growth, which is why we see a growing divide between the developed and developing countries. Indian climate envoy Shyam Saran [asserted](#), “Whatever emerges from Copenhagen should enhance our prospects for development, not diminish them. Climate change action should not become a pretext for the perpetuation of poverty.”
- **Kyoto Did Not Work:** The 1997 Kyoto Protocol to reduce greenhouse gas emissions was largely a failure. Emissions from most developed nation signatories outpaced those of the United States but their efforts [did not come without cost](#).
- **Copenhagen Could Threaten U.S. Sovereignty:** In testimony to the House Committee on Foreign Affairs, Heritage Fellow Steven Groves [warns that](#) “the contemplated post-Kyoto treaty is a serious threat to American sovereignty and other vital U.S. national interests because of its legally binding nature; its intrusive compliance and enforcement mechanisms; and the inability to submit reservations, understandings, or declarations to its terms.”
- **Copenhagen Could Threaten National Security:** Because the military is the nations’ largest consumer of fossil fuels and capping carbon dioxide emissions would tax energy, Heritage Deputy Director James Carafano [advises](#) that a climate treaty “would make the economies of the U.S. and its allies less competitive, depriving them of the capacity to defend themselves and aid other nations.”
- **China Has Real Environmental Problems:** Many praise China as a leader in renewable energy investments but the country is a leader in coal - over 40 percent of the world’s coal use and climbing. Heritage Research Fellow in Asia Economic Policy Derek Scissors [stresses that](#) China has bigger environmental concerns: “Water shortage and pollution are more important to the PRC, and most of the world, than greenhouse gases. Nearly two-thirds of Chinese cities, plus over 200 million rural residents, face water shortages. At the end of 2008, close to half of key river and waterway sections were classified as being so polluted that they were unsuitable for human contact and, in some cases, even irrigation.”

For more on Heritage’s work on the Copenhagen Climate Change Conference, visit [Copenhagen Consequences](#).

- Author: [Nick Loris](#)

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10 Green Women We Love - LPJ

Greenopia's Ten Green Women We Love

Posted by: [Greenopia](#) 3:04 pm Full post: <http://ow.ly/CPXK>

The current head of EPA, Jackson leads EPA's efforts to protect the health and environment for all Americans. She has a staff of more than 17,000 professionals “working across the nation to usher in a green economy, address health threats from toxins and pollution, and renew public trust in EPA's work.” In a world where partisan politics rule, it's hard to believe that we can move forward with truly eco-friendly legislation. Keep the faith, Lisa Jackson! Our world is in your hands!

New EPA Green Your Home Website

**New EPA Web Site Provides Tools to Cut Energy Costs and Greenhouse Gas ...:
Information also is available on bu..**

Posted by: [aligoesgreen](#): 7:00 pm Full post: <http://bit.ly/1qQZ2l>

Learn how to green every room of your home and the yard with EPA

Posted by: [EcoIntel](#) 6:50 pm Full post: <http://www.epa.gov/greenhomes/>

Love this type of advice RT [@grist](#) EPA offers great resources to green your home room-by-room

(Note: artist and author of “Bothered By My Green Conscience.” Speaker on the environment and social change – 2,000 followers)

Posted by: [frankejames](#) 6:07 pm Full post: <http://bit.ly/38kGuX>

New EPA Web Site Provides Tools to Cut Energy Costs and Greenhouse ...

Posted by: [NewEarth4Energy](#) 6:05 pm Full post: <http://bit.ly/3k7GkR>

EPA offers great resources to green your home room-by-room

(Grist: 10,000 followers)

Posted by: [grist](#) 5:42 pm Full post: <http://bit.ly/38kGuX>

RT @grist: EPA offers great resources to green your home room-by-room

Posted by: [cory_golden](#): 5:03 pm Full post: <http://bit.ly/38kGuX>

Climate Bill

Action on climate change delayed: Copenhagen won't be binding, Congress won't pass bill this year: As rumors have it..

Posted by: [BestOfNature](#): 6:30 pm Full post: <http://bit.ly/3Uu0KM>

Climate in line behind health, finance: Kerry said the climate bill would create millions of new green jobs..

Posted by: [greenREACH](#) 6:30 pm Full post: <http://bit.ly/3E76cZ>

"If you want to do a jobs bill, this is the bill to do." - John Kerry on Senate climate bill.....

Posted by: [drgrist](#) 6:15 pm Full post: <http://bit.ly/Z2aBr>

Kerry says the timetable for passing a climate bill is "early spring" 2010.

Posted by: [senatus](#) 5:45 pm Full post: <http://bit.ly/1o4FdT>

AlertNet: US Democrats aim for climate bill by early 2010

Posted by: [FLASH NEWS](#): 5:51 pm Full post: <http://bit.ly/QgZLP>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Is Europe Really On Track To Meet Its Kyoto Goals? (*The New Republic*)

- *Bradford Plumer*
- November 16, 2009 | 3:06 pm

There's a fairly basic question about climate policy that gets asked a lot: Can a cap-and-trade program actually cut carbon-dioxide emissions? Set aside the question of cost and the endless debate over whether a mythical carbon tax would be sleeker. Can a cap on carbon actually do what it's supposed to do? Right now, the best example of an up-and-running cap-and-trade system is in Europe. And, for years, the continent was seen as a hopeless failure at cutting emissions. But judging by the latest data, the evidence is fairly encouraging that a carbon cap can actually work.

Under the Kyoto Protocol, members of the EU-15 had agreed to cut their greenhouse-gas emissions 8 percent below 1990 levels by 2012. To get there, the EU set up its Emissions Trading System, which first got underway in 2005. Initially, the program [got ensnarled](#) in all sorts of embarrassing mishaps: Regulators gave away way too many pollution permits (so that companies could easily comply with the cap without making any cuts) and utilities were allowed

to hike up rates without having to reduce emissions. The whole plan looked like a total flop. But, by 2007, the kinks were getting smoothed out, and, as a Lehman Brothers [analysis concluded](#), the system "succeeded, and fairly quickly, in imposing a price on carbon."

That carbon price appears to have had an impact. According to [new data](#) from the European Environment Agency (EEA), all of the EU-15 members except Austria are now on track to exceed their Kyoto obligations. In fact, the group as a whole will likely slash emissions more than 13 percent below 1990 levels by 2012. That's not as ambitious as the 20 percent figure European leaders have been murmuring about, but it beats what Kyoto demanded. So how'd they do it? Here's the breakdown:

- * A 6.9 percent cut in greenhouse-gas emissions from existing policies to cap carbon and promote renewable power and efficiency.
- * They'll get an additional 1.6 percent cut by 2012 if energy policies that are currently planned (like ratcheting down the carbon cap) get carried out.
- * A 1 percent cut from better forest management.
- * A 1.4 percent cut by financing clean-energy projects in the developing world.
- * Another 2.2 percent cut by purchasing excess credits from other Kyoto countries that are below the cap.

Some of this can probably get filed under "creative accounting." A few EU-15 countries are making tangible strides in cutting emissions—namely France, Germany, Britain, Greece, and Sweden (true, Germany has been helped by East Germany's post-Soviet industrial collapse, but its policies to promote renewable power, especially [feed-in tariffs](#), have made a difference, too). Yet some EU-15 members are serious laggards, especially Italy and Spain, and they'll need to buy up excess credits from other Kyoto countries to meet their targets. This would likely be true in a U.S. cap-and-trade system, too—some states would make big cuts, utilities and businesses in others would have to buy up credits to meet the cap. That's the logic of a trading system.

Overall, though, it's an encouraging picture. Even if you exclude iffy measures like offsets for developing-world clean-energy projects and tree-planting, the EU-15, on the whole, is still expected to cut emissions 8.5 percent below 1990 levels by 2012 just through existing and planned energy measures—including the cap-and-trade system. And the EEA isn't factoring in the effects of the economic slump. (The recession will no doubt drive emissions down even further, although that can't really count as a victory for climate policy.)

That said, one thing that's not so clear from the EEA analysis is the extent to which the cuts are coming from businesses and households *inside* Europe, and to what extent it's from manufacturers moving their operations overseas. The evidence here is mixed: In June, a survey by GHK [found that](#) Europe's carbon cap was forcing many companies to improve their energy efficiency—finding new ways to make cement, say. But, on the other hand, the Stockholm Environment Institute [has estimated](#) that Britain's CO₂ emissions have actually *grown* 20 percent between 1992 and 2004 when you factor in the growth of imports from China. It's a good reminder that a cap-and-trade may be effective domestically, but no single country can stop global warming all by itself.

Obama Lowers Expectations For Copenhagen. Now What? (*The New Republic*)

- *Bradford Plumer*
- November 16, 2009 | 11:03 am

On Sunday, Obama [finally acknowledged](#) what was becoming agonizingly evident: There's just no way world leaders are going to hammer out a legally binding global climate treaty at the Copenhagen summit in December. A few countries, like Britain, didn't seem overly thrilled with the concession, since the talks next month could just drift along aimlessly if no one feels any urgency. (Diplomats, like college students, thrive on waiting until the last possible minute.) Still, Obama's correct. The Senate hasn't passed its own carbon legislation—which will likely drag out until next spring—and it's impossible to have a credible, binding treaty when U.S. commitments are still so hazy.

At this point, then, the United States is backing an alternate Danish plan to "try to reach a political agreement in Copenhagen that sends a strong message of intent" while "postponing many contentious decisions on emissions targets, financing and technology transfer" until meetings in 2010. It's not clear what a "strong message of intent" would entail. One possibility that's been talked about is for countries to agree to cut emissions, but fill in the hard numbers and levels later on, in the meetings next year in Germany or Mexico City.

It'll also be interesting to see if a semi-agreement in Copenhagen puts any pressure on lawmakers here in the United States to pass a climate bill. If it's clear that every other country in the world is prepared to take serious steps to cut emissions, and that the U.S. Senate is the major hold-up, does that weigh on individual senators at all? I'm sort of skeptical, though Joe Romm [argues](#) that this might matter to a few Republicans like Richard Lugar or John McCain.

Have “Crisis” and “Catastrophe” lost their meaning for Climate Change? (*Heritage Foundation*)

Posted November 16th, 2009 at 4.19pm in [Energy and Environment](#).

Proponents of reducing greenhouse gas emissions view the upcoming climate change conference in Copenhagen as the point of no return. Gordon Brown has famously [said](#) that if an agreement is not made in December it will be “irretrievably too late, so we should never allow ourselves to lose sight of the catastrophe we face if present warming trends continue.” Similarly, COP15’s President, Connie Hedegaard, [said](#) that failure in Copenhagen is “not an option” and that the “the sooner we deal with the challenge of climate change, the smaller the risk of chaos and catastrophe.”

But people become increasingly less concerned about the issue. In a [recent poll](#), Americans ranked the economy as the top priority while climate change ranks dead last. It is not just Americans who are showing a lack of concern; British Foreign Secretary, David Miliband, has recently [lamented](#) that people worldwide are failing to understand the eminent global catastrophe:

“For too many people, not just in our own country but around the world, the penny hasn’t yet dropped ... There isn’t yet that sense of urgency and drive and animation about the Copenhagen conference.”

The problem with painting doomsday scenarios is that one cannot claim that climate change legislation will prevent hurricanes or natural disasters; furthermore one cannot even claim that cap and trade policies will reduce world-wide emissions. [According to Ben Lieberman](#), Senior Policy Analyst at the Heritage Foundation,

“Proponents of this cap-and-trade bill scare us with the usual gloom and doom litany: sea level rise, more storms, more disease. But even if one accepts that litany, how much of it will go away thanks to Waxman-Markey? Proponents of the bill never really address this question, and for good reason. Globally speaking, Waxman-Markey would have a trivial impact on future concentrations of greenhouse gases. The bill only binds the U.S., and the trends in the rest of the world show clearly that emissions are rising. China alone now out-emits the U.S., and it hasn’t just inched ahead, it has raced ahead with emissions rising six times faster than ours. A similar story is true of other rapidly developing nations.”

So climate change legislation will not reduce world-wide emissions—thereby doing nothing to prevent catastrophic weather conditions, but it is very clear that it will cause [great economic havoc](#). In his [speech](#) to the UN on climate change, Obama was right to say that “our generation’s response to this challenge will be judged by history” but these polls show that more and more people are do not want their children to find themselves in an America with higher energy prices, higher taxes, and [fewer jobs](#) in return for policies that will do [nothing](#) to prevent changes in the climate. That could be the real catastrophe.

- Author: [Katie Brown](#)

PESTICIDES

A New Report Reveals that GM Seeds Encourage Pesticides Use, Contribute to Growth of Superweeds (*Huffington Post*)

[Paula Crossfield](#)

Managing Editor of civileats.com

Posted: November 17, 2009 08:46 AM

A new report out today, [Impacts of Genetically Engineered Crops on Pesticide Use in the United States: The First Thirteen Years](#) [pdf] authored by Dr. Charles Benbrook, chief scientist at [The Organic Center](#), reveals that the use of genetically modified (GM) corn, soy and cotton crops has increased the amount of pesticides used in the past 13 years by 318 million pounds.

This information comes to light as the industry struggles to position itself as providing environmental benefit through use of bt technology -- insecticide producing seeds -- savings from which are diminished in light of a six times greater herbicide usage.

Farmers have become increasingly critical of both GM seed as it goes up in price, and herbicides like Roundup, also known as glyphosate, as '[superweeds](#)' become prevalent in treated fields. The growth of pigweed, which can quickly reach widths of 6 inches at the stalk, and other invasive, glyphosate-resistant species increases farmers reliance on more high-risk herbicides, including 2,4-D, dicamba and paraquat, and has resulted in a return to hand harvesting and even abandoning of fields.

Dr. Benbrook used the USDA's National Agriculture Statistics Service data and publicly available Monsanto information to ascertain these findings. The report states that it became increasingly difficult to get such information from the USDA as it ceased collecting thorough data on pesticide usage in the US in recent years. Furthermore, the USDA has never conducted research on the relationship between GM crops and increased pesticide use, resulting in a lack of in-depth information to inform regulators. (I wrote about [the need for more such research here](#), where Dr. Benbrook also chimed in.)

The report challenges researchers and regulators to consider the following:

Herbicides and insecticides are potent environmental toxins. Where GE crops cannot deliver meaningful reductions in reliance on pesticides, policy makers need to look elsewhere. In addition to toxic pollution, agriculture faces the twin challenges of climate change and burgeoning world populations. The biotechnology industry's current advertising campaigns promise to solve those problems, just as the industry once promised to reduce the chemical footprint of agriculture. Before we embrace GE crops as solution to these new challenges, we need a sober, data-driven appraisal of its track record on earlier pledges.

With glyphosate producer Monsanto encouraging farmers to diversify their herbicide use to control superweeds, this research shows that we could be at a turning point for Roundup Ready technology. As farmers realize the cost effectiveness of conventional seeds which deliver similar yields and allow seeds to be saved for reuse in future seasons, GM crops could prove a technological experiment gone wrong as we move toward creating a more durable and diverse food system.

Follow Paula Crossfield on Twitter: www.twitter.com/civileater

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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November 18, 2009**

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Nov. 17, 2009:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Proposed new SO2 Standard

EPA proposes new SO2 standard

[POWER_GEN Intl](#): 6:15 pm Full post: <http://tinyurl.com/y949ro2>

EPA Proposes Stronger Air Quality Standards for SO2 New std to protect millions

[smtaber](#) 6:05 pm Full post: <http://bit.ly/1EGobV>

Climate Bill

Want to see Green Job opportunities go through the roof ! Help get the Climate and Energy Bill passed - write your state Senator...

Posted by: [GreenJobsForMe](#) 6:48 pm Full post:

Reid: "I think if we do it right, the energy bill, the climate bill can be very, very job productive....."

Posted by: [ClimaTweets](#) 6:48 pm Full post: <http://bit.ly/3PWLuu>

RT @[b2engt](#): Clean Energy and Climate Policy for U.S. Growth and Job Creation: This study finds that a robust climate.....

Posted by: [greenbiztweets](#) 6:40 pm Full post: <http://bit.ly/2rBNlb>

Sens. Boxer, Inhofe make push for short-term transportation bill extension: Two senators at odds on climate leg..

Posted by: [washdcnews](#) 6:38 pm Full post: <http://bit.ly/3dx8TG>

Sens. Boxer, Inhofe make push for short-term transportation bill extension: Two senators at odds on climate legislation..

Posted by: [thehill](#) 6:30 pm Full post: <http://bit.ly/3dx8TG>

U.S. Climate Bill Could Boost Economy by \$111B, Study Says (via my6sense)

Posted by: [cs2nd](#) 6:20 pm Full post: <http://tinyurl.com/yg6vecs>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

CO2 Emissions Rose 2% in 2008, Despite Recession - We're On Target for 6°C Temperature Rise (TreeHugger)

by Matthew McDermott, New York, NY on 11.17.09

Here are two sobering thoughts: 1) New research shows that despite last year's global recession total CO2 emissions still climbed 2% in 2008; and, 2) the Global Carbon Project adds, without strong action in Copenhagen we won't be able to stabilize temperatures in "a smooth and organized way" and that its five or six degrees Celsius warming that we're in for:

Backing up that assertion (made to the BBC by GCP lead scientist Corinne Le Quere, is data that shows between 2000-2008 emissions rose 29%.

Developing Nations Lead Emissions Growth...

Interestingly, all of that came from developing nations, but one quarter of it came from goods manufactured specifically for consumption in developed countries.

...Manufacturing Goods for Developed World

In China, 50% of its emission growth came from manufacturing goods for export.

Looking at the UK, emissions within national borders dropped 5% from 1992 to 2004, but the emissions from goods and services consumed within those borders rose by 12% as greater amounts of goods get produced in developing nations.

New World Average Per Capita Emissions: 1.3 Tons

Back to last year's emissions: Mongabay puts a slightly different spin on the same research, highlighting that despite the global economic recession emissions in 2008 rose 2% to 8.7 billion tons of CO₂, mainly because of increasing use of coal.

That new figure means global average per capita emissions are 1.3 tons per person. According to the GCP research, to constrain temperature rise to 2°C, we've got to drop that to 0.3 tons per person by 2050.

WATCH VIDEO: G Word: Carbon Footprint

What Are Yours...

Remember that the US average tops 20 tons per person, with figures for California, New York and some other places (not to mention those in Europe) being in the 10 ton range. No matter how you parse it, too high to be ecologically sustainable.

Want to Fight Climate Change? Hire Somebody (The *Huffington Post*)

[William Drayton](#)

Chairman, Get America Working!

Posted: November 17, 2009 05:41 PM

With official U. S. unemployment at 10.2% and with Congressional debate on a climate bill sputtering, last week the Senate Finance Committee held a hearing on how climate legislation might help fix the economy and create jobs. At the same time, President Obama announced he would hold a White House forum next month to gather new ideas for achieving the robust job creation that has so far eluded stimulus efforts, and opponents and supporters of cap-and-trade legislation both echoed the jobs theme, saying that in the end, any US climate bill must be a jobs bill.

These are promising developments that may point the way to an effective climate policy. Because with them, the crucial enabling [connection between creating jobs and fighting climate change](#) has finally entered explicitly into our politics.

I say "finally" because throughout most of 2009, even as the economy hemorrhaged some 3.8 million jobs, while they were framing proposals for climate change legislation, most members of Congress and their staffs were curiously reluctant to broach the obvious jobs connection. They expressed lots of concern over the impact of regulating carbon on energy producers, coal states and carbon emitters, but very little about its impact on jobs and workers in general. (President Obama's 2010 [budget proposal](#) was a notable exception; it plowed carbon permit revenues back into a payroll tax credit to help working families, but unfortunately that provision didn't pass Congress) .

But it's not that surprising the jobs dimension of the climate debate has been relatively muted until recently, considering the federal government doesn't like to be explicit about the true extent of unemployment, either. Unemployment is much [worse than official statistics suggest](#). That official 10.2% rate represents only a fraction of the adult population that is not working; the total figure is closer to 40%. [BLS statistics](#) show that of the total non-institutionalized adult population of 235 million, only about 140 million, or about 60%, are working. Officially, there are 15 million unemployed; unofficially, the true number of unemployed is roughly five times higher.

But double-digit unemployment crosses an undeniable perceptual threshold in the public's mind. When we hit it, the political rhetoric around the climate bill shifted, and the jobs connection was finally made explicit. Acknowledged or not, it's been clear for a long time that in order for climate legislation to pass, it must not exacerbate job loss, and that for it to make sense, it should take advantage of this once-a-century opportunity for retooling the economy to optimize job gain.

In October the CBO released a [study](#) projecting a net job loss from the climate legislation bill that passed the House. It contradicted the findings of a [report](#) released by the Center for American Progress which projected a net job gain. The projections are contentious politically, hence the Senate Finance Committee hearing last week. Part of the debate is about whether a US cap and trade system could in effect create more "green" jobs than "non-green" it destroys, whether it will ultimately grow the economy or shrink it.

But there is a more fundamental principle involved than whether the particular cap-and-trade mechanism in the House bill or in Senate proposals can create a certain number of jobs. At the heart of the matter is one of the most basic decisions societies make: how to manage the fundamental tradeoff between the two primary factors of production -- labor utilization vs. resource consumption. The two aren't quite a zero sum, but in general, they are substitutes for one another. The more natural resources such as energy and materials a business uses, the more labor it "saves," and vice versa.

Ideally, in a market economy the two should find an optimal balance. But for decades, through taxation and other interventions, we have pushed our thumb down hard on the scale, and tilted it

steeply in favor of employing things over people. Even when U. S. joblessness is obviously deeply damaging our economy, not to mention our communities and families, we continue to define "productivity" in terms of how little labor we can use, and Wall Street can still [rally on bad jobs reports](#).

As a result our economy consumes natural resources very aggressively. At the same time, US policy actively discourages labor demand. More or less by accident, we have sent a giant "use things, not people" price signal as payroll taxes have increased from 1% to almost 40% of federal revenues over the last several generations. This raises hiring costs, lowers employment, and hands an effective subsidy to resource consumption, skewing the relative prices of labor vs. resources over 30%.

The human impact of this is enormous. The potential contributions of tens of millions of people are wasted (hundreds of millions worldwide), [studies show](#) the health of sidelined workers and unemployed retirees suffers, and a whole host of social ills arises, from crime to students who see no future, with debilitating costs to individuals, business, and government. The climate impact is equally enormous. The effective subsidies favoring resource consumption and discouraging hiring mean we are burning a lot more fuel, tearing up more land and emitting a lot more carbon, than if the relative prices of labor and resources were corrected, and we produced utilizing far more people and far fewer natural resources.

That's the bad news, and it's also the good news. It suggests that if we reverse the current price signals, we can also reverse the perverse incentives that drive joblessness and over consumption of energy and resources. We can do this by taking the tax burden off payrolls and therefore employment, and putting it instead on energy waste and resource consumption.

OECD countries that have [cut their payroll taxes substantially boosted employment](#) and lost fewer jobs in the downturn than countries which didn't, like ours. This week The Economist magazine [recommended](#) the U.S. adopt a similar policy. If we cut payroll taxes and replaced the lost revenue with levies on non-labor inputs to business, such as a non-labor Value Added Tax (VAT), carbon permit fees and/or energy taxes, we could create tens of millions of jobs and stimulate economic growth while deeply cutting natural resource use and emissions.

Such tax switching is a revenue-neutral approach that involves no net increase in taxes. It also creates no bureaucracies, choosing of winners or losers, implementation delays, or risk of corruption. It is, not surprisingly, attractive to smart conservatives and liberals alike. Recent advocates range from Charles Krauthammer to Thomas Friedman, Al Gore to Richard Lugar and T. Boone Pickens. This year Rep. Bob Inglis (R-SC) and Rep. John Larson (D-CT) both introduced climate change bills that recycle over 90% of carbon pricing revenues into payroll tax cuts.

That's a hint of this approach's broad appeal. It would align the relatively small contingent of committed environmentalists who want strong action on climate with the huge constituency of the tens of millions of Americans of all backgrounds who need a job and the hundreds of millions who want a stronger economy. Whereas now, climate negotiations are fractious and

expectations from Copenhagen and Washington are depressingly low, such a coalition for real economic and environmental change would be unstoppable and allow us to aim higher.

To fight climate change, we need concrete goals -- return to 350 ppm atmospheric carbon, achieve 80% GHG reduction by 2050, hold global warming to an average of 2 degrees Celsius, etc. If we are serious about reaching them, we must add another fundamental one -- create tens of millions of jobs by reorienting our economy and our tax structure towards engaging more people and using fewer things.

Would Weaker Targets Mean A Cheaper Climate Bill? (*The New Republic*)

Bradford Plumer

November 17, 2009 | 2:05 pm

As Lisa Lerer [reports](#) in *Politico* today, one of the steepest hurdles looming over the Senate climate bill is the fact that there are a lot of coal-state Democrats out there who want to see major changes to the legislation before they'll vote for it. Last week, 14 senators wrote Harry Reid demanding more protections for coal-heavy utilities. And the industry wants to see the bill's near-term emission targets relaxed. Currently, the Senate cap-and-trade program aims to cut greenhouse-gas emissions 20 percent below 2005 levels by 2020. Senators like Max Baucus have asked for 14 percent or 17 percent.

But here's a question: Would weakening the near-term targets *really* make the climate bill any cheaper? That's certainly the rationale behind loosening the cap. A less stringent cap means that there are more tradable pollution permits out on the market. Higher supply means that the price of carbon pollution falls—and therefore dirty energy becomes slightly cheaper. So the coal industry argues that a weaker near-term cap would ease potential rate increases on consumers and make the transition less onerous. (True, it'd also mean more and more CO₂ piling up in the atmosphere, but set that aside for now.)

Anyway, that's the theory. The reality, though, could be quite different. As Raymond Kopp, [director of Resources for the Future's climate program](#), points out, weakening the short-term cap—while keeping the target for 2050 in place—might actually do very little to budge carbon prices. That's because polluters are allowed to "bank" permits and save them for the future—if, for instance, they expect that carbon reductions down the road will be even harder. (After all, a cap-and-trade program, by design, targets the easiest cuts first.) So if the 2020 target is weakened, and there are more permits floating around in the early years, polluters will just buy

up more of them to bank for later. The carbon price will be more or less the same as it would be if polluters had to make cuts. Indeed, [EPA](#) and [EIA](#) analyses of the climate bill bear this out.

Now, Kopp's prediction might not pan out—the EPA analysis assumes that polluters will have perfect information about the future when deciding whether to bank permits, and in the real world many companies don't. Plus, many companies may be short-sighted and use the permits in the short term to pollute, even when they *should* be saving them for later, when cutting pollution will likely be more expensive. Still, it's not a sure thing that a weaker short-term cap will make the bill any cheaper.

Ice Ages And Coal Explosions (*The New Republic*)

- *Bradford Plumer*
- November 17, 2009 | 12:44 pm

When people talk about climate change, it's common to envision a slow, drawn-out process that takes decades or longer to unfold. But, looking back through the historical record, rapid *Day After Tomorrow*-type shifts aren't exactly impossible. A [new analysis](#) of Greenland ice cores, led by William Patterson of the University of Saskatchewan, suggests that the Younger Dryas mini ice age, which swept through the Northern Hemisphere 12,800 years ago, engulfed Europe in just a few short months—not decades, as once thought.

That ice age set in after a glacial lake that covered most of northwestern Canada burst and poured into the North Atlantic, where the cold freshwater halted the Gulf Stream and rapidly cooled Europe and North America. Fortunately, although the melting of the Greenland ice sheet *could* in theory trigger something similar today, the 2007 IPCC report argued that this was "very unlikely" to occur in this century. Still, it's sort of shocking that a change like that could happen so quickly. (Actually, beyond the sensational headline, the *real* importance of the study is that Patterson and colleagues have developed a new technique to slice carbon isotopes and get more precise readings of the past climate—which, in theory, could help with projections of the future.)

Meanwhile, in other fascinating "climate stuff that happened in a long time ago," two Stanford researchers [have an intriguing new theory](#) for the mass extinction that took place 250 million years ago at the end of the Permian-Triassic period—in which 70 percent of all land species, including most dinosaurs, and 90 percent of all ocean species were wiped out.

The scientists, Norman Sleep and Darcy Ogden, argue that the "Great Dying" might've been caused by underground magma that came into contact with Siberia's tar-soaked coal deposits, burning the coal and blasting dust and ash into the stratosphere, along with heaps of carbon-dioxide. The dust would've cooled the planet (as aerosol pollution does), and then, once the ash settled, the CO₂ would've heated things back up. Repeated coal explosions could've destabilized

the climate. In any case, the theory's intriguing, but still not conclusive (not that the coal industry needs something else to answer for).

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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Lisa Jackson New Orleans Visit

Infused with hope and excitement for the green future. Lisa Jackson spoke at Tulane this afternoon. Optimism!

Posted by: [suzieaprovecha](#) 5:50 pm Full post: <http://bit.ly/4vRl7v>

Full text of EPA Admin. Jackson's speech RT [@EPAgov](#): Administrator Jackson spoke at 2009 Brownfields Conf in NOLA

(Note: International City/County Management Association: Leaders at the Core of Better Communities)

Posted by: [LocalManagers](#) 5:00 pm Full post: <http://bit.ly/18mtCW>

Climate Bill

RT [@citvox](#): EPA should use Clean Air Act to address climate change

Posted by: [Public Citizen](#) 5:50 pm Full post: <http://bit.ly/4vRl7v>

AgWeb Environmental Policy Expert: The Climate Bill Impact Dairy

Posted by: [BryantAvey](#) 6:00 pm Full post: <http://bit.ly/4mtGsX>

[@RepCliffStearns](#) Hope you'll join us in opposing the dirty energy of the past that will hurt Florida's economy, Rep Stearns

Posted by: [EnvironmentFla](#) 4:43 pm Full post: <http://bit.ly/4mtGsX>

NEW PODCAST: A Brave Green World - Jeff Rickert of AFL-CIO on the new energy, economy and jobs

Posted by: [CeresNews](#) 3:30 pm Full post: <http://bit.ly/4C5PLI>

Support Strong Fuel Standards

I just told the EPA I support strengthening fuel efficiency standards. Add your name here: (via [@RepowerAmerica](#))

(Note: lots of retweets)

Posted by: [quietaction](#) 6:11 pm Full post: <http://tr.im/FeoO>

I just told the EPA I support strengthening fuel efficiency standards. Add your name here:
(via [@RepowerAmerica](#))

Posted by: [mwill56842](#) 6:00 pm Full post: <http://tr.im/FeoO>

I just told the EPA I support strengthening fuel efficiency standards. Add your name here:
(via [@RepowerAmerica](#))

Posted by: [helenade](#): 5:55 pm Full post: <http://tr.im/FeoO>

Tell the EPA you support strong fuel efficiency standards

(Note: “EPA has proposed new standards that will improve the gas mileage of new cars and light trucks. **The deadline to submit comments is Wednesday, November 25th.** Add your name by filling out the form on the right and we will deliver it to the EPA.”)

Posted by: [RepowerAmerica](#) 5:45 pm Full post: <http://tr.im/FeoO>

Sulfur Dioxide Standards

Sulfur Dioxide Air Quality Standards Going Up –

Posted by: [ecoFactory](#): 5:50 pm Full post: <http://www.ecofactory.com/node/4069>

EPA to tighten rules on sulfur dioxide emissions

Posted by: [ruraljournalism](#) 4:18 pm Full post: <http://bit.ly/2JPTri>

USEPA Proposes One – Hour Sulfur Dioxide Standard, to Drop 24 -hr and Annual Primary Standards:

Posted by: [awop](#): 2:18 pm Full post: <http://bit.ly/3SL1yP>

EPA may strengthen sulfur dioxide air quality standard to protect health!

Posted by: [RenoLungs](#): 2:13 pm Full post: <http://www.ens-newswire.com/ens/nov2009/2009-11-17-093.asp>

EPA May Regulate Sulfur Dioxide Emissions on Hourly Basis

Posted by: [smtaber](#) 1:18 pm Full post: <http://bit.ly/298Gc0>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Edmund Burke on Global Warming (*Huffington Post*)

Byron Kennard

Founder, Center for Small Business and the Environment

Posted: November 18, 2009 10:27 PM

The near-unanimous opposition of Republicans in Congress to climate change legislation strikes me as inconsistent with the tenets of modern conservatism laid down by Edmund Burke (1729-97), the movement's patron saint.

Burke is the Anglo-Irish politician and writer whose appeal to the right is based largely on his book, *Reflections on the Revolution in France*, which Burke wrote to express his profound hostility to the revolution's spirit of total, radical innovation. In his *Reflections*, Burke admonishes the French to consider "they have received from their ancestors" and urges them "not to commit waste on the inheritance . . . hazarding to leave to those who come after them, a ruin instead of a habitation."

Burke was writing in 1790, during the revolution's salad days, when many of his countrymen were enthralled by the fall of the ancient despotism. "Bliss was it in that dawn to be alive," declared Wordsworth famously. Burke felt no bliss; only deep foreboding. He saw catastrophe looming and predicted the coming of the Reign of Terror.

Now, I'm not writing to advocate the restoration of the French Throne, as Burke did. I'm writing to advocate what Burke called a "first principle," the basic argument he used to oppose the revolution. I urge that it be our guide in addressing global warming, a catastrophe that looms in our time.

Burke argued that the social system on which European civilization rested had evolved over many centuries and was intricate and complex beyond human comprehension. Meddling with the structure and operation of such a system, he warned, would disturb its workings and set all hell

loose.

What's this got to do with climate change?

The climate system on which human civilization rests evolved over many geologic eras. It is intricate and complex beyond our comprehension - certainly beyond the present reach of science, as most scientists will freely attest. This hasn't stopped us, however, from meddling with the climate system big-time.

According to the Pew Center on Global Climate Change, human activities have increased atmospheric carbon dioxide concentrations by 35 percent since the industrial era began. And we're still going at it, hot and heavy. There are, for example, about 825 million cars and light vehicles on the world's roads and about 65 million new cars and light trucks are being produced annually. These vehicles are emitting carbon dioxide into the atmosphere at levels not seen before.

Computer models suggest some of the consequences of this human-caused atmospheric loading but since it is unprecedented, we really have no way of knowing what the full impact will be. The only thing we can be sure of is that this radical change is not a good idea.

What more do we need to know in order to act promptly and aggressively to reduce greenhouse gas emissions? To achieve this, liberals in Congress have proposed a cap-and-trade system, which conservatives don't like. But if conservatives heed Burke's admonition, as they ought to, they need to come up with a viable approach of their own to reduce greenhouse gas emissions.

World on track for 6 degrees of extra heat (*New Scientist*)

Shanta Barley, reporter

November 18, 2009 1:25 PM

The world is on track to warm by a whopping 6 °C by the end of this century, unless steps are taken immediately to cut greenhouse gas emissions, [according to research published yesterday](#).

The [Global Carbon Project](#), a group of 31 scientists from 7 countries led by [Corinne Le Quéré](#) at the University of East Anglia and the British Antarctic Survey, used satellite and national inventory data to track emissions of carbon dioxide. They also used models to estimate carbon sinks - such as oceans and forests - that absorb the greenhouse gas ([Nature Geoscience, DOI: 10.1038/ngeo689](#)).

It found that the ability of natural carbon sinks to soak up the CO₂ humans pump into the atmosphere is declining. The study estimates that in the past 50 years, the fraction of CO₂ emissions that remains in the atmosphere each year may have increased from roughly 40 per cent to 45 per cent.

As a result, the portion of emitted CO₂ that ends up staying in the atmosphere increased on average by around 0.3 per cent per year between 1959 and 2008.

CO₂ emissions from the burning of fossil fuels have increased at an average annual rate of 3.4 per cent between 2000 and 2008, compared with just 1 per cent per year in the 1990s, the study says, mainly as a result of the boom in China's economy.

Between 2000 and 2008, global emissions rose by 29 per cent.

If steps are not taken at the [climate change discussions in Copenhagen](#) this December to rein in runaway emissions, the world is heading for a 6C rise, says Le Quéré.

"If the agreement is too weak, or the commitments not respected, it is not 2.5 °C or 3 °C we will get: it's 5 °C or 6 °C - that is the path we're on," [Le Quéré told BBC News](#).

Speaking to the BBC, Richard Betts, head of climate impacts at the UK Met Office, [cautioned that it was too soon to discern a long-term trend](#).

"Year-to-year changes in the global economy have quite an effect, and it's too early to discern longer term, robust changes," he said. "However, if we continue to let emissions rise without mitigation, there's a strong chance we'll hit 4 °C and beyond. If we want to be staying below 2 °C then it's true to say we've only got a few years to curb emissions."

Scientists say that allowing global temperatures to rise more than 2 °C [would be catastrophic for society and the environment](#).

Carbon Sinks Losing Their Superpowers (*The New Republic*)

- *Bradford Plumer*
- November 18, 2009 | 2:52 pm

One of the uncertainties in predicting how the climate will respond to all the greenhouse gases we're belching up into the atmosphere is what will happen with the world's carbon sinks. Trees, ocean, and even the soil all absorb a huge fraction of the industrial carbon-dioxide we produce each year. But now a major new study from researchers at the British Antarctic Survey, led by the University of East Anglia's Corinne Le Quéré, [has discovered](#) that those sinks may be losing their ability to pull CO₂ out of the air:

By studying 50 years of data on carbon emissions and combining with estimates of human carbon emissions and other sources such as volcanoes, the team was able to estimate how much CO₂ is being absorbed naturally by forests, oceans and soil.

The team conclude in the journal *Nature Geoscience* that those natural sinks are becoming less efficient, absorbing 55% of the carbon now, compared with 60% half a century ago. The drop in the amount absorbed is equivalent to 405m tonnes of carbon or around 60 times the annual output of Drax coal-fired power station, which is the largest in the UK.

This has been something that's been predicted by climate models for awhile—as the ocean absorbs more CO₂, it becomes more acidic and loses its ability to pull CO₂ out of the air—but it hasn't really been observed until now. Likewise, another study [published this week](#) in *Science* by Columbia oceanographer Samar Khatiwala and colleagues finds that, indeed, the oceans *do* appear to be absorbing less and less CO₂. (The study was the first time anyone's measured the build-up of man-made carbon in the ocean since the Industrial Revolution, a quantity that's hard to separate from all the background CO₂ out there.) Granted, not all climatologists are so certain that carbon sinks are losing their powers—the *Guardian* [nicely captures](#) some of the back and forth:

But Le Quéré's conclusion on the decline of the world's carbon sinks is not universally accepted. Wolfgang Knorr of the University of Bristol recently published a study in *Geophysical Research Letters*, using similar data to Le Quéré, where he argued that the natural carbon sinks had not noticeably changed. "Our apparently conflicting results demonstrate what doing cutting-edge science is really like and just how difficult it is to accurately quantify such data," said Knorr.

The amount of CO₂ that natural carbon sinks can absorb varies from year to year depending on climactic and other natural conditions, and this means that overall trends can be difficult to detect. Le Quéré said her team's analysis had been able to remove more of the noise in the data that is associated with the natural annual variability of CO₂ levels due to, for example, El Niño or volcanic eruptions. "Our methods are different – Knorr uses annual data, we use monthly data and I think we can remove more of the variability."

Jo House of the University of Bristol, who worked on the *Nature Geoscience* paper, said: "It is difficult to accurately estimate sources and sinks of CO₂, particularly in emissions from land use change where data on the area and nature of deforestation is poor, and in modelled estimates of the land sink which is strongly affected by inter-annual climate variability. While the science has advanced rapidly, there are still gaps in our understanding."

So the jury's still out, but this is a pretty crucial issue. The study from the British Antarctic Survey—i.e., the one finding that carbon sinks are losing their ability to suck up our carbon—predicts that, as a result, the world is currently on pace to warm some 6°C (10.8°F) by the end of the century. And that, unless the world agrees to some sort of hard limits soon, emissions will likely fall briefly in 2009 as a result of the recession and then go up, up, up in 2010 and beyond.

Has The Climate Bill Been Delayed? Not Really. (*The New Republic*)

- *Bradford Plumer*
- November 18, 2009 | 11:59 am

The Wall Street Journal [blared the news](#) today that the Senate won't vote on a climate bill until "some time in the spring," according to Majority Leader Harry Reid. Is that a shock? A new setback? Not that I can tell. The reporter, Ian Talley, insists that Reid's words reflect a "weakening political will to tackle a long-term environmental issue," but I don't really see much weakening here.

What's happening is that the health care debate is still gurgling along, so of course everything else is getting nudged back. But the key senators all seem to be proceeding more or less apace on a climate bill. The "tripartisan" talks between John Kerry, Lindsey Graham, and Joe Lieberman are still ongoing, and Kerry [has promised](#) to release an outline of the deal before the Copenhagen summit in December. Meanwhile, the Finance Committee, which is mired in health-reform land, is still planning to mark up the climate legislation around January. And then some of the other committees—like Agriculture and Commerce—will toss in their own two cents. All that translates into a floor debate... sometime in the spring. It's a sluggish process, sure. Lots of senators are still nervous about pushing ahead. But not a whole lot has changed, as best I can tell.

Carbon Offsets Ease Guilt, Not Emissions (*The Heritage Foundation*)

Posted November 18th, 2009 at 11.36am in [Energy and Environment](#).

[The New York Times reports today:](#)

In 2002 Responsible Travel became one of the first travel companies to offer customers the option of buying so-called carbon offsets to counter the planet-warming emissions generated by their airline flights.

But last month Responsible Travel canceled the program, saying that while it might help travelers feel virtuous, it was not helping to reduce global emissions. In fact, company officials said, it might even encourage some people to travel or consume more.

“The carbon offset has become this magic pill, a kind of get-out-of-jail-free card,” Justin Francis, the managing director of Responsible Travel, one of the world’s largest green travel companies to embrace environmental sustainability, said in an interview. “It’s seductive to the consumer who says, ‘It’s \$4 and I’m carbon-neutral, so I can fly all I want.’ ”

Unfortunately Washington DC is lagging far behind the private sector when it comes to acknowledging just how fraudulent carbon offsets are. The Waxman-Markey cap and trade energy tax bill allows for companies to exceed their carbon cap requirements by purchasing two billion tons of carbon offsets; [one billion tons for international allocation and one billion tons in the U.S. itself.](#)

The NYT does a decent job of detailing why carbon offset programs are completely fraudulent, but the utter uselessness of Waxman-Markey does not end there. Not only does the bill create a huge offset loophole, [but it also gives away more than 100% of the carbon allowances necessary for the U.S. to meet the bill’s stated carbon reduction targets.](#)

Even with all of these allowance over issuances and offset loopholes, Waxman-Markey still would do nothing to change world temperatures. Climatologist Chip Knappenberger [crunched the numbers](#) and found that even the strictest version of Waxman-Markey would reduce projected global temperatures by just 0.044°C by 2050. That is less than one-tenth of one degree.

And then there are the [costs of Waxman-Markey](#): \$3,000 per year for an average family-of-four almost , 2.5 million net job losses by 2035, and a cumulative gross domestic product (GDP) loss of \$9.4 trillion between 2012 and 2035.

- Author: [Conn Carroll](#)

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Could A Boycott Bog Down The Senate Climate Bill? *(The New Republic)*

- *Bradford Plumer*
- October 30, 2009 | 11:43 am

There are all sorts of lingering questions about the timing of the Senate climate bill. It's not just a matter of *whether* something will pass. What are the odds something will pass before the Copenhagen talks? Earlier this week, John Kerry told a group of activists that he was "confident" his bill could win a floor vote before international negotiations pick up again in mid-December, but that seems awfully ambitious. After all, any major climate bill will have to crawl through a whole gantlet of different committees, and some of the key chairmen involved, like Max Baucus, still have their hands full with health care reform, which may itself not even get sewn up by the end of the year.

And yet, some Democrats are definitely trying to pick up the pace. According to *E&E News*, Barbara Boxer wants to have her Environment and Publish Works committee mark up the climate bill as early as next Tuesday, after holding three long days of hearings this week. The only speed bump? Republicans on the committee, led by James Inhofe, are complaining that Boxer's moving too fast. And if they decide to boycott the markup session, well, that could gum everything up:

Boxer cannot hold the markup unless at least two Republicans show up, and EPW ranking member James Inhofe (R-Okla.) signaled that he has unanimous support among the panel's minority members to boycott the session until they get more data on the legislation from U.S. EPA and the Congressional Budget Office.

What's all this "more data" business about? George Voinovich, one of the senior Republicans on the committee, has been bugging the EPA about this for months. Never mind that the agency has already done two detailed analyses of the House climate bill and applied that modeling to the very similar Senate proposal. (Those analyses found that the costs of cap-and-trade would be modest, about \$80-110 per household per year.) Voinovich is convinced the EPA is somehow low-balling the economic pain the bill will inflict. He thinks, for instance, that low-carbon technology will be less readily available than the EPA expects. (Note that, historically, the exact opposite has occurred—companies usually adapt to pollution controls more easily than economic models forecast.) Yet it's hard to imagine he'll get the answer he's looking for, or that having the EPA and CBO spend another month on modeling will yield any new information.

So we'll see what happens. Inhofe's pretty clearly fishing around for any excuse to delay the bill, while Boxer obviously wants to move quickly—even if it can't get finalized by Copenhagen, the United States might have a stronger negotiating position if the world saw that the Senate was making serious headway on climate legislation. Still, the broader Senate energy debate could turn poisonous if Inhofe's boycott works and Boxer has to send the bill out of committee without going through the usual mark-up process (an option she does have, if it came to that).

The Verdict's In: Cap and Trade Will Not Work (*The Heritage Foundation*)

Posted October 30th, 2009 at 3.59pm in Energy and Environment.

Over the summer *The Washington Post* called Europe's experience with cap and trade as "Exhibit A" of what not to do on climate. Yesterday, the Competitive Enterprise Institute's Iain Murray brought evidence to the jury – that jury being Senate Environment & Public Works Committee. Murray detailed the failures of the EU cap and trade scheme. Despite the European Union establishing an Emissions Trading Scheme (ETS) in the year 2000, the United States has had similar or better emissions reductions than most countries:

"According to the United Nations Framework Convention on Climate Change and the International Energy Agency, the United States has reduced its greenhouse gas emissions 2 by 3

percent. By comparison, the only major economy to reduce its emissions more was France, at 6 percent. The United Kingdom managed a similar performance to the US at -2.9 percent. Most other economies performed much worse.”

Murray then refers to a study by the Taxpayers’ Alliance in London to weigh in the costs side of ETS and discusses what it would take to achieve a 20 percent reduction by 2020 - same as the Boxer-Kerry cap and trade bill in the United States:

EU emissions did drop a negligible 1.5 percent in 2008. Being charitable, let’s assume that all of that emissions drop can be ascribed to the ETS. If so, then to achieve the 20 percent reduction target the EU has for 2020, simple extrapolation suggests that will cost the EU a staggering \$2.28 trillion that year (and the accumulated costs would be even more massive). In fact, the cost could be way higher than that, because we tend to make the more affordable cuts first; deeper cuts will naturally cost more per unit.”

In testimony in July, Heritage Senior Policy Analyst Ben Lieberman brought his own evidence to the table for why Europe’s model is not the one to follow:

We have also seen examples of fraud and unfairness in the process. Given the similar politics here, where big businesses have lobbied for free allocations much more effectively than the little guys—consumers, homeowners, small business owners, farmers—it is quite likely that the inequities would appear here as well.

The reason for the failure of carbon cap and trade is simple — reducing carbon dioxide from the existing installed base of energy-producing and -using equipment and vehicles is prohibitively expensive, and that isn’t likely to change any time soon. Many nations committed to emissions reductions under the Kyoto Protocol are going to miss the targets (unless the recession lingers) and any talk of tougher targets is empty rhetoric.”

Lost jobs. Lost income. Lost economic activity. Nothing to show for it. The evidence is incontrovertible. Let’s hope the jury listens.

- Author: Nick Loris

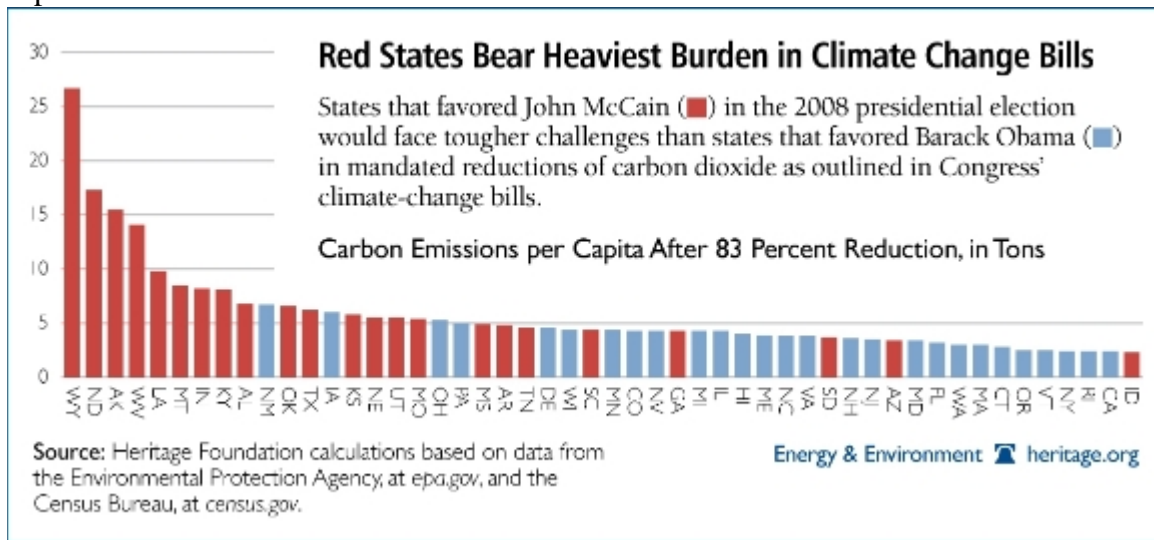
CO2’s Political Fingerprint (*The Heritage Foundation*)

Posted October 30th, 2009 at 11.01am in Energy and Environment.

Unless they had explicitly named them, the Senate’s Kerry-Boxer and the House’s Waxman-Markey global warming bills could not have been better designed to inflict more pain on the states that swung red in the last election than on those that went blue. The American Clean

Energy and Security Act in the Senate and House’s Clean Energy Jobs and American Power Act both call for dramatic reductions in carbon dioxide emissions, eventually 83%. (Isn’t it curious that neither bill is titled after the impending global warming catastrophe that they are supposedly designed to avert?)

When EPA’s data for carbon dioxide emissions by state is compared with state populations and the 83% reduction called for in both bills is applied, a particularly eerie pattern emerges for those who live in the states that President Obama failed to carry last November. Namely, the pain inflicted upon them is likely to be much greater as the work that their citizens do, the things that they make (one being energy) and the circumstances of their day to day lives result in higher per capita CO2 emissions from fossil fuels for their state. See the chart below...



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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Copenhagen 101: The essentials on the climate talks (*Grist*)

Posted 6:13 PM on 19 Nov 2009
by [Jonathan Hiskes](#)

Welcome! It's not too late to get up to speed on the climate-change jamboree that begins Dec. 7. Here's a short primer.

What is this Copenhagen thing?

It's a gathering of negotiators from every United Nations member country who will try to come up with a plan to protect the world from catastrophic climate change. Two weeks to save the world!

Copenhagen, huh? Are they going to tell everyone that dikes and wooden shoes are the answer?

Sorry, that's the Dutch. The Danish in Copenhagen will tell us that pickled herring and little mermaids are the solution.

Why should I care?

So glad you asked! Do you enjoy [colorful fall leaves](#)? Do you [enjoy skiing](#)? If you're not sure about caring, better check out our [25 reasons to give a damn about climate change](#).

Do you think “Hagen Days” would be a good slogan for the event?

“Cop a Feel” is better. It plays off *Copenhagen* and also the dork term COP15—the 15th Conference of the Parties to address climate change. Dorky facts: The COP process started at the Rio de Janeiro Earth Summit in 1992. Kyoto was COP3. And yes, there's a COP16 already scheduled for next year, in Mexico City.

This is the 15th one? Shouldn't they have reached an agreement by now?

Most definitely. Scientists say our atmosphere can safely hold no more than 350 parts per million (ppm) of heat-trapping gases. We've already [gone past that](#), to 387 ppm. To put it another way, to prevent the sort of changes that will [make Chicago feel like Miami](#), we pretty much need to start cutting emissions last week.

But they'll finish the deal in Copenhagen, right?

Fat chance. Everyone agrees it's just about impossible to complete an agreement in Copenhagen, which was the hope earlier this year (how naïve we were ...). That said, Copenhagen could still achieve some useful steps that make a finished deal possible in 2010. In fact, negotiators held week-long meetings four different times in 2009 alone to begin hashing out a deal (take a look at the [draft negotiating text](#)). So beware of anyone calling the conference a failure before it even begins.

Why is this so hard?

Getting 192 countries to agree on one plan is never easy. Climate change has [been called](#) “the public policy problem from hell” because it entangles so many competing interests and thorny issues.

I'm ready to learn now. What are those issues?

- **Historical polluters**—Developed (industrialized) countries created most of global-warming polluting over the past century, so by how much will they cut their emissions? The United States is the only developed country that hasn't announced a target, complicating everything else.
- **Leapfrogging**—How will developing nations avoid the mistakes the industrialized world made over the last century? Ideally, by “leapfrogging” over outdated technologies like coal-fired power and moving straight to cleaner sources. That will cost money—how much and from whom must be hashed out.
- **Dude, it's already happening**—Climate change has already worsened droughts, malaria, and freak storms. The most severe effects will fall on the Global South, and it will cost up to \$100 billion a year to help these countries adapt. How will wealthier countries share that cost?

- **Transitioning countries (China and India)**—Their pollution contribution (got a ring to it, yeah?) has been light until the last few decades. Now it’s skyrocketing, as they build new power plants (mostly coal) to meet the growing demand of their increasingly middle-class economies. China and India say helping their citizens rise out of poverty is priority No. 1, but a global deal can’t work unless they agree to develop in a sustainable way.
- **The deadline**—Meeting strong targets by 2050 is generally understood to be a crucial goal. But climate scientists say we must that we make progress much sooner. Will there be “mid-term” targets for 2020 as well?
- **Protecting forests**—Trees are natural CO2 vacuums, and it makes perfect sense to preserve the forests we have—especially the carbon-rich tropical ones concentrated in Brazil and Indonesia. Lots of folks are optimistic about the REDD program ([Reducing Emissions from Deforestation and Forest Degradation in Developing Countries](#)) that would pay such countries to protect their forests. But were the protected trees going to be razed anyway? And who checks that they remain protected? Details, details.
- **Capping and Trading (don’t go away—this is the last one!)**—It works like this: The international community agrees that only X amount of CO2 can be emitted into the atmosphere each year. Each country is then allotted an amount its industries can emit, and that amount declines by a small bit each year. Countries and companies can choose to emit their allotments, or sell portions of them to other countries or companies. Sounds crazy, right? But this kind of scheme was used to get the acid-rain problem under control in the United States more than a decade ago.

ENERGY

More Green Crony Capitalism (*The Heritage Foundation*)

Posted November 19th, 2009 at 5.02pm in [Energy and Environment](#).

Green energy investments are coming from every direction. Whether it is the stimulus package or the cap and trade bills proposed in Congress, the government is eager to invest taxpayer dollars in renewable energy technology. As Americans become desensitized to the copious amounts of money the government is spending, clean energy investments are growing from millions to billions. And companies are [chomping at the bit](#):

Last month, for example, President Barack Obama announced \$3.4 billion in government-stimulus grants for power-grid projects. About one-third of the recipients are GE customers. GE expects them to use a good chunk of that money to buy its equipment.

The government has taken on a giant role in the U.S. economy over the past year, penetrating further into the private sector than anytime since the 1930s. Some companies are treating the government's growing reach — and ample purse — as a giant opportunity, and are tailoring their strategies accordingly. For GE, once a symbol of boom-time capitalism, the changed landscape has left it trawling for government dollars on four continents.”

“I think we will do better than most on the stimulus,” [says](#) GE Chief Executive Jeffrey Immelt. And herein lies the problem. Businesses know, as Immelt put it, [that](#) “the government has moved in next door, and it ain't leaving.” So they invest time, money and resources to protect their respective bottom lines. Special interest politics, also known as [rent-seeking](#), has always been a part of politics, and it's unlikely to go anywhere and you can't necessarily blame businesses for dipping their hands in the government's pocket if they know the money is going to be spent.

But money spent on political lobbying is like an all-pay auction. Businesses don't get their money back if the ball doesn't bounce their way. The common example used in public choice is bidding a \$1 bill. Let's pretend the auctioneer is the government and businesses the bidders. Business A bids .25 cents and will profit .75 cents. Business B raises the bid to .50 cents and stands to win .50 cents. Business C bids .75 cents and gains a quarter. Business A and B are both out .25 and .50 cents, respectively. They could each bid a dollar to at least break even. If they do that, Business C will be out .75 and could end up bidding \$1.25 - then they'd only be out a quarter. And the game continues. And who knows what policy the government will actually choose to implement. It goes from a game of scheming for benefit to minimizing losses with the consumers losing the most.

Of course the reason the government has to intervene in the first place is that these projects are too expensive to compete otherwise. Any profitable endeavor won't need the taxpayers' help. When the government picks winners and losers, Americans lose as taxpayers and consumers, paying for pricier electricity.

The bottom line, [as said by](#) UC Davis economist David Zettland, is this: “Politicians benefit from lobbying; lobbyists compete to receive our money and rights; and citizens suffer.”

WATER

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The Value of Water (*The Huffington Post*)

[Henry Henderson](#)

Natural Resources Defense Council

Posted: November 19, 2009 11:42 PM

We have been awash with an array of unhappy water stories in this region of late. On the surface they are unrelated...[scary fish](#)...E. coli contamination...[improperly regulated pesticides](#)...[intentionally poisoned waterways](#)... But if you scratch below the surface there's a problematic narrative developing: the water rich communities of the Great Lakes region do not understand the nature, function and value of their most precious resource.

For starters, there was [Charles Duhigg's devastating series in the New York Times](#) about the state of water policy in the United States. His stories included the on-going poisoning of our waters with [pesticides](#), manure from [agricultural operations](#), and the water pollution coming from [coal plants](#). The articles are full of shocking [failures of state environmental officials to enforce the requirements of the Clean Water Act](#) within their jurisdictions against the polluters who are destroying our waters. But what is also clear is that no one has fully quantified the burden that the public and our water resources take on as a result of this pollution.

There is also the continuing, wild tale of the slow and inadequate efforts of federal, state and local authorities to protect the Great Lakes from imminent destruction by voracious, invasive Asian Carp that have been making their way up the Mississippi and its tributaries *since 1993*. We know the value of the aquaculture industries that introduced this dangerous fish. And we know the [ludicrous costs associated with the Army Corps of Engineers Rube Goldberg fish fence](#) that *might* repel them---as well as what it will [cost to intentionally poison a five-mile stretch of the Chicago Sanitary Ship Canal](#) to kill off the carp (and any other fish actually native to the water way) when they take the fence offline for maintenance next month. But we don't know the real, full value of the already damaged Great Lakes ecosystem, and so an array of agencies dither and delay in taking action that would actually end this threat and protect the ecosystem permanently.

And now this week we saw a [front-page Chicago Tribune article on city officials contemplating privatization of the municipal water system](#). The value of water is at the center of the issue---but not the real, full value of water as a public trust asset requiring stewardship and protection. The article treats the question of privatizing water as a limited inquiry into a "dollars and cents" revenue and service issue. It is as if such a decision is actually analogous to leasing toll bridges and parking meters---which are exclusively part of the man made, civic economy, bought and owned by a municipal corporation. In focusing narrowly on the per gallon costs that might be associated with the Mayor selling our water supply, the *Tribune* presents no discussion of what the water is actually "worth" or the many services it provides to the web of life that depends

upon it. And who can blame them? We don't look at that issue anywhere in this region. Water is treated as an abundant resource that we assume will always be there when we need it.

An aide to Chicago's Mayor Daley said that, though the Mayor has said that "all things are on the table," the issue of privatization was being "blown way out of proportion." I hope that is true and that before there is any proposal to privatize Chicago's Lake Michigan water, there will be a full review and transparent discussion of the key issues at stake. We don't have all the answers to the relevant questions; the problem is the key questions themselves have not been recognized by many of the region's stakeholders. The issues of infrastructure, cross-community water sales and pricing, and constraints on access to Great Lakes water are complicated here. But smart questions have to be raised, probed and addressed transparently, not simply raised in order to derail the conversation and protect the unacceptable "business as usual" exploitation of our resources. At the heart of the discussion must be the recognition of the nature and value of water, framed by an understanding that water is a Public Trust asset.

All of these news stories, coupled with some of the other cases that NRDC is working on in the region, spell out the wasteful way that the Great Lakes region treats its water. The stories and cases include the ongoing [fight over ballast water laws](#) to prevent the spread of invasive species which have already fundamentally changed the ecology of the Great Lakes and our ongoing fight to force an end to [dumping of "un-disinfected" human sewage \(that's intestinal miasma, folks!\) into the Chicago River](#) by the government body with oversight of the issue.

It is time to get re-acquainted with the fundamental value of water as an irreplaceable, essential resource, and support the services it provides: sustenance, beauty, indeed life itself.

This post originally appeared on [NRDC's Switchboard blog](#).

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Copenhagen, U.S.A.: Don't Miss Dec 7th Showdown at Climate Change Ground Zero (*The Huffington Post*)

Jeff Biggers

Author, forthcoming "Reckoning at Eagle Creek: The Secret Legacy of Coal in the Heartland"

Posted: November 23, 2009 07:50 AM

If the Obama administration is unwilling or unable to stop the massive environmental destruction of historic mountain ranges and essential drinking water for a relatively tiny amount of coal, can we honestly believe they will be able to phase out coal emissions at the level necessary to stop climate change? --Dr. James Hansen, [June 22, 2009](#)

Welcome to Copenhagen, U.S.A.

On December 7th, the opening day of the [UN Climate Change Conference](#) in Copenhagen, Americans from around the country will converge for a historic protest at climate change ground zero for our nation--the Appalachian coalfields.

At the same time 65 heads of state and other world leaders and environmental regulators view a special Google Earth tour of the importance of Coal River Mountain in West Virginia at the Copenhagen conference, leading [anti-mountaintop removal activists and citizens groups](#)--with [Robert Kennedy, Jr.](#) reportedly in their ranks--will demand an end to mountaintop removal mining on Coal River Mountain and across Appalachia.

Their target: The West Virginia Department of Environmental Protection, in Charleston, West Virginia, the [embarrassingly inept and Big Coal-ridden state agency](#) that has overseen one of the greatest environmental and climate change disasters in American history: Mountaintop removal's destruction of over 1.2 million acres of hardwood forests in our nation's carbon sink of Appalachia.

The American citizens at climate change ground zero will not be alone in the coalfields.

As a [wave of climate change protests](#) rock London on December 5th, and throughout the world on the December 12th [Global Day of Action](#), the citizens groups and coal mining communities descending on the Big Coal-strangled halls of governmental incompetence are drawing a line in the sand at Coal River Mountain.

Site of the [Coal River Wind Project](#), the [most symbolic clean energy project in the nation](#), Coal River Mountain is the last in tact mountain in the historic range, and an area that has been plundered by mountaintop removal and left in ruins. Despite [regulatory violations](#), Massey Energy began clear cutting the lush hardwood forests and setting off blasts for a massive 6,600 acre mountaintop removal operation on Coal River Mountain last month.

And just why should Coal River Mountain--and the Appalachian coalfields--be considered climate change ground zero for the U.S.A.?

The Carbon Connection: As an advisor on the Presidential Climate Action Project, and a leading environmental scholar and entrepreneur, [David Orr](#) has noted, "To permanently destroy millions of acres of Appalachia in order to extract maybe twenty years of coal is not just stupid; it is a derangement at a scale for which we as yet do not have adequate words, let alone the good sense and the laws to stop it."

In a major paper, [The Carbon Connection](#), Orr recounted a trip to a mountaintop removal site in the Coal River Valley of West Virginia and its link to our climate fate:

Nearly a thousand miles separates the coalfields of West Virginia from New Orleans and the Gulf coast, yet they are a lot closer than that. The connection is carbon. Coal is mostly carbon, and for every ton burned, 3.6 tons of CO₂ eventually enters the atmosphere, raising global temperatures, warming oceans and thereby creating bigger storms, melting ice, and raising sea levels. For every ton of coal extracted from the mountains, perhaps a 100 tons of what is tellingly called "overburden" is dumped, burying streams and filling the valleys and hollows of West Virginia, Kentucky, and Tennessee. And between the hills of Appalachia and the sinking land of the Louisiana coast, tens of thousands of people living downwind from coal-fired power plants die prematurely each year from inhalation of small particles of smoke laced with heavy metals that penetrate deeply into lungs.

More complete accounting of the costs of coal would also include the rising tide of damage and insurance claims attributable to climate change. Some say that if we don't burn coal the economy will collapse and we will all have to go back to the caves. But with wind and solar power

growing by more than 25 percent per year and the technology of energy efficiency advancing rapidly, we have good options that make burning coal unnecessary. And before long, we will wish that we had not destroyed so much of the capacity of the Appalachian forests and soils to absorb the carbon that makes for bigger storms and more severe heat waves and droughts.

Coal River Mountain is a Tipping Point in Climate Change Policy: As NASA climatologist James Hansen has pointed out for years, "we must move rapidly to carbon-free energy to avoid handing our children a planet that has passed climate tipping points." Calling mountaintop removal "an undeniably catastrophic way of mining," Hansen issued a personal [plea to President Obama](#) this summer to halt the blasting of Coal River Mountain, as part of a larger vision for the rapid phase-out of coal emissions now:

The Obama administration is being forced into a political compromise. It has sacrificed a strong position on mountaintop removal in order to ensure the support of coal-state legislators for a climate bill. The political pressures are very real. But this is an approach to coal that defeats the purpose of the administration's larger efforts to fight climate change, a sad political bargain that will never get us the change we need on mountaintop removal, coal or the climate. Coal is the linchpin in mitigating global warming, and it's senseless to allow cheap mountaintop-removal coal while the administration is simultaneously seeking policies to boost renewable energy.

The Coal Barons at Massey Energy Are Not Only Destroying Coal River Mountain, But Leading the Anti-Climate Change Propaganda Campaign: As head of the fourth largest coal producer, and a gleeful mountaintop removal detonator, Massey Energy CEO Don Blankenship and his company's [notorious denial](#) of climate change and [bizarre global warming-denying shows](#) are the stuff of bad vaudeville. But Blankenship's wrath in Appalachia, and especially in the [Coal River Valley](#), has not only resulted in record penalties for mining violations, and the devastation of the region, but placed him in the [forefront of Big Coal's refusal to accept any compromises](#) in cap 'n trade legislation. In a recent [interview](#) on stopping climate change legislation in the Senate, Blankenship referred to "the hoax and the Ponzi scheme of global warming."

72 Foot Coal Slurry Tidal Wave: Blasting at Coal River Mountain Risks A Climate Change Catastrophe: Blasting within a football field of the class "C" Brushy Fork impoundment, one of the largest and potentially weakest coal slurry impoundments in the nation, Massey Energy is engaging in a blatant act of aggression against besieged coalfield residents. According to their own [evacuation reports](#), a break in the coal slurry impoundment would result in certain injury or death for the nearly 1,000 residents downslope in the valley. Some area residents would have less than 15 minutes to escape a 72-foot tidal wave of coal slurry.

Pettus

DISCHARGE HYDROGRAPH FOR BRUSHY FORK STATION NUMBER 21
BELOW BRUSHY FORK DAM AT MILE 3.64

GAGE ZERO = 847.00 FEET MAX ELEVATION REACHED BY FLOOD WAVE = 919.52 FEET
FLOOD STAGE NOT AVAILABLE
MAX STAGE = 72.52 FEET AT TIME = .557 HOURS
MAX FLOW = 481408 CFS AT TIME = .515 HOURS

Coal River Mountain, like Copenhagen, is a Battle Over a Clean Energy or a Regulated Dirty Energy Future: As a [study](#) last year by Downstream Strategies noted, an industrial wind farm on Coal River Mountain would provide more jobs, tax revenues and electricity over the long-term than the current mountaintop removal operation, which will exhaust the coal seams within 17 years. The study concluded:

The economic results of the mountaintop removal and wind scenarios stand in stark contrast For mountaintop removal, the cumulative external costs from coal production exceed the cumulative earnings in every year. Even without comparing it with the wind scenarios, the mountaintop removal scenario is not defensible from the perspective of Raleigh County citizens when considering just two externalities: excess deaths and illnesses, and environmental damage. In contrast, both wind scenarios show cumulative earnings that exceed cumulative externalities in every year...The benefits of mountaintop removal mining would end after 17 years when the mining ends, but the costs of mountaintop removal mining are projected to continue due to the expected deaths and illnesses caused by the coal mining. In contrast, the benefits from the wind scenarios continue indefinitely.

The [showdown at Copenhagen, U.S.A.](#) is on: December 7th, 2pm, Charleston, West Virginia.

Can the U.S. and India Play Nice on Climate Change? (*The New Republic*)

- *Jesse Zwick*
- November 22, 2009 | 12:00 am

A number of unresolved issues—China, Kashmir, etc.—will be swirling around Indian Prime Minister Manmohan Singh’s first state visit this Monday, but on none are the two hesitant allies

more at odds than the conditions for a global climate treaty. Much of the news in the lead up to Copenhagen has centered on the possibility of some sort of deal between the two largest emitters, the U.S. and China. India, however, could very well be a more important (and elusive) partner in those talks. That's because over the last year India has adopted the not-so-quiet role as unofficial spokesperson for the developing world and staunch opponent of mandatory caps on carbon. And if the U.S. and China are still working out some unresolved differences, their negotiations have been downright rosy compared to the headway the U.S. has made with India thus far.

First indications of the disconnect between U.S. and Indian climate demands came during Secretary Clinton's visit to India in July. At what was supposed to be a friendly photo up—Clinton was taking a tour of an innovative, energy efficient building in New Delhi—the country's environment minister decided to blast the U.S. for putting pressure on India to take steps to cut its emissions, arguing that there was “no case” for India to do anything when its per capita emissions were among the lowest in the world. *The New York Times* [suggested](#) that the brusque exchange could have simply been a “negotiating tactic,” but things haven't gotten much better since. Indeed, just a little while after, the Indian government announced that the West would have to shell out around \$200 billion a year for a climate change fund in exchange for cooperation in reducing greenhouse gasses. To be fair, the number represents about .5 per cent of industrialized countries' GDP, but it's a far larger sum than U.S. officials would agree to contemplate.

Earlier this month in Barcelona, in the last formal round of negotiations before Copenhagen, India again caused sparks by threatening to walk out on the Copenhagen talks along with the rest of the developing nations unless rich countries (cough, cough, the U.S.) agreed to deeper cuts and more money. There are now only two weeks before COP15 and this will be the last chance for Obama and Singh's diplomats to get on the same page, or at least learn to be a little more polite. With the U.S. climate bill resting on ice in the Senate, no one still expects a formal treaty to emerge from Copenhagen, but talks that end in acrimony would still represent a major setback. Even largely symbolic gestures, like agreeing to collaborate on energy efficiency and carbon capture technology sharing, as the [U.S. has done with China](#), would be a good way to set the mood during Singh's upcoming visit. Hopefully nobody's scheduled any LEED-certified building tours.

Cap and Trade Hits Manufacturing, Farming and Small Business (*The Heritage Foundation*)

Posted November 20th, 2009 at 1.58pm in [Energy and Environment](#).

Sometimes the best offense is a good defense and sometimes the best action is inaction. With unemployment surpassing 10 percent (go [here](#) to watch unemployment grow), Midwestern

Congressmen want to ensure that Congress will protect three key areas of their respective state's economy: agriculture, manufacturing and small business. One sure way to protect these jobs is not to implement climate change legislation.

[Congressman Bob Latta](#) (R-OH) and 31 more Midwestern Members of Congress sent a letter to the Chairmen and Ranking Members of the House Energy and Commerce, Agriculture, and Small Business Committees requesting a joint hearing to how climate change would affect these important industries, not only in the Midwest, but all across the United States. Let us [give you a preview](#), and the news is not good.

Manufacturing: The higher energy costs from cap and trade will kill economic activity and jobs. This is particularly true for energy-intensive industries – such as manufacturing. Economists in The Heritage Foundation's Center for Data Analysis estimate that, because of the Waxman-Markey cap and trade bill, manufacturing [jobs will fall](#) on average by 400,000. Peak year unemployment in the manufacturing sector alone rises by almost 1.4 million. Some will disappear entirely as business cannot afford to operate. Others will go overseas to countries that choose not to implement a carbon reduction scheme where the costs of operation will be much lower. While manufacturing employment had an expected decline in years past as efficiency gains put labor and capital to more productive use, cap and trade would needlessly shrink the manufacturing industry well beyond what would occur with it.

Farming: Farming is another energy-intensive industry with its fuel, chemical, electricity and natural gas-derived fertilizer costs. Cap and trade's effect on farmers should raise a red flag for those in the farm belt and will put U.S. agriculture at a tremendous competitive disadvantage if enacted. Farmers [themselves will lose](#) big time. Heritage estimates that farm income would drop \$8 billion in 2012, \$25 billion in 2024, and over \$50 billion in 2035. These are decreases of 28%, 60% and 94%, respectively. The average net income lost over the 2010-2035 timeline is \$23 billion – a 57% decrease from a world without cap and trade. And consumers will feel the pain as well, not only from the increase in their own energy prices, but increased food prices.

Small Businesses: In tough economic times, small businesses are struggling to make ends meet and making necessary cuts to stay afloat. There's little talk of expansion and job creation. Heritage Senior Policy Analyst Ben Lieberman [points out](#) that many of the small businesses lost out on the cap and trade lobbying battle: "Electric utilities and some other big businesses have cut special deals that allow them to comply for much less. Waxman-Markey allows for such deals by giving these companies free rights to emit carbon dioxide and other regulated greenhouse gases. But small businesses have largely been left out of this special interest game. They will instead face the same higher costs for energy and other products as homeowners. According to a 2008 National Federation of Independent Business poll, energy costs are the second biggest problem facing small business: Waxman-Markey would only exacerbate those concerns." While all small businesses would be hurt, those in the Midwest, where a large percentage of electricity comes from coal, would be hurt the most.

Two bills, one in the Senate and one in the House, were crafted by politicians from California and Massachusetts. No state is going to escape the economic pain of cap and trade, but the Midwest is right to be concerned as they will bear much of the brunt.

And to visit our work on Copenhagen, check out our [Copenhagen Rapid Response](#) page.

- Author: [Nick Loris](#)

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**U. S. Environmental Protection Agency
Blog Round-up**

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November 30, 2009**

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Obama Bringing Hope To Copenhagen, But Whither Hillary? (*The Wonk Room*)

By [Brad Johnson](#) on Nov 25th, 2009 at 2:00 pm

The White House has announced that [President Barack Obama will participate](#) in the United Nations Climate Change Conference (COP 15) in Copenhagen, Denmark on Wednesday, December 9th, before accepting the Nobel Peace Prize in Oslo, Sweden. He will commit the United States to achieving greenhouse gas reductions of “[in the range of](#) 17% below 2005 levels in 2020,” essentially a return to 1990 levels of emissions.

The U.S. delegation will include a large number of Cabinet-level (in the language of international diplomacy, “ministerial level”) officials. U.S. delegates “[will keynote a series of events](#) highlighting actions by the Obama Administration to provide domestic and global leadership in the transition to a clean energy economy.” The following keynote events and speakers are currently scheduled:

- Wednesday, December 9th: Taking Action at Home, EPA Administrator **Lisa P. Jackson**
- Thursday, December 10th: New Energy Future: the role of public lands in clean energy production and carbon capture, Secretary of the Interior **Ken Salazar**
- Friday, December 11th: Clean Energy Jobs in a Global Marketplace, Commerce Secretary **Gary Locke**
- Monday, December 14th: Leading in Energy Efficiency and Renewables, Energy Secretary **Steven Chu**
- Tuesday, December 15th: Clean Energy Investments: creating opportunities for rural economies, Agriculture Secretary **Tom Vilsack**
- Thursday, December 17th: Backing Up International Agreement with Domestic Action, Council on Environmental Quality Chair **Nancy Sutley** and Assistant to the President **Carol Browner**

Secretary of State Hillary Clinton, whose envoy Todd Stern is in charge of U.S. climate negotiations, was not part of the announcements.

How Important Are Those Stolen Climate E-mails? (*The New Republic*)

- *Bradford Plumer*
- November 25, 2009 | 2:25 pm

I've been away for a few days and have only just caught up with the story of the hacked e-mail accounts at the University of East Anglia's Climactic Research Unit (CRU). Juliet Elperin has a [nice rundown](#) in *The Washington Post*. From what I've gathered, the stolen e-mails reveal that climatologists are: **a)** engaged in a lot of boring and dry data-crunching, **b)** *extremely* hostile toward global-warming skeptics like Cato's Pat Michaels, and **c)** not always nice people. But does this add up to a "scandal," as folks like James Inhofe are crowing? Well, yes and no.

One major question is whether any of the stolen e-mails show that climate scientists are somehow fudging data. And the answer, as best I can tell, is "certainly not." A lot of the early press coverage focused on CRU director Phil Jones's missive to colleagues about using a "trick" to "hide the decline" in temperatures. That *sounds* nefarious at first, but as Gavin Schmidt [explains](#), Jones is simply referring to a method of concatenating two different data sets—this "trick" has been openly discussed in scientific journals like *Nature* since 1998. There's nothing in the e-mails I've seen ([here's a long index](#) compiled by a climate skeptic) to suggest the vast body of research on climate change—which extends well beyond the handful of scientists represented here—is suspect. Nothing to suggest fraud.

There is a separate issue, though—the stance some of the scientists take toward skeptics. At one point, CRU's Phil Jones refers to two papers that question the link between greenhouse-gas emissions and rising temperatures and tells a colleague, "I can't see either of these papers being in the next IPCC report. Kevin and I will keep them out somehow—even if we have to redefine what the peer-review literature is!" In another e-mail exchange, Jones and Penn State's Michael Mann talk about pressuring a journal not to accept work by global-warming deniers. That sounds bad, doesn't it?

First, some background: It appears that Jones and Mann are referring [to a particular episode](#) from 2003, when the journal *Climate Research* published a miserable paper by Willie Soon and Sallie Baliunas disputing the widely held notion that the rate of warming in the twentieth century has been unprecedented. Climate scientists from around the world began writing in, unsolicited, to point out fatal flaws in the paper (noting especially that the paper's own evidence didn't even support its conclusion), and eventually half the journal's editorial board resigned in protest.

Now, do these e-mails really reflect badly on the scientific process? You could make a good argument that they don't. After all, if a paper's that badly flawed—and if it's likely to give ammunition to politically motivated deniers—then it ought to be protested, no? Shoddy research *should* be excluded from IPCC assessments. (To be sure, IPCC chapter heads [have to respond](#) to every single objection they receive—so nothing's ever "excluded" entirely.) If I was trying my hardest to slip an intelligent-design paper into a biology journal, it'd be greeted with the same overt hostility. As Tyler Cowen [observes](#), "it's very often that scientific consensus 'sounds that way.'" And while a consensus *can* sometimes be wrong and get overturned, that doesn't mean we should just abandon the peer-review process entirely and accept all research as equally valid.

On the other hand, I agree with George Monbiot [here](#): Some of these e-mails are unseemly, and it's unwise to brush them off. The scientific community absolutely has to take the high ground on the climate issue—it doesn't matter that deniers behave far worse, or that scientists feel beleaguered after years of being smeared by conspiracy nuts on the right. And, true, science has never been as "clean" as people like to romanticize; scientists have acted like agenda-wielding jerks throughout history, yet the process remains robust. But on an issue this politicized, that process has to be as pristine as humanly possible. I'm not sure if Jones should resign as head of CRU, as Monbiot suggests, or if the U.S. peer-review process needs to [become more transparent](#), as is happening in Europe, or what. But trying to ignore this whole episode doesn't strike me as viable. Even if this story changes nothing about climate science itself, perceptions do matter.

More: Maggie Koerth-Baker has a [smart, balanced take](#) raising similar concerns (she focuses on CRU's refusal to release certain data sets, which may be understandable but doesn't seem to have been handled well) and also provides a nice, comprehensive link round-up.

Obama to Copenhagen: Will Anything Change? (*The Heritage Foundation*)

Posted November 25th, 2009 at 1.50pm in [Energy and Environment](#).

Before Barack Obama accepts his Nobel Peace Prize in Oslo, the White House announced that the president will swing by the climate change summit in Copenhagen to outline the country's climate goals. The *AP* [reports](#):

The president will lay out his goals for reducing the United States' carbon dioxide emissions, pledging to cut heat-trapping pollution by about 17 percent from 2005 levels by 2020. That target reflects the still-unfinished climate legislation on Capitol Hill."

This comes immediately after President Obama [agreed](#) to a green partnership with Indian Prime Minister Manmohan Singh, a "Memorandum of Understanding to increase cooperation on energy security, clean energy, and climate change."

Proposed to be the Conference that replaces the global emissions reduction targets of the 1997 Kyoto Protocol, Copenhagen may not live up to initial expectations. A large reason for this is the emphatic reluctance of developing countries, despite commitments to ‘go green’, they won’t agree to carbon cuts. Heritage Senior Policy Analyst Ben Lieberman [writes](#):

The Obama administration has also echoed its predecessor in recognizing that a post-Kyoto treaty that continues to exempt China, India, and other fast developing nations is futile. Those nations will account for most of the emissions growth in the years ahead. But the developing world insists on maintaining these exemptions, creating a rift unlikely to go away.”

President Obama’s trip may be nothing more than chance to cross something off his checklist and to say, ‘we’re making progress.’ He may also be going to avoid criticism for not going. He [won’t be joining](#) the other heads of states during the final three days of the climate summit when all the major negotiations take place.

The reality is the economic consequences are too great and the environmental benefits are too small to sign onto an international treaty to reduce greenhouse gas emissions. Kyoto [demonstrated this](#) and the U.S. wisely avoided it. President Obama shouldn’t put the U.S. economy or sovereignty at stake for the sake of “getting something done.”

For more, check out Heritage’s [Copenhagen Consequences](#).

- Author: [Nick Loris](#)

Climate Change and the Rhetoric of Belief (*The Heritage Foundation*)

Posted November 25th, 2009 at 1.41pm in [Energy and Environment](#).

In April of this year, when a student in Turkey asked President Obama how he was different from President Bush, Obama [said](#),

“When it comes to climate change, George Bush didn’t believe in climate change. I do believe in climate change, I think it’s important.”

In this response, Obama is pointing to a crucial facet in the rhetoric surrounding the climate change debate, which is the rift between those who believe that climate change is a crisis and those who believe that climate change is not a crisis; between those who believe that many of the [problems of the world](#) are due to climate change and those who believe that those same problems would not have been prevented by a few degrees of global cooling.

In England, this belief in climate change is now of the same legal standing as a religious belief. Just this month, [Tim Nicholson](#) was told that he will be able to take his employer to tribunal on the grounds that he was unfairly dismissed from his job because of his belief on climate change. This decision comes under the UK's Employment Equality (Religion and Belief) Regulations of 2003 which protects employees for "any religion, religious belief, or philosophical belief." After the verdict, Nicholson [said](#)

"I believe man-made climate change is the most important issue of our time and nothing should stand in the way of diverting this catastrophe. This philosophical belief that is based on scientific evidence has now been given the same protection in law as faith-based religious belief. Belief in man-made climate change is not a new religion, it is a philosophical belief that reflects my moral and ethical values and is underlined by the overwhelming scientific evidence."

Nicholson's statement presents an interesting irony: on the one hand he says that the science is overwhelming, implying that it must be taken as "fact," but on the other hand he emphasizes that man-made climate change should be regarded in the same light as a "faith-based religious belief": such a comparison highlights that both climate change belief and religious belief require a certain amount of blind faith.

The rhetoric of belief is appropriate because while climate change activists warn of impending catastrophe, people cannot see evidence of this catastrophe in their everyday lives so they must make a decision as to whether they believe the predictions. However the more the alarm of climate change catastrophe is sounded, the more the belief in climate change catastrophe has declined: [MSNBC](#) and [USA Today](#) report that "Americans' Belief in Global Warming Cools" and when a recent Pew report and Gallup report are seen together it turns out that "[More Americans believe in Haunted Houses than Man-Made Global Warming](#)"

According to this declining belief among Americans, man-made climate change may not be the kind of "change we can believe in."

- Author: [Katie Brown](#)

Heritage Comments on the CBO Brief: "The Costs of Reducing Greenhouse-Gas Emissions." (*The Heritage Foundation*)

Posted November 25th, 2009 at 11.59am in [Energy and Environment](#).

On November 23, 2009 the Congressional Budget Office issued [“Economic and Budget Issue Brief: The Costs of Reducing Greenhouse-Gas Emissions.”](#)

This brief echoed many of the points The Heritage Foundation has made in its reports, WebMemos, blogs and our responses to a request from Henry Waxman (D-CA), chairman of the House Energy and Commerce Committee.

For example:

A. The CBO correctly notes that efficiency mandates (standards) don’t lower the cost of cap and trade. Here’s how they say it:

“However, **standards would tend to increase the costs of a cap-and-trade program** if they supplanted the effective reliance on market forces—even though they would also tend to reduce the allowance price in the program by reducing emissions covered under the program.”

[Emphasis added] [CBO, page 5]

Here is what Heritage said in response to the Natural Resources Defense Council’s criticism of our analysis for not including (what NRDC misunderstands to be beneficial) impacts of such mandates:

“The whole point of cap and trade is to let markets find the least costly way of reducing emissions. Conversely, technology mandates reduce the market’s flexibility to meet those caps while not changing the carbon dioxide (CO₂) caps. Nevertheless, Waxman-Markey includes additional mandates and subsidies. Trying to combine these competing policies reduces efficiency and is evidence that the bill’s authors either do not understand cap and trade or do not believe that it works.”

B. The CBO points out dramatic regulatory changes are needed for a nuclear build-out of the size required in many analyses. In addition, the use of carbon-capture technology involves great uncertainty with issues beyond the technology of capturing the carbon. Here’s what they say [emphasis added]:

“Many experts believe that nuclear power could displace a significant amount of fossil-fuel use, but **only if the regulatory framework was adjusted** to allow for the greater use of nuclear power to generate electricity. Similarly, generators would be **unlikely to adopt technologies for the capture of CO₂ and its sequestration in the ground unless an extensive regulatory structure was put in place** to address issues involving property rights, rights-of-way for pipelines, and liability for emissions that escape from the ground.” [CBO, page 5]

Proposed cap-and-trade legislation does none of this and even with these changes, the pace of technological change is highly uncertain. The CBO goes on:

“Uncertainty about how the economy would respond to price changes contributes importantly to the wide variation in estimates of the cost of achieving any particular emission target. For example, expert opinion varies considerably about which types of technologies are likely to be

available at different points in the future or how emissions restrictions might shift the pace of their development and deployment.”

Heritage said:

“This particular scenario [the EPA’s low-cost projection for cap and trade] depends on three extreme assumptions. First, nuclear power generation must nearly double in the first 25 years. This is the equivalent of about 100 additional nuclear power plants. In the past 30 years, not one new nuclear power plant has been licensed and Boxer-Kerry (like Waxman-Markey) makes little to no provision for eliminating the legal and political barriers to the nuclear renaissance necessary for this EPA analysis.

“Second, the EPA assumes that technology for capturing and storing the carbon dioxide emitted from coal-fired power plants will be fully commercialized in the next 15 years. Pilot projects are still on the drawing boards. Further, even after the extraordinary technological and economic hurdles have been cleared, the political and environmental obstacles to storing tens or hundreds of millions of gallons of liquid CO₂ each day must be overcome.

“Third, the EPA assumes nearly two billion tons of CO₂ can be emitted beyond the caps set by the legislation because we will pay others to cut their CO₂ emissions. Known as offsets, some of these cuts are to be made in the U.S., while many more are expected to be provided abroad. The results from current offset programs elsewhere are so unsatisfactory, that Boxer-Kerry devotes 90 pages to specifying the structure for establishing the stultifying regulations for offset certification, verification and trading. The theoretical availability as outlined in the earlier part of the bill is a long way from the actual availability of the offsets necessary for the EPA’s analysis.”
And,

“Gambling trillions of dollars in family income and millions of jobs on any of these strained assumptions would be a great risk. Relying on all three seems unconscionable.”

C. Because higher energy prices affect some livelihoods and consumption patterns differently, the impact of cap and trade will hurt some more than others. Here is what the CBO says:

“No matter which approach they adopted, the resulting policy would almost certainly involve shifts of resources among households, in their capacity as consumers, workers, and owners or shareholders of firms... Revenue-raising approaches would effectively shift income from consumers of fossil-fuel intensive goods and services to the people who would benefit from the resulting spending increases or tax reductions.” [CBO, page 6]

And:

“Nevertheless, the employment effects of H.R. 2454 [the Waxman-Markey bill] could be substantial for some workers, families, and communities. Labor markets would take time to adjust to shifts in demand. Job losses would be concentrated in particular industries and in particular geographic regions. Some workers would probably end up working fewer hours or at

lower wages than they did previously, and some might leave the labor force entirely. Involuntary job losses could significantly reduce the lifetime earnings of some affected workers.” [CBO, page 12]

Heritage said:

“Waxman-Markey affects some industries more than others. Some industries are undoubtedly more energy-intensive and thus hit harder by higher energy prices. Particularly alarming is the damage that Waxman-Markey inflicts on America’s manufacturing base. By 2035, the last year of the simulation, durable manufacturing employment will have lost 1.17 million jobs. Nondurable manufacturing losses reach almost 210,000 jobs by 2035. Combined, manufacturing employment averages 389,000 less than the baseline between 2012 and 2035, hitting a high of 1.38 million lost jobs in 2035.”

D. The whole point of cap and trade is force people to change their behavior. The CBO lists some of the behavioral changes they expect:

“...market-based policies would induce firms and households to change their practices—in the short run, by driving slightly less, adjusting thermostats, and switching fuels in the power sector; and in the long run, by buying more-efficient vehicles and equipment, building more-energy-efficient buildings in denser neighborhoods...” [CBO, page 6]

Heritage said:

“Businesses and consumers will adapt as well as possible to these higher prices. They will spend more for less energy. They will build smaller houses and buildings. They will drive smaller, less safe vehicles. They will turn thermostats up in the summer and down in the winter. They will divert income to more expensive energy-saving appliances. But these activities and more will not be enough to offset the higher energy costs. The net effect is lower income, higher prices, and fewer jobs.”

E. The CBO brief confirms there will be no green stimulus from cap and trade:

“Rising costs of emission-intensive activities would tend to dampen overall economic activity by reducing the productive capacity of existing capital and labor; by reducing households’ income (which, in turn, would tend to reduce consumption and saving); by reducing real (inflation-adjusted) wages and, thereby, the supply of labor; and by discouraging investment through increasing the costs of producing capital goods (which is a relatively energy-intensive process) and through diverting investment and research toward the production of less emission-intensive but more expensive sources of energy.” [CBO, page 7]

Heritage said:

“The direct effect is a reduction in the consumption of carbon-based energy.

“The indirect effects are more complex. Generally speaking, the carbon fees reduce the amount of energy used in producing goods and services, which slows the demand for labor and capital and reduces the rate of return on productive capital. This “supply-side” impact exerts the predictable secondary effects on labor and capital income, which depresses consumption.”

And, “The Waxman-Markey bill proposes a new national tax of historic proportions. Though levied directly on carbon-based energy, the tax’s impact spreads through the economy, increasing prices, reducing income, destroying jobs, and significantly expanding the national debt.”

F. The CBO pulls the curtain back on the renewable electricity fraud. Solar and wind power don’t generate electricity if the sun isn’t shining or the wind isn’t blowing. These problem constraints put fundamental limits on how much we can depend on them. The CBO says:

“Energy conservation and most renewable energy sources are projected to play relatively limited roles over the entire period, mainly because most kinds of renewable energy provide power intermittently. Instead, a substantial increase in the use of nuclear power plays a dominant role under some assumptions, while significant increases in the use of biofuels or carbon capture and sequestration play a much more important role under other assumptions.” [CBO, page 10]

Heritage said:

” [Our] model projects no additional nuclear, solar, wind, or biomass beyond those motivated by the existing, federal, state, and regional mandates and programs. CCS is not commercially and politically feasible before the 2035 horizon of our analysis. The reference case includes 15 gigawatts of net new nuclear power by 2035; biofuels for light-duty vehicles rise from 8.9 billion gallons per year in 2008 to 33.4 billion gallons per year in 2035; electricity generation from renewables (not including conventional hydropower) rises from 133 terawatt-hours in 2008 to 641 terawatt-hours in 2035.”

G. When the benefits of cutting CO2 are included, you still don’t get much (especially this century). The CBO says:

“Nonetheless, CBO concludes that the net effects on GDP of restricting emissions in the United States—combining the effects of diverting resources to reduce emissions and moderating losses in GDP by averting warming—are likely to be negative over the next few decades because most of the benefits from averting warming are expected to accrue in the second half of the 21st century and beyond.” [CBO, page 12]

Heritage said:

“All of these costs will be paid for no more than a 0.2 degree (Celsius) moderation in world temperature increases by 2100, and no more than a 0.05 degree reduction by 2050. Saddling the next generation with higher prices, higher debt, less income, fewer jobs, and more taxes does not seem like a worthy legacy—especially when the purported environmental benefits are so small they can barely be measured.”

- Author: [David Kreutzer](#)

PESTICIDES

Should We Battle Blood-Sucking Bed Bugs with Banned Pesticides? (*TreeHugger*)

by Jeff Kart, Bay City, Michigan on 11.28.09

SCIENCE & TECHNOLOGY

Itchy scratchy bed bugs are getting so bad around parts of the United States that they're becoming a plot line on TV comedies like "[30 Rock](#)" and "[It's Always Sunny in Philadelphia](#)." And some folks in the real world are calling on the U.S. Environmental Protection Agency to lift a ban on pesticides that could fight the critters.

The tiny bugs haven't been much of a problem since World War II, [the Associated Press says](#), but they're on the rebound from New York to Chicago to Washington, in college dormitories, hotels, and rich and poor areas.

The tiny red and brown bugs live in [mattresses, sofas and sheets](#) and emerge before dawn to feed on human blood. The bugs are [resistant to most pesticides in use today](#), while the nation continues to obsess over [the Twilight series](#) of vampire books.

The EPA is [looking into the bed bug bump](#), and considering the use of banned chemicals to help control the insects, including good old DDT, which was banned in the 1970s after helping decimate bald eagle populations.

So what should we do to bring back freedom from bed bugs, now that the bald eagle is rebounding? Should we just start sleeping in bathtubs and restrict international travel?

[In Ohio, the Department of Agriculture is seeking an emergency exemption](#) to allow the use of the insecticide propoxur in homes. The stuff is already used in commercial buildings, on crops and in flea and tick collars for pets.

In Michigan, the government has established [a bed bug workgroup](#).

There also are alternatives, like throwing away all of your belongings, or heating, freezing and steaming the bugs out of bedrooms, the AP reports. But treatment is generally very expensive using the current swath of permitted pesticides.

More than a dozen other states are supporting Ohio's request, reports The Columbus Dispatch.

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Nov. 3, 2009:**

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Climate Bill Hearings

Senate climate bill boosts natural gas outlook: Reuters The Senate bill would require the Environmental Protect..

Posted by: [GreenResponse](#) 6:40 pm Full post: <http://bit.ly/1hRFku>

Chamber of Commerce Endorses Climate Legislation — For Real

(Note: writer for Washington Independent)

Posted by: [aaronwiener](#) 6:05 pm Full post: <http://bit.ly/33Jpmd>

Chamber pushes bipartisan climate bill: U.S. Chamber of Commerce calls for legislation, but stops short of endorsing cap and trade.....

Posted by: [politico](#) 5:50 pm Full post: <http://bit.ly/ZNhMc>

Senate EPW climate bill has too few allowances, important for manufacturers

(Note: American Chemistry Council)

Posted by: [AmChemistry](#) 5:14 pm Full post: <http://ow.ly/yYY0>

Sen. Grassley (R-Iowa): Climate bill moving more quickly than GOP expected

Posted by: [MPOTheHill](#) 5:10 pm Full post: <http://bit.ly/3qCVgK>

[VIDEO] Hearing: Boxer is only Senator at markup hearing on a climate bill..

(Note: RCPvideo - latest politics, news and election videos - 5,000 followers)

Posted by: [rcpvideo](#) 4:48 pm Full post: <http://bit.ly/jksmb>

AMMA's Hill letter indicates that Senate EPW climate bill provisions put U.S. competitiveness at risk

Posted by: [AmChemistry](#) 4:43 pm Full post: <http://ow.ly/yYX7>

German Chancellor on Global Warming

US puts climate debate on hold 4 5 weeks despite plea by Merkel

(Note: Guardian Environment – England)

Posted by: [guardianeco](#) 4:50 pm Full post: <http://bit.ly/4uXZPy>

Atrazine Testimony by Corn Growers

Atrazine is important, corn group tells Washington.

(Note: National Agricultural News)

Posted by: [KansasAgland](#) 5:22 pm Full post: <http://tinyurl.com/yjztchk>

NCGA gives EPA the message on atrazine

Posted by: [ksfarmbureau](#) 5:23 pm Full post: <http://bit.ly/271Bve>

Avery on atrazine in Washington Times: Weighing weeds vs. crops Use science, not hysteria, on food supply issue

Posted by: [kscorn](#) 12:31 pm Full post: <http://tinyurl.com/y8qm8lu>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

In Reversal, Boxer Sharply Curbs Clean Air Act Regulation Of Greenhouse Gases (*Wonk Room*)

By [Brad Johnson](#) on Nov 3rd, 2009 at 3:21 pm

In a major shift, Sen. Barbara Boxer (D-CA) has changed the Clean Energy Jobs Act to significantly restrict the use of existing Clean Air Act provisions to regulate greenhouse gases. Unlike the climate bill passed by the House in June, the initial version of the Clean Energy Jobs and American Power Act, released by lead sponsor Sen. John Kerry (D-MA) and Boxer last month, [did not strip](#) the Environmental Protection Agency's existing authority. The new language excludes global warming pollution from several sections of the Clean Air Act, limiting its regulation to [operating permits](#) for stationary sources emitting over "25,000 tons per year of any greenhouse gas":

Notwithstanding any provision of this title or title III, **no stationary source shall be required to apply for, or operate pursuant to, a permit** under this title solely because the stationary source, including an agricultural source, emits less than 25,000 tons per year of any greenhouse gas or combination of greenhouse gases that are regulated solely because of the effect of those gases on climate change.

The 25,000 ton standard reflects the EPA's plan for starting global warming regulation under a "[tailoring rule](#)" limited to the few thousand stationary sources of more than that amount of carbon dioxide a year — in large part coal-fired power plants. However, Boxer's text is poorly written, as many greenhouse gases are [thousands of times more powerful](#) global warming pollutants than carbon dioxide.

The new text — like that of the House bill — completely forbids the regulation of greenhouse gases under the [criteria pollutant](#), [hazardous air pollutant](#), and [international air pollution](#) sections of the Clean Air Act.

Although several progressive and environmental organizations have made the [preservation of existing Clean Air Act authority](#) in the Clean Energy Jobs and American Power Act a key demand, Democratic members of the Committee on Environment and Public Works — which is now beginning to [mark up the legislation](#) — are split on this issue. Committee members Sen. Kirsten Gillibrand (D-NY) and Sheldon Whitehouse (D-RI) are signatories, with Chris Dodd (D-CT), of a [dear colleague letter](#) in favor of allowing greenhouse gas regulation as a pollutant circulated by Sen. Bob Menendez (D-NJ). However, Sen. Arlen Specter (D-PA) had questioned the provision, and influential member Max Baucus (D-MT), the Finance Committee chair, [strongly opposes EPA regulation](#).

Organizations that have called on the Senate to “save the Clean Air Act” include [Friends of the Earth](#), [iSky](#), and [MoveOn](#), supported by [youth](#) and other grassroots activists.

Other [changes to the original version](#) of the legislation reflect industry-friendly demands from Democrats on the committee. They include: increasing free allowances to major oil refineries, putting the Secretary of Agriculture in charge of the agriculture offset program, and making owners of abandoned mountaintop removal sites (“private or public abandoned mine land”) eligible for “Greenhouse Gas Reduction Incentives.”

The chairman’s mark also adds some provisions which strengthen the bill: Rep. Doris Matsui’s (D-CA) [tree-planting program](#) language, incentives for rapid renewable energy deployment, and a program to reduce black carbon emissions from diesel.

Text in chairman’s mark of Clean Energy Jobs and American Power Act restricting Clean Air Act regulation of greenhouse gases:

(g) AMENDMENTS CLARIFYING REGULATION OF GREENHOUSE GASES UNDER CLEAN AIR ACT.—

(1) AIR QUALITY CRITERIA AND CONTROL TECHNIQUES.—Section 108(a) of the Clean Air Act

(42 U.S.C. 7408(a)) is amended by adding at the end the following:

(3) PROHIBITION ON LISTING OF GREENHOUSE GASES.—On and after the date of enactment of this paragraph, the Administrator shall not include on the list of pollutants under this subsection any greenhouse gas on the basis of any effect the greenhouse gas may have on climate change.’’.

(2) HAZARDOUS AIR POLLUTANTS.—Section 112 of the Clean Air Act (42 U.S.C. 7412) is amended by adding at the end the following:

(20) GREENHOUSE GAS LIMITATION.—No greenhouse gas may be added to the list of hazardous air pollutants under this section unless the greenhouse gas meets the criteria described in sub

Section (b) independent of the effects of the greenhouse gas on climate change.’’.

(3) INTERNATIONAL AIR POLLUTION.—Section 115(c) of the Clean Air Act (42 U.S.C. 7415(c)) is amended—

(A) by striking (c) This section’’ and inserting the following:

(3) APPLICABILITY.—

(A) FOREIGN COUNTRIES.—This section’’; and

(B) by adding at the end the following:

(B) GREENHOUSE GASES.—This section does not apply to any greenhouse gas with respect to the effects of the greenhouse gas on climate change.’’.

(4) DEFINITION OF MAJOR EMITTING FACILITY.—Section 169(1) of the Clean Air Act (42 U.S.C. 7479(1)) is amended—

(A) in the first sentence, by inserting

(other than any greenhouse gas), and 25,000 tons per year of carbon dioxide equivalent for any greenhouse gas or combination of greenhouse gases’’ after one hundred tons per year or more of any air pollutant,’’; and

(B) in the second sentence, by inserting

(other than any greenhouse gas), and 25,000 tons per year of carbon dioxide equivalent for any greenhouse gas or combination of greenhouse gases’’ after two hundred fifty tons per year or more of any air pollutant’’.

(5) PERMITS.—Title V of the Clean Air Act (42 U.S.C. 7661 et seq.) is amended by adding at the end the following:

Sec. 508. EMISSIONS OF GREENHOUSE GASES. Notwithstanding any provision of this title or title III, no stationary source shall be required to apply for, or operate pursuant to, a permit under this title solely because the stationary source, including an agricultural source, emits less than 25,000 tons per year of any greenhouse gas or combination of greenhouse gases that are regulated solely because of the effect of those gases on climate change.’’.

GOP Boycotts Climate Markup, Boxer Moves Ahead Anyway (*The New Republic*)

- *Bradford Plumer*
- November 3, 2009 | 10:17 am

Okay, here's the latest on the ongoing mini-drama over the Senate climate bill. Earlier this morning, the Environment and Public Works committee met to begin marking up and amending the bill, and Republicans carried out their early threat to boycott the session—only George Voinovich showed up, to lodge a complaint. Voinovich asked committee chair Barbara Boxer to postpone the markup until the EPA had done a full analysis of the initial Senate draft. (This would delay the mark-up by about five weeks, since it takes time for the agency to run its different models.)

Boxer, for her part, pointed out that the EPA [had already done](#) extensive economic analysis of the House climate bill. Then, last month, the agency [combed through](#) the Kerry-Boxer draft Senate climate bill, noted that most of the provisions were virtually identical to the House

legislation, and so declared that its analysis applied there, too. There were a few minor differences between the two bills, so EPA staffers looked those over carefully and pointed out what the effects would be. Meanwhile, it's not like the EPA's just stepping aside: Once all Senate committees have marked up the current draft and we have a final bill, the agency will do a full modeling run of that version before it comes up for a floor vote.

Voinovich has a fair point when he says we need to understand the full effects of this rather large piece of legislation. But there's a huge body of information as is. True, the agency *could* take another five weeks to do another full modeling run of the current Senate draft, as Republicans prefer, but it's extremely unlikely that we'll discover anything new. And, of course, that initial draft is going to change significantly. What's more, one of the lurking problems here is that Voinovich [simply believes](#) the agency is being too optimistic about the effects of the bill—he appears to want the EPA to revisit its assumptions and redo its work again and again until he gets the answer he's looking for.

In any case, it looks like the bill's moving forward. Yesterday, Boxer [made a few modest concessions](#) to James Inhofe and other Republicans on the committee, saying she would extend the deadline to offer amendments and would pause the markup process this afternoon and bring in EPA staff, who could answer any questions Voinovich or other Republicans might have. But, at this point, she's not yielding to their demand for a five-week delay—indeed, she suspects that James Inhofe and other Republicans on the EPW are just trying to do whatever they can to delay a bill they had no intention of voting for anyway.

Incidentally, not everyone seems to agree with Boxer's style. One anonymous Democratic aide [grumbled to](#) the *Politico* today, "She's poisoned the waters." Indeed, it's possible Inhofe is forcing this fight because he knows Boxer has a reputation as a combative liberal, and that that could scare off moderates. So we'll see how this all plays out. But for now, Boxer appears to have the better argument.

Cap-and-Trade Costs: Place Matters (*The New Republic*)

- *Jonathan Rothwell*
and Mark Muro
- November 3, 2009 | 9:39 am

Much is in question today as Senate Environment and Public Works Committee chairman Barbara Boxer tries to push ahead with work on climate-change legislation, with Republicans threatening a [boycott](#) of the markup. What is certain, however, is that cost issues—costs to the

overall economy, costs to certain sectors, and costs to families—will loom huge in the coming weeks.

On the overall impact, the most recent [analysis](#) by the Congressional Budget Office (CBO) estimates a cap-and-trade bill will depress GDP growth 0.2 percent to 0.7 percent by 2020, though some contend legislation will actually boost growth, while others like the U.S. Chamber of Commerce foresee massive layoffs. Across sectors, several studies show varied impacts, with energy-intensive industries losing more jobs than will be created in clean energy. But we'll leave those aside for now.

Today, we are interested in the cost impact of legislation on households, and here we are generally reassured that the [newest EPA analysis](#), which concludes that a climate package like the one being considered by the Senate would cost the average household only around \$80 to \$111 per year. That seems supportable. And yet, that's a national figure, and so it remains unsatisfying. Of course, many, many national averages obscure significant variation across America's diverse array of metropolitan areas. Also, our 2008 research that ranked the carbon emissions of the 100 largest metropolitan areas, located [significant variation](#) between the energy use and emissions of the “cleanest” and the “dirtiest” metros.

So we decided to drill down a little on the household costs for metros, somewhat as Nate Silver did at the [state level](#), using the CBO's household cap-trade cost-impact figures for different income groups and the Brookings carbon footprint data for metropolitan areas. (Look [here](#) to check out what we did).

What do we make of these results? The first thing to say is: The household costs of cap-and-trade compliance vary quite a lot, and depend quite a bit on what metro you live in. Ranging above and below the average \$160 cost to a household nationally in 2020, the average metro figures range from a high of \$277 per household in Lexington, KY to a low of just \$96 in Los Angeles. Low costs are registered all across the West's metros and in Northeastern metros like New York, Boston, and Rochester. Much higher costs will be borne by households in metros all across the upper South and Ohio Valley—places like Cincinnati, and Indianapolis, and Nashville. So once again, as we keep saying: Place matters.

In terms of what's driving these variations and what we're to make of these differentials, the bottom line is this: Differences in the compliance costs across metros result mostly from variation in carbon emissions. Residents of high emission metros emit roughly 2.4 times as much carbon per capita as residents in low emission metros and this translates into about \$178 extra in costs per household. In that sense, the cap-and-trade system really will penalize high-energy-consumption households. But beyond that, it will also penalize sprawling, low-density metros that contend with extremes in temperatures and lack transit options. That's because, as the earlier report confirmed, the per capita “carbon footprints” of metro areas are influenced by their development patterns, the existence of rail transit, the carbon content of electricity sources, as well as the weather.

Given these realities, you can see why the chief sponsors of climate legislation hail from California (Rep. Henry Waxman, Sen. Barbara Boxer) and Massachusetts (Rep. Edward Markey, Sen. John Kerry) while the leading opponents, like Rep. John Boehner, represent Ohio or the South. But you might also think that regions that want to do well for their citizens might want to manage growth a little better, provide transportation options, and think about cleaning up their energy sourcing. Look at the map, after all: Place matters!

Understanding Boxer's Procedural Gambit (*The Heritage Foundation*)

Posted November 3rd, 2009 at 12.28pm in [Energy and Environment](#).

Today, Republican Senators boycotted the scheduled markup of the Kerry-Boxer (S.1733) cap-and-trade bill because the Environmental Protection Agency did [not complete a comprehensive economic analysis](#) of the legislation. Senator Boxer (D-CA), who chairs the committee, had threatened to break with committee precedent and move forward without the participation of Republicans. According to [CQ Politics](#):

Because two members of the minority party must attend in order for a markup to proceed, Boxer has scheduled a “committee business meeting” — an apparent procedural gambit designed to allow work without a GOP quorum.

Ultimately, she decided to postpone consideration and said in a [statement](#):

To meet your concerns, however, and in the spirit of collegiality, I have arranged for a recess of the markup to take place Tuesday, November 3, at 2:30 pm, so that EPA can be available to answer questions from EPW members on its analysis. In addition, we are offering to extend the deadline for first-degree amendments on the Minority side until close of business tomorrow. Of course, we will follow the rules of the Committee and the Senate as we proceed.

At the moment, Senator Boxer seems intent on moving forward without a comprehensive economic analysis, which means she will move without Republican participation and potentially run afoul of committee rules, which [state](#):

BUSINESS MEETINGS: At committee business meetings, and for the purpose of approving the issuance of a subpoena or approving a committee resolution, one third of the members of the committee, at least two of whom are members of the minority party, constitute a quorum, except as provided in subsection (d).

Boxer and her staff appeared to have latched on to the exception provided in subsection (d), which states:

(d) REPORTING: No measure or matter may be reported to the Senate by the committee unless a majority of committee members.

One reading of the committee's rules is that this exception would allow Boxer to pass the bill out of committee. However, it would preclude amending the legislation in committee which may alienate some of the committee's moderate Democrats who are uneasy with many of the bill's provisions. Alternatively, as chair, Boxer could interpret the rules to mean amendments could be debated and voted upon even without participation of the minority. Both scenarios have been described as "nuclear" and "toxic."

The American people should be very concerned how this process is playing out. Much like the debate over health care reform, the Senate is engaging in an opaque process and may very well trounce the rights of the minority.

Al Gore Going Green to Make Green (*The Heritage Foundation*)

Posted November 3rd, 2009 at 12.10pm in [Energy and Environment](#).

John Broder of *The New York Times* has [an interesting piece](#) on Al Gore's financial profit tied to his global warming alarmism and push for renewable energy. Gore's venture capital firm invested in Silver Spring Networks, a company that makes hardware and software to improve efficiency in the nation's electricity grid.

When President Obama told a crowd at a solar power plant in Florida, ironically on a cloudy day where the sun was nowhere to be found, that \$3.4 billion of the so-called stimulus package would be allocated for smart grid investment, it significantly reduced the risk of Gore's [investment](#): "Of the total, more than \$560 million went to utilities with which Silver Spring has contracts. Kleiner Perkins and its partners, including Mr. Gore, could recoup their investment many times over in coming years." Broder [calls](#) Silver Spring "a foot soldier in the global green energy revolution Mr. Gore hopes to lead."

If Al Gore wants to invest his money in green technology, windmills, solar panels or algae, he can do as he pleases. It's his money. The taxpayer does not have such autonomy. Along with Gore's investments, the government is taking other people's money to invest in these projects who do not have a say in the matter. It's what economist Frederic Bastiat [described](#) as legalized plunder: "See if the law takes from some persons what belongs to them, and gives it to other

persons to whom it does not belong. See if the law benefits one citizen at the expense of another by doing what the citizen himself cannot do without committing a crime.”

When it comes to investment, that’s exactly what venture capitalist firms are for – to supply funding for the early stages of high risk, potentially high profit start-ups. The government footing a portion of the bill significantly reduces the risk and there’s a reason they need to do so. It’s because these projects are too expensive to compete in the market otherwise and even after years of subsidies and tax breaks, renewable energy still only provides a small fraction of our energy. Maybe wind and solar investments will occur without government support but that’s for the market to decide.

In a speech last year, the former vice president [called](#) for the United States to commit to having 100 percent of the country’s electricity supplied by renewable energy within 10 years. With cap and trade, a mandated renewable electricity standard, and billions of dollars in taxpayer-funded green energy investments, [it’s no surprise](#) “few have put as much money behind their advocacy as Mr. Gore and are as well positioned to profit from this green transformation, if and when it comes.” But it’s not just Gore. Large energy companies are hedging their bets on political policy designed to make renewable energy more competitive and are pushing for federal funding.

Gore responded to criticism of this [saying](#), “I absolutely believe in investing in ways that are consistent with my values and beliefs. I encourage others to invest in the same way.”

That’s fine. Many Americans do invest in ways consistent with their values and beliefs and many hold stock where they work or in what they think will be profitable. It becomes objectionable when the government forces people to invest in projects, whether they’re profitable or not. But if the government is investing in them, it’s a pretty telling sign they won’t be. This isn’t laissez-faire capitalism; it’s crony capitalism.

- Author: [Nick Loris](#)

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PEOPLE ARE TALKING

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Climate Bill

Reid Gives Green Light to Boxer to use "Nuclear Option" to Pass Kerry-Boxer cap&tax out of EPW Committee

Posted by: [@Senate_GOPs](#) 6:33 pm

Near unanimity among 144 top economists that global warming threatens US economy & that cap-and-trade system will spur...

Posted by: [BoquuTerra](#): 6:30 pm Full post: <http://ow.ly/zjPQ>

Sen Reid gives Sen Boxer green light 4 "nuclear option" to advance climate bill if needed

Posted by: [OceanChampions](#) 6:05 pm Full post: <http://bit.ly/Xj5R9>

U.S. Diplomat Urges Congress to Approve Clean Energy Bill: A major international climate conference that begins Dec. 7 – Todd Stern, the State Department's special envoy for climate change...

(Note: State Dept.)

Posted by: [americagov](#) 5:52 pm Full post: <http://bit.ly/3izfP0>

[@jminhofe](#) – Don't boycott America's clean-energy future! Mark up the Senate climate bill! RT to sign

Posted by: [ClimateChangeOH](#) 5:50 pm. Full post: <http://act.ly/qn>

New Foundry post: EPA Lawyers Speak Out Against Cap and Trade

Posted by: [Heritage](#) 5:40 pm. Full post: <http://tinyurl.com/ygg2953>

With bill at standstill, 3 senators with differing politics join on working behind-the-scenes to rescue troubled climate legislation. Sen. John Kerry, D-Mass., together with Sen. Lindsey Graham, R-S.C., and Sen. Joe Lieberman, I-Conn.,

Posted by: [ClimateTreaty](#) 5:30 pm Full post: <http://bit.ly/2uXmuV>

New post: Former HP CEO Fiorina targets Boxer's Senate seat.....

Posted by: [ceonewsinfo](#) 5:07 pm. Full post: <http://cli.gs/28vtL>

Pesticide Drift

EPA Takes First Step in Addressing Risk Posed by Toxic Pesticide Drift

Posted by: [Earthjustice](#) 6:18 pm Full post: <http://bit.ly/1orWKX>

Chesapeake Bay Restoration Plans


Flash: "EPA Gives Chesapeake Bay States Restoration Expectations"

Posted by: [VANewsOverviews](#) 6:22 pm Full post: <http://tinyurl.com/y85qmmx>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

What does recent Senate drama on the climate bill mean? Peak Boxer. (*Grist*)

- *Posted 1:57 AM on 5 Nov 2009*
by [David Roberts](#)
 - [More from this author](#)
 -  [Author Feed](#)

There've been some weird goings-on in Congress around the Kerry-Boxer clean energy bill over the past few days. So let's take a step back and try to get a handle on how the story is unfolding.

In the House, the development of the Waxman-Markey bill was a relatively orderly process. Waxman took control of the Energy committee early in the session and selected Markey, who'd been fleshing out a progressive bill in his special committee, as his wingman. Together they introduced a bill and then worked it past the committee members, making concessions when necessary, mostly behinds closed doors, always tightly in control of the process. The idea was to do the bulk of the negotiating in-committee so that the resulting bill could pass on the floor without undue fuss. In the end that's just what happened.

Boxer desperately wanted to play the same role in the Senate. It didn't work out in early 2008 with the Lieberman-Warner bill, but she's been working overtime to make it work this go-round. One recurring theme of last week's three-day hearing marathon was Boxer's refrain that she's going to work with other senators, that the bill will change, that she's open to feedback. She practically hung out an Open for Business sign. She clearly wants to run this bill and emulate Waxman's success.

Just as badly, lots of other people don't want her to. Baucus made it clear early on that his committee would mark up a bill too, and then other committees jumped in. Inside EPW, James Inhofe desperately wants to give Boxer a black eye. That's why he and the rest of the committee Republicans [boycotted the markup of the bill](#) on Tues. and Wed. and show every sign of carrying on with that boycott. It now looks like EPW is going to [pass a bill out of committee](#) without a Republican ever having touched or debated it and without substantial markup of any kind.

That bill will be a dead letter. Already there's an undercurrent of anxiety in Washington that a bill can never pass as long as it's associated with an unpopular lady senator who runs one of the body's most liberal committees. The Senate isn't like the House. There is no party discipline among Democrats; in fact, Democratic senators are fond of explicitly [disclaiming](#) party discipline. It's a chamber full of large, jostling egos and not a little old-boy sexism. They're not about to let a combative liberal woman run the show.

So a bill that's Pure Boxer won't fly. That's why you saw, on Wed., the Senate's perceived centrists—Kerry, Graham, and their new buddy Joe Lieberman—[swoop in and open a “dual track” of negotiations](#), in consultation with the White House. (Lieberman lives to do this kind of thing.) Graham *seemed* to rebuke his colleagues on the EPW Committee: “If you can't participate in solving the problem, then why are you up here?” he asked. But at the same time he, along with fellow moderates Gregg, Snowe, and Collins, [signed a letter to EPA chief](#) Lisa Jackson reiterating the Republicans' essentially preposterous demand for another five-weeks of study of the bill.

An EPA official testified to EPW on Tues. that such a study would be expensive, time-consuming, and utterly unnecessary. There's no substantive rationale whatsoever for demanding it. Remember, though, this isn't about substance—it's the Senate. It's about perception. And what moderate Republicans are signaling here is: “whoa, slow down the crazy liberal lady!”

Similarly, by stepping in, Kerry, Graham, and Lieberman are letting the political establishment know that the Very Serious grown-ups are back in charge. (It's pretty telling that Kerry feels the need to craft another bill alongside *the one with his name on it.*) They will go to the White House, close the door, and hash out what kind of bill can *really* pass.

In short, it seems that Boxer's high-water mark of influence on the bill has passed, and with a fizzle rather than a bang.

Addendum: I should emphasize: this is all perception. Is Boxer really a crazy liberal? No. Was she jamming a liberal bill through her committee too quickly? No, the bill was [relatively modest](#), similarly to the intensely analyzed House bill, and she was being almost absurdly solicitous of the feedback of the committee's Republicans. Is Boxer too abrasive to do the delicate work of shepherding a bill through the Senate? Well, there may be something to that. In Congress it's all about staff, and DC rumor has it that Boxer's staff director, Bettina Poirier, is a controlling and alienating presence. EPW has been [hemorrhaging key staff](#) for a while now, and more than one Senate staffer has a tale of being misled or bypassed entirely by Boxer's staff during negotiations over the bill. All those stories feed the general sentiment that Boxer just shouldn't be the one running this. Fair or not, that's the perception, and perception is reality in the Senate.

David Roberts is staff writer for *Grist*. You can follow his Twitter feed at twitter.com/drgrist

The Power Of Carbon Disclosure (*The New Republic*)

- *Bradford Plumer*
- November 4, 2009 | 3:59 pm

In [an interview](#) with *The New Yorker's* Elizabeth Kolbert, Al Gore made an interesting point I hadn't seen elsewhere (it's that last paragraph there):

Once the world makes it clear that we are going to follow a roadmap to a low-carbon economy, the best-managed businesses will seek to race out in front of that emerging trend. Indeed, you're already seeing a lot of them do exactly that.

And along with legislation and the treaty, there is also the prospective regulation of CO2 by the E.P.A.; the Second Circuit Court of Appeals decision giving a green light to private lawsuits against large CO2 emitters based on tort law; and the prospective requirement to begin, this January 1st, reporting CO2 emissions, a requirement that will cover the emitters of eight-five per cent of the CO2 in the U.S. each year, with the first public release of that annual report coming a year from March.

The last time this kind of reporting mechanism was used, with the [toxic reporting initiative](#), it triggered a mad scramble by the top ten emitters in each city to get off that top ten list.

Just to recap, the EPA finalized its [greenhouse-gas reporting rule](#) back in September; it will require the 13,000 or so biggest polluters in the country to start measuring their emissions. The data will become public in 2011. A recent *Forbes* [story](#) noted that some companies are already doing what Gore predicted—finding ways to use energy more prudently and curbing their emissions in order to look better when those reports become public. (What's more, simply by tallying up their emissions, many businesses are discovering just how much energy—and hence money—they're wasting.)

That's not surprising. For years, a lot of companies have tried to foster an eco-friendly image, but now there'll be actual benchmarks to contend with—and greenwashing will be a lot harder to pull off. This sort of voluntary action isn't really a substitute for carbon caps, but it can certainly quicken the rate of change.

EPA Lawyers Speak Out Against Cap and Trade (*The Heritage Foundation*)

Posted November 4th, 2009 at 5.27pm in [Energy and Environment](#).

Laurie Williams and Allan Zabel, two lawyers currently working at the Environmental Protection Agency (EPA), spoke out against cap and trade in [their](#) *Washington Post* column. Zabel has first hand experience with cap and trade, overseeing California's cap and trade and offsets programs. The article is full of good reasons why a cap and trade program to reduce greenhouse gas emissions is a bad idea. They also [highlight how it differs](#) substantially from the acid rain cap and trade plan, which proponents tout as a reason to cap and trade CO₂:

Cap-and-trade means a declining "cap" on total emissions, while allowing trading of pollution permits. Confidence in the certainty of declining caps is based on the mistaken assumption that cap-and-trade was proven in the EPA's acid rain program. In fact, addressing acid rain required relatively minor modifications to coal-fired power plants. Reductions were accomplished primarily by a fuel switch to readily available, affordable, low-sulfur coal, along with some additional scrubbing. In contrast, the issues presented by climate change cannot be solved by tweaks to facilities; it requires an energy revolution through investments in building clean-energy facilities."

The authors [explain](#), however, that these minor modifications and cheap alternatives aren't available when it comes to America's energy use:

The biggest obstacle to this revolution is that uncontrolled fossil fuel energy remains much cheaper than clean energy. Cap-and-trade alone will not create confidence that clean energy will become profitable within a known time frame and so will not ignite the huge shift in investment needed to begin the clean-energy revolution. In recent interviews, even the economists who thought up cap-and-trade have said they don't believe it's an appropriate tool for climate change."

The brunt of the authors' objection to a cap and trade system has to do with the offset provision. If a coal plant believes it's cheaper not to reduce its carbon footprint, it can pay someone else to do so. For instance, a company could pay a logger not to cut down trees, or they could pay someone to grow trees since trees absorb carbon. Or a developing country can build a cleaner coal plant saying they were going to build a dirtier one while cashing a check from a developed country for the alleged carbon offset. Williams and Zabel [make the same case](#) with the forest owner:

[I]f the landowner wasn't planning to cut his forest, he just received a bonus for doing what he would have done anyway. Even if he was planning to cut his forest and doesn't, demand for wood isn't reduced. A different forest will be cut. Either way, there is no net reduction in production of greenhouse gases. The result of this carbon "offset" is not a decrease but an increase — coal burning above the cap at the power plant."

And the offset program creates perverse incentives and [unintended consequences](#):

[C]onsider the refrigerant HCFC-22, the manufacture of which creates an extremely powerful greenhouse gas as a byproduct. This byproduct is relatively easy and cheap to destroy, and governments could require refrigerant manufacturers to do just that. But offset investors have persuaded regulators to approve destruction of the byproduct as a carbon offset, making it twice as profitable to sell byproduct destruction as it was to sell the refrigerant."

Designed to be a cost containment measure, experience with offsets have led to nothing but fraud with no reduction in carbon dioxide. The architects of cap and trade legislation claim that farmers and landowners with forestland to be the big winners from the offset program. But the economic pain they suffer, [along with everyone else](#), will be much greater than any offset check they collect.

- Author: [Nick Loris](#)

Cap And Trade's Mandates And Subsidies Are Wrong (The Heritage Foundation)

Posted November 5th, 2009 at 9.18am in [Energy and Environment](#).

Following major defeats at the ballot box on Tuesday, the left's legislative agenda suffered another huge setback yesterday when once wavering Sens. Lindsey Graham (R-SC), Judd Gregg (R-NH), Olympia Snowe (R-ME), and Susan Collins (R-ME) all signed a letter supporting Sen. George Voinovich's (R-OH) demand that the Environmental Protection Agency provide a thorough analysis of how the Kerry-Boxer cap and trade legislation will impact the U.S. economy. Sen. Barbara Boxer (D-CA) had been pressing for swift passage of her cap and tax legislation, but conservatives on the Environment and Public Works Committee thwarted her efforts by [boycotting a vote on the legislation](#) Tuesday.

An EPA analysis on the economic costs of cap and trade is no small issue. If Tuesday's elections proved anything, it is that [jobs and economic growth are the top concern on Americans' minds](#). The Heritage Foundation's Center for Data Analysis has [found](#) that cap and tax legislation would cost the average family-of-four almost \$3,000 per year, cause 2.5 million net job losses by 2035, and produce a cumulative gross domestic product (GDP) loss of \$9.4 trillion between 2012 and 2035. The EPA has issued preliminary reports reaching different conclusions; including an [October 23 report](#) on Kerry-Boxer that found it would only cost the average American family \$80 to \$111 dollars per year.

There are many [fundamental problems](#) with that EPA report, none more glaring than their fanciful assumption that nuclear power generation will nearly double in the next 25 years. This is the equivalent of about 100 additional nuclear power plants. The reality is that in the past 30 years, not one new nuclear power plant has been licensed. More importantly, the Kerry-Boxer approach to reviving the nuclear energy relies on the same failed policies that have crippled the U.S. nuclear energy for the past 30 years. Heritage fellows Jack Spencer and Nick Loris [explain](#):

Washington has a role to play in reducing financial barriers, but not by funding projects with taxpayer dollars. The regulatory costs and uncertainty posed by the federal bureaucracy represent significant risk to the success of the nuclear industry, just as regulatory uncertainty significantly

affected the timing and budget of past nuclear plant construction. Indeed, this risk and uncertainty results in the higher prices that are most often used to justify government subsidies for nuclear projects. Efforts to reduce that risk by reforming the most obvious areas, such as the regulatory process and waste management, are nowhere to be found in the bill.

Instead, the bill attempts to reduce the financial risk caused by regulatory delays and technological development by expanding the federal government's responsibility — and authority — on the technical side. It promotes government intervention into areas that are either unnecessary or that should reside solely in the private sector. For example, the Boxer-Kerry bill creates a research and development program to assess plant aging, improve plant performance, engineer safer fuels, and lower overall costs. These are all areas currently being addressed by the private sector and already supported by public institutions and funds.

Instead of handing out more government subsidies to compensate for increased government regulation, Congress should be heading in the exact opposite direction. What the nuclear industry really needs is an end to market distorting loan guarantees, a streamlined permit process for new plants and reactor designs, market reforms for nuclear waste management, and the ability to recycle spent fuel. America can create thousands of new jobs through an expansion of the energy sector. But just as with oil, coal, and natural gas, the less government intervention in the market, the better.

Quick Hits:

- Following major losses on Tuesday, [Democrats on Capitol Hill are questioning whether they should continue supporting President Barack Obama's agenda](#) instead of job creation.
- With some Democrats wavering after Tuesday's election, House Democratic leaders are pushing for a vote on their sweeping health-care bill [this Saturday](#).
- According to the [Washington Post](#), inability to lower taxes was a major factor contributing to New Jersey Gov. Jon Corzine's (D) loss on Tuesday.
- According to [Gallup](#), a majority of Americans now see President Barack Obama as governing from the left as compared to one year ago when as many Americans expected him to be moderate as to be liberal.
- According to an [Associated Press analysis](#) of the Obama administration's stimulus jobs report, more than two-thirds of the 14,506 jobs credited to the recovery act by Head Start programs simply involved pay increases.
- Author: [Conn Carroll](#)

The Cap and Trade Boycott Continues (*The Heritage Foundation*)

Posted November 4th, 2009 at 2.42pm in [Energy and Environment](#).

For the second day, Republican Senators boycotted the scheduled markup of the Kerry-Boxer (S.1733) cap-and-trade bill. Senator Inhofe (R-OK) appeared briefly to emphasize that the minority is [holding firm](#) to their demands that the Environmental Protection Agency complete a comprehensive economic analysis.

Rather than use a [procedural gambit](#) to trounce the rights of the minority, Senator Boxer announced the committee would receive a briefing from committee staff on the actual provisions of the [latest version](#) of the bill. That is certainly not objectionable, but common sense suggests a thorough understanding of the legislation would be a prerequisite for a markup.

In addition, just as Senators prepare to gain a better understanding about the legislation, Senator Rockefeller (D-WV) [hinted](#), “some people are talking about not doing it [global warming] until after the 2010 election.” Senator Olympia Snow (R-ME) went as far to say, “Obviously, it’s not an issue we will be readily addressing this year.”

While some Members will inevitably allocate time to the 2010 elections, the focus will still be the economy. Senator Evan Bayh (D-IN) stressed [that](#) “jobs should be our top priority and we shouldn’t do anything that detracts from that.” Representative Bob Etheridge (D-NC) echoed Senator Bayh’s remarks, [saying](#), “Three things ought to be the top priority: jobs, jobs and jobs.”

There’s one thing cap and trade will not do and that’s “save or create jobs.” It will destroy them. Our [preliminary analysis](#) of the Boxer-Kerry cap and trade legislation kicks 1.8 million people into the unemployment line as soon as 2012 and ultimately raises unemployment by over 2.7 million.

Even the EPA’s analysis under the most generous assumptions did not project a green economic stimulus. Out of the groups that came to The Heritage Foundation to explain the economic results of their respective cap and trade models (including the Environmental Protection Agency, the Energy Information Administration and the Congressional Budget Office), [there was no disagreement](#) on how cap and trade would affect employment. Higher energy prices will put a chokehold on the economy - causing fewer jobs and lower income.

Dan Holler co-authored this post.

- Author: [Nick Loris](#)

Instant Expert: The Copenhagen climate change summit (*New Scientist*)

November 4, 2009 6:00 PM

[A LOW-CARBON FUTURE STARTS HERE](#)

TWO-hundred-and-fifty billion tonnes. That's the bottom line. If we are serious about avoiding dangerous climate change, [250,000 megatonnes is the maximum amount of carbon we can put into the atmosphere](#). Keep going at current rates and [we will have used up that ration in 20 years](#).

The challenge for delegates at the week-long meeting in Denmark's capital is to agree on ways of ensuring we do not exceed it - ever.

Why this year? Two years ago in Bali, member nations of the UN Framework Convention on Climate Change (UNFCCC), which is convening the Copenhagen summit, agreed that they would accelerate their efforts and [draft a long-term plan to avoid dangerous climate change](#). Their deadline for doing so is the close of [this year's summit](#), on 18 December.

Hasn't the Kyoto protocol shown all this to be pointless? Not necessarily. The Kyoto protocol was always intended as a first step. There are a number of differences this time around, most notably that the US opted out of the Kyoto protocol but is very much engaged in the Copenhagen process.

Why 250,000 megatonnes? We have already emitted [over 500,000 megatonnes of carbon](#) - equivalent to about 1,800,000 megatonnes of carbon dioxide - mostly by burning fossil fuels and cutting down forests. This year, climate scientists calculated that if we emit no more than 750,000 megatonnes in total, we will have a [75 per cent chance of limiting global warming to 2 °C](#).

What is the significance of 2 °C? The [objective of the UNFCCC](#) is to prevent "dangerous" climate change. Although any amount of warming may have consequences - including biodiversity loss, changing weather patterns and disappearing coastlines - many climate scientists predict that [some of those changes will be irreversible beyond 2 °C](#) and others will pose a serious threat to millions of people. As a consequence, 2 °C has been adopted by politicians as the threshold for dangerous climate change.

Is 2 °C little enough? That all depends: little enough for what? No amount of warming is risk-free, and modelling studies indicate that at 2 °C [an additional 1 billion people will suffer water shortages and most of the world's corals will be bleached](#). The world's poorest nations, which include a number of island states that are particularly vulnerable to [sea-level rise](#), are [campaigning to limit warming to 1.5 °C](#). Given the effort that is going to be required to reach the 2 °C target, this is unlikely to be achieved. Moreover, lags in climate systems, plus the removal from the atmosphere of the fine aerosol particles now cooling the world, mean past emissions [are likely to result in a 1.9 °C warming](#).

WHAT NEEDS TO BE DONE

There are no two ways about it: to have any chance of avoiding the disastrous consequences of exceeding our carbon budget, we must usher in a new era of low-carbon societies.

How this is done will depend on what deal can be reached between rich and developing nations. Both must agree to cut emissions according to their means and historical responsibility.

Developing nations will also need money and technology to green their industrialisation. [Where this will come from](#) will be a key preoccupation for the Copenhagen negotiators

THE HAVES...

must cut emissions by

	BY 2020	BY 2050
NEED	25-40 %	80-95 %
AGREED SO FAR	10-24 %	40-80 %

AND HAVE NOTS

must cut emissions by

	BY 2020
NEED	15-30 %
AGREED SO FAR	10-15 %

MONEY

It could cost the poorest nations hundreds of billions of dollars a year to curb their emissions and adapt to inevitable climate change.

Rich nations are responsible for most of the gases that are already heating the planet, and [have a duty to help foot this bill](#). Negotiators in Copenhagen will have to agree on how.

Funds could be raised through taxes on emissions permits, for instance, or on international airline tickets. Or there could be a levy on all carbon emissions above certain national thresholds - as proposed by Switzerland.

The European Union agreed last week to push for a fund worth €100 billion a year by 2020.

FORESTS

Around 15 per cent of emissions come from deforestation. WWF believes this could be cut by three-quarters by 2020, but that requires giving governments, landowners and forest communities incentives to [stop destroying their forests](#).

Two years ago, climate negotiators promised to sign such a deal - dubbed [Reducing Emissions from Deforestation and Forest Degradation](#) (REDD) - in Copenhagen.

The cash could come from rich nations buying carbon offsets to meet their emissions targets.

Brazil and Indonesia - which account for 60 per cent of emissions from deforestation - are keen. But close monitoring is essential to ensure loggers claiming cash for a forest do not continue chopping down individual trees or move their operations elsewhere.

Also, countries such as Costa Rica that have protected their forests say it unfairly rewards those who got rich destroying theirs.

TECHNOLOGY

Two billion people worldwide do not have access to mains electricity.

To bridge that gap and power industry in developing countries, the International Energy Agency says \$13 trillion must be invested in the developing world in the next 20 years.

In Copenhagen, negotiators must seal a deal to ensure this goes mostly into low-carbon technologies - but how?

Western engineering firms want an open door to developing markets, perhaps secured by a "green free trade" deal. Countries like India and China want deals with rich nations that would give their own companies free access to western know-how.

DEAL BREAKERS

Who might thwart a deal?

The US may not be able to make credible promises if Congress has not passed a climate change bill in time.

If China and India think the US is not serious, they will hold back on pledges to green their own economic development.

Others might wield a veto, too. Some newly industrialised countries - Malaysia and South Korea for instance - now have emissions higher than many European countries. They may protest if asked to sign up to firm targets.

Malaysia's emissions are four times what they were in 1990 and, per head of population, equal to the UK's.

Saudi Arabia's emissions have doubled and, per head, now beat all European countries except Luxembourg.

Qatar's per-capita emissions are four times those of the US.

Gulf states tried to torpedo Kyoto because they felt it threatened oil exports. Copenhagen could threaten their internal industrialisation plans.

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

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November 9, 2009**

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE.GLOBAL WARMING

The Climate Clock and Copenhagen (*TreeHugger*)

by Lester Brown, Washington, D.C on 11. 7.09

For those concerned about global warming, all eyes are on December's [U.N. Climate Change Conference](#) in Copenhagen. The stakes could not be higher. Almost every new report shows that the climate is changing even faster than the most dire projections of the Intergovernmental Panel on Climate Change (IPCC) in their 2007 report.

Yet from my vantage point at [Earth Policy Institute](#), internationally negotiated climate agreements are fast becoming obsolete for two reasons. First, since no government wants to concede too much compared with other governments, the negotiated goals for cutting carbon emissions will almost certainly be minimalist, not remotely approaching the bold cuts that are needed.

And second, since it takes years to negotiate and ratify these agreements, we may simply run out of time. This is not to say that we should not participate in the negotiations and work hard to get the best possible result. But we should not rely on these agreements to save civilization.

Saving civilization is going to require an enormous effort to cut carbon emissions.

The good news is that we can do this with current technologies, which I detail in my book, [Plan B 4.0: Mobilizing to Save Civilization](#)".

Plan B aims to stabilize climate, stabilize population, eradicate poverty, and restore the economy's natural support systems. It prescribes a worldwide cut in net carbon emissions of 80 percent by 2020, thus keeping atmospheric CO₂ concentrations from exceeding 400 parts per million (ppm) in an attempt to hold temperature rise to a minimum. The eventual plan would be to return concentrations to 350 ppm, as agreed upon by top U.S. climate scientist at NASA, James Hansen, and Rajendra Pachauri, head of the IPCC.

In setting this goal we did not ask what would be politically popular, but rather what it would take to have a decent shot at saving the Greenland ice sheet and at least the larger glaciers in the mountains of Asia. By default, this is a question of food security for us all. Fortunately for us, renewable energy is expanding at a rate and on a scale that we could not have imagined even one year ago. In the United States, a powerful grassroots movement opposing new coal-fired power plants has led to a de facto moratorium on their construction. This movement was not directly concerned with international negotiations. At no point did the leaders of this movement say that they wanted to ban new coal-fired power plants only if Europe does, if China does, or if the rest of the world does. They moved ahead unilaterally knowing that if the United States does not quickly cut carbon emissions, the world will be in trouble.

Texas wind example.

For clean and abundant wind power, the U.S. state of Texas (long the country's leading oil producer) now has 8,000 megawatts of wind generating capacity in operation, 1,000 megawatts under construction, and a huge amount in development that together will give it over 50,000 megawatts of wind generating capacity (think 50 coal-fired power plants). This will more than satisfy the residential needs of the state's 24 million people.

And though many are quick to point a finger at China for building a new coal-fired power plant every week or so, it is working on six wind farm mega-complexes with a total generating capacity of 105,000 megawatts. This is in addition to the many average-sized wind farms already in operation and under construction.

Solar is now the fastest growing source of energy.

A consortium of European corporations and investment banks has announced a proposal to develop a massive amount of solar thermal generating capacity in North Africa, much of it for export to Europe. In total, it could economically supply half of Europe's electricity.

We could cite many more examples (and we do so in [Plan B 4.0](#), available for free downloading). The main point is that the energy transition from fossil fuels to renewables is moving much faster than most people realize, and it can be accelerated even further.

The challenge is how to do all that needs to be done in the time available.

The answer is a wartime mobilization, not unlike the U.S. effort on the country's entry into World War II, when it restructured its industrial economy not in a matter of decades or years, but in a matter of months. We don't know exactly how much time remains for such an effort, but we do know that time is running out. Nature is the timekeeper but we cannot see the clock.

Cap-And-Trade Politics: Carbon (Like Place) Matters! (*The New Republic*)

- *Mark Muro*
and Jonathan Rothwell
- November 6, 2009 | 4:25 pm

Yesterday, the Senate Environment and Public Works Committee voted to report out climate legislation, with ten Democrats voting yes, one Democrat (Montana's Sen. Baucus) voting no, and all of the Republicans boycotting. If you look at the vote tally (using [Project Vulcan](#) data), you find that the states of senators voting "no" emitted 29.4 tonnes of carbon per capita, and the states of "yes" voters emitted 13.3 tonnes per capita, compared with a national average of 20.9 tonnes per capita.

What do you think? Does this mean that the likely impact of cap-and-trade legislation on the members' states influenced their votes? We would say it does, as we implied in a [post](#) we put up the other day on the household costs by a bill by metro. However, Matthew Yglesias would likely disagree, going by his [response](#) to our previous examination of this issue.

Matt doesn't think representatives from metros (or states) with higher carbon emissions are less likely to support cap-and-trade. Instead, he argues that "the primary driver of the politics of climate change is general ideological factors, followed by the interests of energy *producers* rather than consumers." That is, he thinks that industry opposition to carbon legislation is a stronger motivator of "no" votes than consumer opposition—an interesting theory that we can almost buy. Did you see all those anti-climate bill industry ads during the World Series?

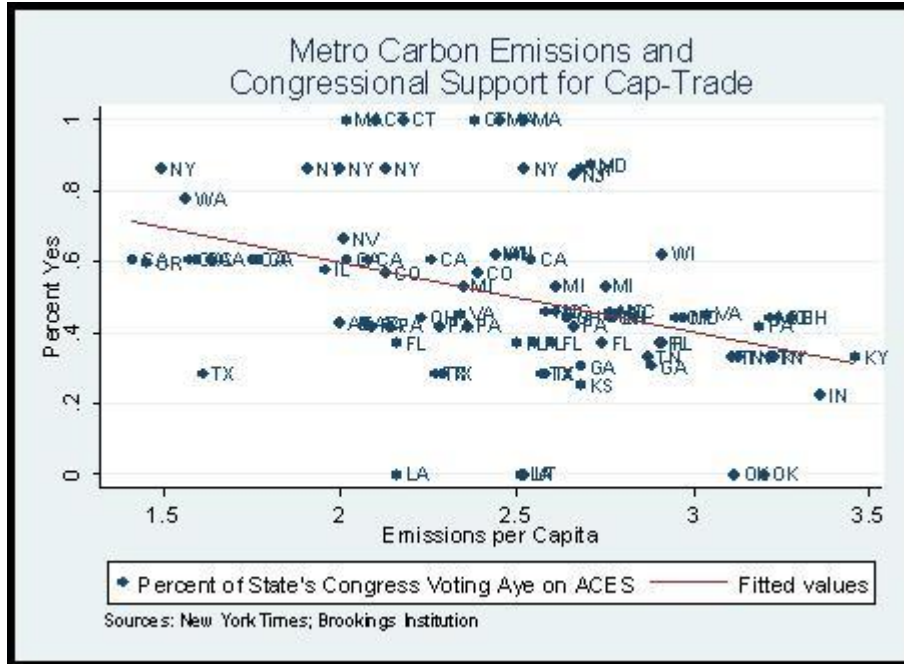
However, we think we'll stand by our contention, bolstered by spatial data and recent research on the politics of the carbon economy. Most notably, the economists Michael Cragg and Matthew Kahn have written [a paper](#) that looks at these issues in some depth and concludes:

This paper uses several geographical data sets to document that conservative, poor areas have higher per-capita carbon emissions than liberal, richer areas. Representatives from such areas are shown to have much lower probabilities of voting in favor of anti-carbon legislation.

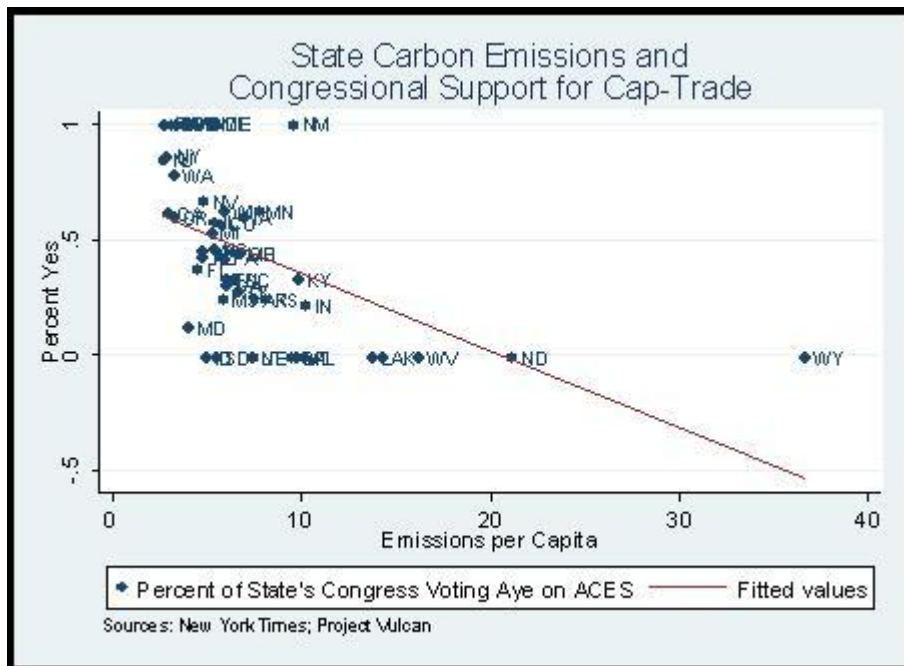
Along these lines, Cragg and Kahn find that emissions per capita are negatively correlated with the probability of pro-environmental votes on a resolution to support the reduction of greenhouse-gas (GHG) emissions, holding income per capita and political ideology constant. That is to say, even Democrats are more likely to oppose GHG regulation if their county is a heavy GHG polluter. Local costs influence local politics, as we've said all along.

But that's still abstract. To bring this down to the ground, let's get specific and look at the state-by-state breakdown of House members who voted yes on the Waxman-Markey climate bill this

spring (a.k.a. the American Clean Energy and Security Act), compared with the metropolitan carbon emissions of their states, with data courtesy of the *New York Times*. If you check out the graph below, it really does appear that House members from states with low-carbon-emitting metros really are significantly more likely to have voted "yes" on Waxman-Markey.



And if you use state-level emissions the picture looks the same: "Yes" votes on cap-and-trade tend to emanate from lower-emissions states.



In the end, then, it really does seem that place—and carbon!—matters in congressional voting on climate. Of course, there are many other factors that influence these votes, and yes, ideology—

and business opposition—play a role. But it is rare to find an issue for which ideology is completely divorced from reality, especially with respect to economic policy. And so we do agree with Cragg and Kahn that regional variations in the costs of cap-trade justify regional variation in allowances, on top of progressive redistribution based on household income. Fortunately, these two components are both in current House and Senate legislation. Yet, the allocation of allowances can easily go too far, becoming political bribery while weakening the bill's environmental benefits. The allocations should be linked to measurable cost projections, based on the real difficulties of moving out of high GHG energy sources, not sheer political influence.

Baucus Bullish On The Climate Bill (*The New Republic*)

Bradford Plumer

November 6, 2009 | 11:28 am

Strong words from Montana's Max Baucus [on the prospects](#) of climate legislation passing within a year:

Baucus insisted that the bill would cross the finish line, which would require both Senate passage and a successful conference with the House. "There's no doubt that this Congress is going to pass climate change legislation," he said. "I don't know if it's going to be this year. Probably next year."

That's fairly newsworthy, especially since, in recent weeks, various centrist Democrats have been talking about laying the issue aside for now. West Virginia's Jay Rockefeller [recently told Politico](#) that a cap on carbon might have to wait until after the 2010 midterms. And Nebraska's Ben Nelson has [flatly stated](#) that a climate bill won't pass this Congress.

Evidently, Baucus disagrees—and his views do carry some weight. Not only does he chair the Finance Committee, which will do the heavy legwork in deciding how the pollution permits are allocated under a cap-and-trade bill, but he comes from a big coal-mining state and his support will mean a lot to other jittery coal senators (much like how, in the House, Virginia Congressman Rick Boucher's blessing helped convince a lot of Democrats from coal districts to support the Waxman-Markey bill). The flip side, naturally, is that Baucus wants a less ambitious bill—he's already insisted that the current goal of cutting emissions 20 percent by 2020 is too stringent.

On a related note, Ben Nelson's [comment today](#) that lawmakers may have to postpone climate legislation because of the awful jobs picture seems awry. For one, even if Congress passed cap-and-trade tomorrow, the program wouldn't take effect until at least 2012—long after the recession had subsided. And, in the meantime, the surety that a price on carbon was on the way could have a short-term stimulative effect by spurring new investments. As Chuck Gray, the executive director of the National Association of Regulatory Utility Commissioners, [argued last year](#), the swirling uncertainty over future carbon prices has been preventing many utilities from planning and financing new projects.

(Plus, it's also possible, as economist Michael Roberts [has argued](#), that a looming carbon cap could spur some owners of carbon-based fuels—oil, coal, or natural gas—to extract resources more quickly in the short run, before those fuels are taxed or capped. That, too, could help jolt the economy, though presumably it's not a case most environmentalists are keen on making.)

Capping Carbon Will Threaten National Security More Than Bolster It (*The Heritage Foundation*)

Posted November 6th, 2009 at 3.29pm in [Energy and Environment](#).

Proponents of global warming legislation or an international treaty to reduce greenhouse gas emissions argue that climate change could affect the safety, not only in the United States, but in other countries as more natural disasters will lead to increased global conflict. But the claim that warming causes increased tension and causes wars is misleading [according to recent](#) testimony from Heritage analyst James Carafano:

The global climate has always been changing. Adapting to these changes and human efforts to manage their surrounding environment is a permanent feature of human competition. The environment does not cause wars—it is how humans respond to their environment that causes conflicts.

Climate change does not necessarily ensure that there will be more or less conflict. For example, as the Arctic ice melts and the environment becomes more benign, Arctic waters will become more available for fishing, mineral and energy exploitation, and maritime transport. Nations will compete over these resources, but it is how they choose to compete—not the change in the weather—that will determine whether war breaks out.

Furthermore, any changes in the climate, for better or for worse, will occur gradually over decades. Thus, there will be ample time to adjust national security and humanitarian assistance instruments to accommodate future demands. Those adjustments can and should be made with the most appropriate instruments, which might comprise any or all of the elements of national power including diplomatic, economic, political, and informational tools as well as the armed forces.”

Cap and trade bills and climate treaties will do much more economic harm than environmental good and would limit the resources available to effectively prepare and respond to natural disasters or national security threats. The truth is the climate has been changing on its own for centuries and more scientific dissent exists disputing how much warming is human-induced or even caused by carbon dioxide. The Heritage Foundation estimates that between 2012 and 2035, \$9.4 trillion in gross domestic product would be lost because of cap and trade. It would reduce our resources not only to cope with natural disasters but also our military preparedness and overall economic well-being. As energy prices soar, production will decrease, resources will become scarcer and innovation and entrepreneurial activity will fall, and innovation and entrepreneurial activity are the two things that will help to effectively adapt to climate change, if necessary.

Carafano's full testimony is available [here](#).

- Author: [Nick Loris](#)

Our Choice or Al Gore's Choice? (*The Heritage Foundation*)

Posted November 6th, 2009 at 1.59pm in [Energy and Environment](#).

Al Gore has had a busy week. First, the former vice president's renewable energy investments received some serious backing from the taxpayer as \$3.4 billion stimulus package would be allocated for smart grid investment. \$560 million went to Silver Spring Networks, a company Gore's venture capitalist firm invested in, that makes hardware and software to improve efficiency in the nation's electricity grid. That's not the only way Gore is profiting from the global warming debate. On November 3rd he published his new book, *Our Choice: A Plan to Solve the Climate Crisis*, which details the need for more wind, solar and biofuels, improved energy efficiency and the use of offsets and trees to reduce CO₂ in the atmosphere – among other things.

Gore stresses that the cost of doing nothing is much higher than any dire economic projections that would result from capping greenhouse gas emissions, or as Gore likes to call it, "global warming pollution." To gain support, Gore paints pictures of rising sea levels that will swallow up islands and devastate the global economy. But this "opportunity cost" of doing nothing must be discounted by the actual effect the "doing something" will have. Doing something like cap-and-trade, does not mitigate climate change entirely, if at all, and therefore the (negative) opportunity foregone (i.e., the expected climate change) is not the full benefit.

We have to look at how much climate change Waxman-Markey is expected to mitigate. As Heritage analyst David Kreutzer [says](#), “We need to look at the cost of these proposals in light of what difference these proposals make. None of the proposals will entirely eliminate predicted climate change regardless of the assumptions, models, computers or theories used.”

He has conducted interviews [with Katie Couric](#), Jon Stewart and Steven Colbert, which features [a sketch of Colbert](#) debating himself on the issue of global warming. (The skeptic Colbert cites The Heritage Foundation’s numbers on the costs of cap and trade. You can check it out [here](#) beginning at the 9:00 mark.)

Al Gore [writes](#) in his new book that “that we have at our fingertips all of the tools that we need to solve the climate crisis. The only missing ingredient would be collective will.”

One of the problems is that we do not have the technology at our fingertips for a green revolution – at least not a cost acceptable to most energy consumers in the United States. Laurie Williams and Allen Zabel, two EPA lawyers opposed to cap and trade, [write](#): “The biggest obstacle to this revolution is that uncontrolled fossil fuel energy remains much cheaper than clean energy. Cap-and-trade alone will not create confidence that clean energy will become profitable within a known time frame and so will not ignite the huge shift in investment needed to begin the clean-energy revolution. In recent interviews, even the economists who thought up cap-and-trade have said they don’t believe it’s an appropriate tool for climate change.”

Furthermore, collective will is an ingredient that should be left out of the recipe for a healthy economy. It’s not collective will that the right amount of food from all over the world is stocked in your local grocery store. It’s spontaneous order. It’s not controlled by any one person or collective will; it’s a great number of people who have never met but their interests coincide.

Even so, what the government purports to do isn’t collective will; it’s the decision of few that affective the lives of many and the decisions are being made with taxpayer money. While Gore does not officially wear a political hat anymore, [he is still very much involved](#): Despite suffering one of history’s worst political fates, Gore has by no means given up on politicians. Behind the scenes, he takes calls from Senate Majority Leader Harry Reid and strategizes with Sens. Barbara Boxer and John Kerry, sponsors of the Senate climate bill.”

The “collective will” of our government promises nothing for our children but an economy with less opportunity.

- Author: [Nick Loris](#)

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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October 1, 2009**

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PEOPLE ARE TALKING

**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Sept. 30, 2009:**

NOTE: To read the entire blog entry, click on underlined URL in last line. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Today's Conference Call on Climate Bill

Posted by: [HuffPostGreen](#) 6:55 pm Full post: <http://bit.ly/1CJxhK>
EPA moves to regulate smokestack greenhouse gases: WASHINGTON — The En..

Posted by: [LingoNews](#): 6:45 pm Full post: <http://bit.ly/1cFVtl>
EPA to exempt small business from greenhouse rule - Reuters- Boston Globe ...

Posted by: [enviroknow](#) 6:50 pm Full post: <http://ow.ly/15S8Uk>
Climate Progress: Breaking: New EPA rule will require use of best technologies to reduce greenhouse gases from large.....
(Note: 28,000 followers for enviroknow)

Posted by: [LegalPlanet](#) 6:30 Full post: <http://bit.ly/QxIAN>
Jackson Announces Proposed New Stationary Source Rules for Greenhouse Gases
Posted by: [drgrist](#) 5:00 pm Full post: <http://bit.ly/138HaZ>
People seem to be misinterpreting EPA's announcement today. I clarify what it is (and isn't)..

Reaction to LPJ Speech yesterday at Commonwealth Club on TSCA

Posted by: [DrGreene](#) 2:06 pm Complete post: <http://bit.ly/CVYKU>
Ring the bells! Last night here in SF Lisa Jackson announced sea change in EPA approach to toxic chemicals... (Note: Alan Greene is a pediatrician, author of "Raising Baby Green" and contributes to NY Times as The Organic Man)

Posted by: [rebeccavanderbi](#) 4:15 pm. Full post: <http://bit.ly/10rk2J>
Specialty Products Association Applauds US epa's Lisa Jackson on ...
(Note: Consumer Specialty Products Association)

Posted by: [CalSSC](#) 1:00 pm Full post: <http://bit.ly/VsnIj>

Lisa Jackson, administrator of the U.S. Environmental Protection Agency (E.P.A.), is proposing a major change in....

(Note: CalSSC is a statewide network of student groups working to green higher education in CA and beyond)

Posted by: [MtnAction](#) 4 am. Full post: <http://bit.ly/idnM0>

My Hot Date with Lisa Jackson [#coal](#) [#mtr](#) [#EPA](#) [#lisajackson](#)

Posted by: [NRDCSwitchboard](#) 2 am <http://bit.ly/19IbCo>

EPA's Principles for Chemical Policy Reform: On the Right Track: Today EPA Administrator Lisa Jackson ann..

Delay of 79 Coal Mining Permits

Posted by: [westvirginiaBNN](#) 5:30 pm. Full post: <http://bit.ly/tTP9r>

Potomac Highlands Conservative: Congresswoman Capito Comments on Latest EPA Announcement:

[virginia JOBSS](#) 3:55 pm <http://bit.ly/2etmue>

US EPA holds up coal-mining permits as firms fume: ... because they pose a potential hazard to water, threatens..

Posted by: [maryannehitt](#) 1:29 pm Full Post: <http://bit.ly/4uD8k4>

EPA reasserts all pending mountaintop removal permits likely to violate Clean Water Act - my Sierra Club statement:

(Note: Deputy Director of Sierra Club's Beyond Coal Campaign)

Posted by: [savemyearth](#) 1:22 pm Full post: <http://bit.ly/pjGHI>

EPA to delay 79 coal mining permits in 4 states: AP - President Barack Obama's administration put the brakes on..

[tim_knight](#) 11:30 am <http://bit.ly/2W19hv>

More job losses coming...RT [@6News](#): EPA to delay 79 **mining permits** in Tenn., 3 other states

ADMINISTRATOR JACKSON

EPA's Jackson Is Moving Fast To Regulate Greenhouse Gas Emissions (*HuffingtonPost*)

Read More: [Boxer-Kerry](#), [Climate Change](#), [Greenhouse Gas Emissions](#), [Lisa Jackson EPA](#), [Massachusetts v. EPA](#), [Waxman-Markey](#), [Green News](#)

[Ann Carlson](#)

Posted: October 1, 2009 12:56 AM

Today's [announcement](#) by EPA Administrator Lisa Jackson that the Environmental Protection Agency is proposing to regulate greenhouse gas emissions (GHGs) from factories, utilities and refineries is a big deal. The [proposed rule](#) would require new businesses and businesses that modify their operations and that emit 25,000 or more tons of GHGs annually to adopt what is called "Best Available Control Technology" to control those emissions. Jackson's actions are the direct result of [Massachusetts v. EPA](#). In that case, the U.S. Supreme Court held that the Bush Administration's failure to regulate greenhouse gas emissions under the Clean Air Act wasn't justified. The Obama Administration has responded to the Mass v. EPA case by announcing that it will regulate greenhouse gas emissions under the Clean Air Act. Today's newly proposed rule is one step toward what is likely to be much more extensive regulations aimed not just at new businesses that emit large amounts of greenhouse gases but also at existing ones.

Many observers don't believe that the Clean Air Act is the most effective way to regulate greenhouse gas emissions. Many of the CAA's provisions were designed with more local pollutants, like those that form smog, in mind. But the EPA had no choice given the Supreme Court case and its proposed regulations should intensify the pressure on Congress to pass legislation like the [Waxman-Markey bill](#) or the [Senate legislation](#) introduced today by Senators Boxer (D-CA) and Kerry (D-MA). Industries that will be subject to the EPA rule are already clamoring to limit the EPA's power to regulate and in exchange many are [supporting](#) legislation like Waxman-Markey and Boxer-Kerry.

Industry won't stop, though, at pressuring Congress to limit the EPA's authority to regulate greenhouse gas emissions. They've [already indicated](#) they're likely to challenge today's newly proposed rule. The basis for their challenge is likely to be an ironic one: that the EPA isn't regulating *enough* businesses under its rule. Instead, the argument will be, the EPA should be required to limit the emissions of not just big emitters but also of small businesses, churches, apartment buildings and other small sources of greenhouse gases.

Here's why. The EPA's new rule imposes restrictions only on facilities that emit at least 25,000 tons of greenhouse gases per year. The EPA drafted the rule this way precisely so that very small

emitters wouldn't be subject to regulation and so that the EPA wouldn't be overwhelmed with having to issue permits to hundreds of thousands of small businesses. And they probably also drafted the rule this way to look reasonable. The problem, though, is that the EPA is regulating greenhouse gas emissions under a [section of the Clean Air Act](#) that was designed with more traditional pollutants like carbon monoxide and sulfur dioxide in mind. So the Clean Air Act says that facilities that emit somewhere between 100 and 250 tons of any pollutant are subject to regulation, a more reasonable amount for traditional pollutants. Though Jackson's rule makes a lot of common sense, businesses are likely to sue to overturn it saying that the rule isn't consistent with what the Clean Air Act requires.

The long and the short of today's announcement of the new greenhouse gas emissions rule is that it will likely add to Congressional pressure to adopt an economy wide solution. If Congress doesn't act, litigation is a virtually certain result.

CLIMATE CHANGE/GLOBAL WARMING

Climate Change Hits Women Hardest? Sisters on the Planet (*TreeHugger*)

by Sami Grover, Carrboro, NC, USA on 10. 1.09

It's become accepted wisdom among environmentalists that [climate change hits the poor the hardest](#), and it makes sense. After all, if you rely on subsistence agriculture for your income, then weather is a matter of life and death for you. Building on this understanding is an increased recognition that women are often disproportionately affected, but that they also may be the key to fighting back. We've already seen the Clinton Global Initiative [investing in women and girls to fight climate change and poverty](#). Now Oxfam America is stepping up the plate with a campaign to empower women in the fight against climate change. But just why are women so important in this equation?

With women making up 70% of those below the poverty line, it stands to reason that if the poor suffer most, and women make up most of the poor, then they are going to bare the brunt of the

disasters caused by climate change. But sadly, the picture is even more complicated than that, with women often being left out of the dialog on solutions.

But as has been shown by [the groundbreaking Girl Effect Campaign](#), there's strong evidence to suggest that investing in women's empowerment and education also yields disproportionate returns. For example, when a woman earns income, she invests more than 90% back into her family, compared to only 30-40% for a man. Yet as Brian noted in his post on the CGI, only 1% of funding given to developing countries is given to women.

The Oxfam [Sisters on the Planet Campaign](#) is seeking to change that, highlighting women around the world who are actively involved in empowering their communities and fighting climate change. Sahena's story from rural Bangladesh below is just one example of how women can not only empower themselves to help their communities, but how that empowerment creates a wider cultural shift toward inclusion and respect for women.

Strangely though, in what makes this feel a little like only half a campaign, [the Sisters on the Planet pledge](#) that Oxfam is asking supporters to sign makes only passing reference to women, before calling on the US to simply cut emissions and "*provide financial assistance to the communities most vulnerable to our changing climate.*" Having made the case for how women are leading the fight against climate change in communities around the world, it would have been nice to make a stronger case for exactly how the US government can help those women. (Like redirecting more funding to women's initiatives, for example?)

Senate Climate Bill Revealed: A Quick Guide (TreeHugger)

by Brian Merchant, Brooklyn, New York on 09.30.09

The Senate climate bill, called the Clean Energy Jobs and American Power Act, [just made its debut today](#). There are still pieces deliberately left out of the bill that will be subject to Senate debate, and of course, time will need to be taken to properly analyze the 800-page bill (hey, at least it's shorter than [Waxman-Markey's 1300-pager](#)). But here's a first look--a rundown of its pros and cons, how it's different from [the climate bill that passed the House](#), and what to expect next.

Obama has already [lauded Senators Boxer and Kerry](#), the bill's authors, saying it will spur innovation in the energy sector and lead to greater energy independence.

Deeper Emissions Cuts

Matt noted that the emissions reduction target were a little steeper (20% by 2020 instead of 17%,

and 83% by 2050 instead of 80%). According to Kerry himself, these cuts will come from heavy industry, and leave agriculture untouched, at least for now. He writes in [a piece for Politico](#) today:

7,500 facilities covered in 2012 -- mostly power plants, industrial facilities and petroleum and petrochemical operations -- account for nearly three-quarters of America's carbon emissions. Farmers and nearly all small business are exempt. More than 98 percent of all American businesses fall below the threshold.

The scheme to reduce emissions is still based on a system that's been termed cap and trade--though those words never appear in the bill itself--and just like in Waxman-Markey, many of the 'pollution permit' allocations will be given out for free at first.

Some Key Climate Bill Changes--More Nuclear?

One major difference in the Senate bill is it includes incentives for more nuclear power--a measure included perhaps to draw more Republicans, who've long said they want to see more nuclear power included, to the bargaining table.

Carbon offsets, one of the more dubious components of the climate bill, are now more affordable and easier to purchase, in what appears to be a concession to conservatives and heavy industry groups. There's also more faith and funding put into carbon sequestration, a technology that's still years away, but acts as a sign of good faith to the powerful coal industry.

But all the differences aren't negative--in fact, many seem to be drastic improvements:

The Senate bill leaves the EPA in the game--where the Waxman-Markey bill would remove the EPA's ability to regulate greenhouse gases as a harmful pollutant, it's intact in Kerry-Boxer.

It also introduces a [price collar](#) on carbon, which has some climate policy experts thrilled. That basically means there's a limit to how cheap or how expensive carbon permits can be priced, which stabilizes costs and is good for industry. It also prevents the price from falling too low.

Senate Climate Bill's Unfinished Business

There's still much left to be decided, but this seems like an intentional move--Kerry and Boxer's way of suggesting that the bill is open for debate. According to [the LA Times](#):

The Senate proposal puts off several key decisions, such as how to allocate emissions permits under the cap-and-trade system, for future discussion. In doing so, Boxer and Kerry -- and indirectly the Obama administration -- were signaling their willingness to cut deals in order to pass a climate bill.

There's obviously plenty more to say about the bill, and we'll post more as we take a closer look. But there's enough from the first glimpse to get the discussion going. Despite its concessions, the bill seems well-designed to entice moderate Democrats and Republicans, and it calms the agriculture lobby, which is powerful in the Senate (could be a good move by Kerry in keeping the farmers out of the carbon equation for now for that reason).

So while the bill appears far from ideal, I'm actually encouraged--this looks like a bill that has a real shot at passing, and it would at least set us solidly on the long-overdue course to start seriously reducing emissions.

So How Does The Senate Climate Bill Stack Up To The House Version? (*The New Republic*)

Bradford Plumer

September 30, 2009 | 1:33 pm

So, all told, the draft Senate climate bill that Boxer and Kerry [unveiled today](#) looks awfully similar to the Waxman-Markey bill that passed the House back in June. Everything you've read about that earlier bill, griping and cheering alike, basically still applies. Plus, lots will change as this bill shimmies its way through at least [five different Senate committees](#), so there's no use pretending this is a final product or anything. Still, there *are* a few differences between this Boxer-Kerry draft and the House bill that are maybe of interest and worth highlighting:

Slightly more ambitious targets: Most notably, the Boxer-Kerry draft aims to reduce CO₂ emissions 20 percent below 2005 levels by 2020. The House bill called for a 17 percent cut. (Note that, thanks to the recession, we'll be [8.5 percent](#) below 2005 levels by the end of this year, which is why Boxer stumped for a steeper reduction.) Note that even this new goal is flimsier than the cuts the IPCC [has recommended](#) to give us a fighting chance of preventing more than a 2°C rise above pre-industrial levels. (Think 25 to 40 percent below *1990 levels* by 2020.)

Shhhh on calling it "cap-and-trade": The Boxer-Kerry draft, in a spate of euphemistic goofiness, has decided to dub its cap-and-trade system for greenhouse gases a "Pollution Reduction and Investment system." Valiant attempt at reframing, sure, but I can't imagine it'll catch on. By the way, at their press conference today, Boxer and Kerry took pains to stress that the cap would cover less than 2 percent of U.S. businesses—only the big polluters that account for 75 percent of the country's emissions.

A price collar on carbon permits: Unlike the House bill, the Boxer-Kerry draft includes a "price collar" for its cap-and-trade program. Read Joe Romm for [a fuller explanation](#), but the basic concept is that the price for carbon permits can't drop below \$11/ton or soar above \$28/ton in the early days. This will limit price volatility, which can make it trickier for companies to make investment decisions. Indeed, one of the virtues of a carbon tax is its predictability, so a price collar inches the cap-and-trade somewhat closer to that ideal.

But who gets the permits? Who knows? Recall that the biggest brawls during the House mark-up were over which industries got free pollution allowances under the cap-and-trade system. (I broke down where they all went [here](#)—utilities made out very well, oil refiners got squeezed, but all told it wasn't a *total* debacle.) Boxer and Kerry have left this contentious part of the bill blank. A big, glaring TK. Odds are, Max Baucus's Finance Committee will have a strong say in filling this in.

Natural gas gets some love: The Boxer-Kerry draft will have a new federal program to encourage natural-gas production and use. As I've [noted before](#), a climate bill, depending on how it gets crafted, could be a boon for the natural-gas industry, especially if a lot of electric utilities switch from coal to natural gas (which produces about half the CO₂). But the House bill gave utilities ample incentives to keep burning coal, in the hopes that carbon-capture tech would soon come along. The natural-gas lobby is starting to [hurl its weight around](#) to try and shift this dynamic.

More scrutiny for offsets: By now, you've heard [my tirade](#) against carbon offsets. The happy news is that the Boxer-Kerry draft tries to reduce the number of international offsets available to polluters (these are often the most dubious ones). Plus, as Victor Flatt [explains](#), Boxer and Kerry appear to want to subject offsets to more rigorous scrutiny and accounting. Let's hope this survives the Senate sausage grinder, because this looks like a hugely positive step.

What about China and India? The Boxer-Kerry draft leaves open how to deal with China, India, and other developing countries. Remember, the House bill imposes a mandatory carbon tariff on imports from countries that don't adopt their own climate programs by 2020. It's unclear how the Senate will deal with this question.

EPA still gets to wield the ax, if necessary: In another departure from the House bill, the Boxer-Kerry draft preserves the EPA's authority to regulate large sources of greenhouse gases on its own. (The House bill would essentially supersede EPA authority.) This is something a lot of environmentalists have been fighting to protect.

A crack down on carbon speculators: The Boxer-Kerry draft tries to buck up oversight over carbon-trading markets. In the House bill, regulatory authority is shared: FERC handles the cash market and the Commodity Futures Trading Commission handles derivatives (this was done at the request of farm-state senators). Boxer and Kerry want to have the CFTC oversee both markets, and give regulators more power to tamp down on "excessive speculation."

Stricter scrutiny for biofuels: Remember when Collin Peterson [convinced](#) Waxman and Markey to stop the EPA from considering the indirect land-use effects of biofuels, especially deforestation, in the House bill? The Boxer-Kerry version has no such language, at least not yet—though farm-state senators will have plenty of opportunity to shill for ethanol.

Greener taxis, more public transit: As Elana Schor [reports](#), the Kerry-Boxer draft may provide more money for mass-transit programs and bike paths. It also *requires* states to use a certain percentage of carbon funds for green-transportation programs, whereas the House bill only

"allowed" states to do so. Interestingly, the Senate draft also allows states to set higher fuel-economy rules for taxis, which produce a disproportionate share of vehicle emissions.

Not tough enough on methane? The House bill had strict regulations on methane emissions from landfills, coal mines, and natural gas pipelines, but the Senate draft appears to allow these sources to *voluntarily* capture methane in exchange for carbon offsets, at least until 2020. That seems pretty unwise, given how potent methane is as a greenhouse gas.

I'll add more if I see more. And, per the caveat emptor above, this is just the initial draft. The legislative process can get messy, and attracting 60 votes in the Senate will likely require compromise after compromise after compromise. Expect a lot to get jostled around.

Not Everyone Won the Cap and Trade Lobbying Battle (*The Heritage Foundation*)

Posted September 30th, 2009 at 3.10pm in [Energy and Environment](#).

The cap and trade bill introduced by Henry Waxman (D-CA) and Edward Markey (D-MA) and passed in the is 1,427 pages and includes much more than a cap and trade system to reduce carbon dioxide and other greenhouse gas emissions. We've been detailing these economically harmful provisions in [our cap and trade calamities](#), but Kathleen Hartnett White at the Texas Public Policy Foundation provides a tremendous synopsis of the entire bill and asks many tough questions in her policy paper, [A Federal Leviathan: The American Clean Energy and Security Act of 2009](#).

One particularly revealing part of the paper is the [graph on the bottom of page three](#). Approximately 2,340 energy lobbyists worked on the cap-and-trade bill to do what President Obama said we shouldn't – hand out allowances costs to utilities and other industries direct revenue to them. Opposition to this huge energy tax bill wheeling, dealing and arm-twisting to eke out the narrowest of majorities. They promised generous handouts for various industries and special interests but not everyone came out winners. The blue indicates the emissions by industry and the red indicates the allowances allocated by the government.

As shown by the graph, the refining and petroleum products industry, responsible for much of the carbon emissions from energy, receive the very little allowance allocations. White [writes](#),

“Under the aggressive carbon caps, many U.S. industries could not compete with foreign products manufactured in countries without binding carbon limits. And increased import of goods manufactured elsewhere without carbon limits would increase global carbon emissions. To address this “carbon leakage,” the bill provides for “carbon emission allowance rebates” to

industries which meet specified levels of “trade intensity” or “energy intensity.” Petroleum refining, oddly, is excluded from those eligible.”

The other loser is, of course, me and you. The disguised energy tax will cost a family of four an additional [\\$3,000 per year](#). When all the tax impacts have been added up, we find that the average [per-family-of-four costs rise](#) by almost \$3,000 per year. In the year 2035 alone, the tax impact is \$4,600. And if you add up the costs per family for the whole energy tax aggregated from 2012 to 2035, the years in which we modeled the bill, it’s about \$71,500.

Giving away allowances are not an exception to the “no free lunches” adage. Giving away allowances does not lower the costs of cap and trade; it merely shifts the costs around. Waxman-Markey is Robin Hood in reverse: it takes a lot of money from regular Americans and funnels it to Washington bureaucrats and the corporations with the best lobbyists.

Author: [Nick Loris](#)

Boxer-Kerry Unveil Their Energy Tax Bill: Incomplete But Still Very Harmful (*The Heritage Foundation*)

Posted September 30th, 2009 at 2.36pm in [Energy and Environment](#).

Senators Barbara Boxer (D-Calif.) and John Kerry (D-Mass.) [introduced](#) the Senate companion to the Waxman-Markey climate change legislation today and while many pieces are missing, the framework in place spells bad news for every American energy consumer, especially low income ones.

Like Waxman-Markey, the focus is a cap and trade system, but takes the House bill’s 17 percent reduction of 2005 emissions by 2020 to a more stringent 20 percent cut. Unlike the House version, which gives away emission allowances to special interests groups that lobbied hard to protect their bottom line, the Senate draft does not include how the emission allowances – hundreds of billions of dollars - will be given away.

Co-sponsor Senator Kerry [tells us](#), “This is not a cap-and-trade bill, it’s a pollution reduction bill.” But the simple reality is it’s an energy tax bill. As OMB director Peter Orszag [says](#), “Under a cap-and-trade program, firms would not ultimately bear most of the costs of the allowances but instead would pass them along to their customers in the form of higher prices.” And the bill’s incompleteness goes to show how impatiently Kerry and Boxer are trying to move a historic energy tax into law.

Since the Senate bill is structured similar to the Waxman-Markey cap and trade bill, [our economic analysis](#) of the first two decades (2012-2035) provides an alarming forecast. Our cost estimates of Waxman-Markey project higher energy and other costs for a household of four are nearly \$3,000 per year between 2012 and 2035. Gasoline prices will rise by 58 percent (\$1.38 more per gallon) and average household electric rates will increase by 90 percent.

And because the low-income families spend a larger portion of their income on energy, cap and tax is extremely regressive. [According to a new study](#) commissioned by the Institute for Energy Research (IER), “Households in the lowest-earning quintile—those earning less than \$18,370 per year—would pay \$451 per year or a substantial 4.5 percent of their income. This additional tax upon these households would be larger than every other tax they currently pay, except the federal payroll tax, which costs an average of \$656 per year, and would be roughly equivalent to a 69 percent increase in the federal payroll tax on these households”

IER’s full study is available [here](#).

The mind-blowing estimated costs do not even tell the whole story as both bills include new, costly energy efficiency standards, renewable energy mandates, as well as taxpayer-funded subsidies for clean energy development. And since the bill is far from completion, more costly provisions are sure to come.

Similar to its House counterpart, the Boxer-Kerry draft provides funding for green energy worker training plans and for those who lose their jobs, a “Climate Change Worker Adjustment Assistance” program to protect employees who “have become totally or partially separated, or are threatened to become totally or partially separated from employment.” So we now have confirmation from both the House and the Senate that cap and trade is a jobs destroyer. [Our analysis](#) of Waxman-Markey predicts net job losses (after accounting for green job creation) approach 1.9 million in 2012 and could approach 2.5 million by 2035. Manufacturing loses 1.4 million jobs in 2035.

One addition worth mentioning in the Senate version that isn’t included in the House bill is its inclusion of nuclear. It attempts to fix something that doesn’t need fixing. Instead of addressing problems such as the onerous regulatory environment or putting forth a plan to dispose of nuclear waste, the bill proposes subsidies to grow the nuclear industrial base and work force.

Adequate infrastructure is certainly a prerequisite to any substantial expansion of nuclear energy and that is why the private sector is making those investment right now, absent any federal handouts. It is something the nuclear industry, not the American taxpayer, can take care of, and the industry is. [According to the Nuclear Energy Institute](#), “private investment in new nuclear power plants has created an estimated 14,000-15,000 jobs.”

Large universities and local community colleges [are expanding to meet industry’s](#) demands for more engineers and skilled laborers. Texas A&M has one of the fastest-growing nuclear engineering departments in the country, the University of Florida has continued increased enrollment as well as an increase in its research grant awards, [and a total of 31 schools continue](#) to offer a degree in nuclear engineering.

And the New Jersey-based Public Service Enterprise Group (PSEG) [piloted an entry-level technical-trade program](#) at Mercer County Community College that provides training and education for specific nuclear jobs. Given all of this activity, it's odd Boxer and Kerry focus specifically on handouts to bolster the nuclear workforce.

Senator Sherrod Brown (D-Ohio), [says the Boxer-Kerry bill is](#) “going to need a lot of work.” But the shell is there. Move over, health care, it's time to share some of the spotlight.

Author: [Nick Loris](#)

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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October 13, 2009**

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CLIMATE CHANGE/GLOBAL WARMING

California Now First State to Charge Polluters for Greenhouse Gas Emissions (*TreeHugger*)

by Brian Merchant, Brooklyn, New York on 10.12.09

It no longer pays to pollute in California. The state, which passed [ambitious climate change legislation](#) in 2006 to reduce greenhouse gases by 25% by 2020, has launched a fee on its most polluting companies--15 cents for each ton of CO2 they emit.

The fee is expected to bring in \$63 million each year for the next 3 years, after which it will drop to 9 cents per ton. The revenue will help the state pay for the administrative costs of implementing the climate legislation, which includes a cap and trade system for the state. The cap and trade is set to go into effect in 2012.

The fee will hit 380 of California's heaviest polluting companies--those that "produce, distribute, refine or use natural gas, coal, electricity, crude or distillates," according to [Green Inc.](#) These companies alone are responsible for 85% of the state's greenhouse gas emissions.

Green Inc reports that the fee was modeled after a successful program launched in San Francisco:

The state's move comes on the heels of a similar fee passed last year by San Francisco-area pollution watchdogs. The Bay Area Air Quality Management District, a public agency that regulates air pollution in the nine counties surrounding San Francisco Bay, imposed a fee of 4.4 cents per metric ton on area businesses that emit greenhouse gases. That fee raised \$1.3 million.

The ball's rolling in California--which as long been a pioneer in green policy, from clean air standards to energy efficiency initiatives. As a [climate bill draws ever closer](#) to getting the votes it needs to pass in the US Senate, green eyes are on California while it rolls out its new emissions law--so far, so good.

Senate Climate Bill Gets Bipartisan Support (*TreeHugger*)

by Brian Merchant, Brooklyn, New York on 10.12.09

In case you missed it over the weekend, there's been a huge development in the saga of [the climate bill](#)--it's now got some serious support from Republican senators. High profile GOP senator Lindsey Graham (SC) has co-authored [a game-changing op-ed](#) with Sen. John Kerry (MA) that ran in the New York Times. In it, they discuss the importance of working together to get the important legislation passed as soon as possible. The dimming hopes for seeing a climate bill passed this year have just been rekindled--the prospect of seeing US energy reform take place just got very, very real.

Last week, I wrote that potential compromises on nuclear energy (among other things) were bringing Republicans to the drawing board--and it looks like such compromises have succeeded beyond the wildest expectations.

The senators write in the op-ed:

We refuse to accept the argument that the United States cannot lead the world in addressing global climate change. We are also convinced that we have found both a framework for climate legislation to pass Congress and the blueprint for a clean-energy future that will revitalize our economy, protect current jobs and create new ones, safeguard our national security and reduce pollution.

This is truly exciting news--true bipartisan support for a climate bill has long been a goal, and here, Graham is not merely pledging to cast a vote in favor, he's actually participating in the process, and calling other Republican senators to action by example. And on top of that, he's making a call for *urgent* bipartisan action:

Our partnership represents a fresh attempt to find consensus that adheres to our core principles and leads to both a climate change solution and energy independence. It begins now, not months from now -- with a road to 60 votes in the Senate.

The bipartisan alliance gives Republicans a fresh chance to consider what the bill would accomplish--many which are goals they support, like working towards energy independence by cutting back on foreign oil, stimulating the economy and creating jobs. And this partnership between Graham and Kerry will [certainly have some sort of ripple effect](#)--John McCain, the

Republican senators from Maine, Snowe and Collins will likely join Graham, and others may as well.

The piece, [Yes We Can \(Pass Climate Change Legislation\)](#) is definitely worth reading. Kerry, and especially Graham--whose move is bound to be politically unpopular to some of his peers, party, and supporters--deserve some serious credit for this bold maneuver.

Going To Copenhagen Empty-Handed (*The Huffington Post*)

[Robert Reich](#)

Former Secretary of Labor, Professor at Berkeley

Posted: October 12, 2009 11:56 PM

On Friday, Denmark's climate and energy minister, Connie Hedegaard, who will be chairing U.N.-sponsored climate talks in December in Copenhagen, said President Obama needs to do more on climate. "It is hard to imagine that he will be receiving the Nobel Peace Prize in Oslo on Dec. 10 and then come empty-handed to Copenhagen a week later," she said.

But there's no way between now and then that Obama can get a strong climate bill through Congress.

Over the next months, the White House needs to focus on health care if it's to have any hope of coming up with anything more than Big Pharma and the private insurance companies want.

This is the cost of trying to do so much so quickly. Initiatives revert to powerful industry lobbyists because there's no time to organize countervailing power. When he's trying to do everything at once, the President can't mobilize public opinion behind any one thing. Progressive voices (which have difficulty being heard even under the best of circumstances) drown each other out because they're hollering over one another.

Climate change legislation is moving forward -- but big polluters have shaped much of it. As I noted recently, the Waxman-Markey climate bill, passed by the House last June, gives away 85 percent of pollution permits to the nation's biggest polluters, and the "cap" it proposes on overall carbon emissions would cut greenhouse gas emissions only by an estimated 2 to 4 percent by 2020 compared to the UN reference year of 1990. The Kerry-Boxer bill has a stronger cap on emissions but it's still far short of what's necessary -- and it leaves out the hardest part, which is the actual cap-and-trade mechanism.

Why has so little been accomplished? Because coal, shale, oil, big manufacturers, and utilities -- the big old polluters (BOPs) -- have beaten back anything better.

The only real countervailing powers on climate change are industries that stand to gain from stronger legislation -- mostly nuclear and ethanol, along with a smattering of companies that have invested in wind, biomass, and solar. But they're no match for the BOPs. Nor do their bottom lines necessarily match what's good for the world.

Yes, the Environmental Protection Agency is moving forward on its own efforts to reduce greenhouse gases, and the White House is quietly using the threat of the EPA doing more as a prod to get the BOPs on board with legislation that the White House says will be easier on them than what the EPA comes up with. But that's no real threat. The BOPs know they can keep the EPA tied up in litigation for years.

So here's my suggestion. The White House should tell Congress it's raising the bar on climate change but is simultaneously putting the current legislation on hold -- until it can focus the public's attention on it. That is, until after a worthy piece of healthcare legislation is on the President's desk.

Arriving in Copenhagen strongly committed to fight for a large reduction in greenhouse gases, even if that means empty hands at the time, is better than arriving there with a weak and ineffective law.

Cross-posted from [Robert Reich's Blog](#)

Is A Bipartisan Climate Bill Possible? (*The New Republic*)

- *Bradford Plumer*
- 1:24 pm

MONDAY OCTOBER 12, 2009

I'm sure many people saw that, over the weekend, Lindsey Graham (R-SC) **penned an op-ed** with John Kerry in *The New York Times* laying out a pathway for a bipartisan deal on climate legislation. That's big news. Maybe not a "game-changer," as some greens have been crowning it, but big news all the same. A cap-and-trade bill likely can't survive the Senate without some Republican support, and while Graham isn't exactly co-sponsoring the Kerry-Boxer proposal just yet, he's at least naming his price (namely: more support for nukes, offshore drilling, carbon tariffs). That sets up a different dynamic than outright, arms-crossed, GOP recalcitrance. As Dave Roberts **explains**, there are probably four or five Republicans in play right now:

Snowe and Collins are likely yes votes. With Graham so far out ahead on this, McCain may be shamed into joining him (though he's far from a sure thing). Together they could get a second hearing from other Senators like Isakson who love nuclear power. (Alexander's probably a lost cause now that he's in leadership.) Their combined influence, coupled with his longstanding relationship with Obama, could pull Lugar over. In Florida, Crist could see this as part of his legacy and influence LeMieux to get behind it. At some point you can imagine a snowball effect, though the odds of breaking five Republican yea votes are still fairly low.

Now, to get skeptical for a second, it's also true that we saw similar GOP overtures early on in the health care debate. Chuck Grassley, Mike Enzi, and Orrin Hatch all claimed to be amenable to a bipartisan effort, and so Max Baucus bent and arced every which way trying to accommodate their demands. But, as the process trudged along, no amount of compromising would satisfy Grassley or Enzi, and virtually every Republican came out against health care reform (Olympia Snowe's still keeping us guessing, but she's the only even remote possibility). As Jon Cohn **reported**, even the olive-branch-wielding Republicans like Grassley and Hatch were never that serious about a deal.

So we'll have to see, in the coming months, how committed Graham actually is. The op-ed certainly suggests genuine interest. But many Republicans believe cap-and-trade presents the perfect opportunity to cudgel Democrats and win back some seats in Congress. Recent polling doesn't really bear that out—the already passed House climate bill **polls quite well** even in swing states—but that's still the conventional wisdom, and there'll no doubt be plenty of institutional pressure on Graham and the others to abandon Democrats on this

issue (much as the GOP leadership exerted **a lot of heavy pressure** on Grassley not to strike a deal on health care).

ENERGY

GAO Takes Aim At Corn Ethanol (*The New Republic*)

- *Bradford Plumer*
- October 9, 2009 | 1:44 pm

In recent weeks, Obama has been talking about the need to pare back subsidies and tax breaks for the oil industry—both here and abroad. That's fine, though as I've [noted](#), many biofuels subsidies deserve at *least* as much scrutiny, if not more. Fortunately, that sentiment seems to be spreading: The GAO [just released](#) a report on U.S. biofuels policy that sharply questions whether corn ethanol still needs a \$0.45/gallon blender's credit, especially since refiners are now required to use a certain amount of ethanol under the Renewable Fuels Standard anyway. Geoffrey Styles of *Energy Outlook* explains more fully why the subsidies have become pointless:

[T]he combination of a generous blenders' credit, which until the start of this year paid \$0.51/gal., and two successive federal biofuel standards led to over-expansion of the ethanol industry relative to demand, either mandated or economic. That harmed the industry and led to many ethanol plants being sold or mothballed in the last year, with a number of ethanol companies going bankrupt, including VeraSun, which had been an industry leader not long before its demise. ...

The US corn ethanol industry doesn't need to grow further, because it is already within striking distance of the target set by the government, which also appears to represent the maximum prudent level of output for a fuel source that makes such heavy use of water and fossil energy sources in its production, and that ultimately competes with the consumption of corn as food or feed, here and abroad.

In other words, the work of the subsidies and mandates for corn ethanol is complete, and the government has shifted its focus to cellulosic ethanol and other advanced biofuels, which enjoy their own distinct—and more generous—subsidies. It hopes these sources will expand from essentially zero to cover the remaining 21 BGY of the current RFS by 2022.

Now, ideally, we'd be having a broader discussion about biofuels policy. There's [ample evidence](#) that the ongoing corn- and soy-ethanol frenzy in the United States and Europe has indirectly fostered deforestation and jacked up food prices. A 2008 *Science* [study](#) found that these "first-generation" biofuels produce nearly twice as many greenhouse-gas emissions as gasoline, once you factor in all the indirect land-use effects. Alas, Congress is tilted toward rural and farm interests by design, which means corn ethanol isn't slinking away anytime soon. Still, we could at least start with small steps—there's really no need for these subsidies, which total some \$4 billion per year (and will rise to \$6.75 billion per year by 2015).

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Oct. 14, 2009:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Thursday is Blog Action Day for Climate Change

Posted by: [inhabitat](#) 5:50 pm Full post: <http://bit.ly/2SFoJD>
Blog Action Day Takes on Climate Change Tomorrow!
(Note: Inhabitat has 10,000 followers)

Climate Bill (Continued)

Posted by: [kate sheppard](#) 5:01 pm Full post: <http://tinyurl.com/ygfn3pl>
Big Ag Looks to Plow Under Senate Climate Bill
(writes for Mother Jones)

Posted by: [ronb2345](#): 6:02 pm Full post: <http://bit.ly/1EpZt0>
Farm Bureau Aims to Kill Climate Bill - Green Inc. Blog - NYTimes.com

Posted by: [whorungov](#) 6:00 pm Full post: <http://bit.ly/4i4G5I>
Who will be the big opponents to a climate bill? Looks like the Amer. **Farm Bureau** has taken the lead.

Activists ask EPA for tougher Pesticide Regulations

Posted by: [OurGreenerEarth](#) 5:20 pm Full post: <http://bit.ly/3k8IQn>
civists ask EPA for tougher pesticide rules (AP)

Posted by: [HumanityNews](#): 5:00 pm Full post: <http://bit.ly/3DN1a2>
Green News: Activists ask EPA for tougher pesticide rules (AP)

Posted by: [UFWupdates](#): 4:41 pm Full post: <http://bit.ly/1ufLLk>
Farm Workers and Allies Ask Gov't to Protect Kids From Toxic Pesticide Drift: Petition to EPA includes immediate...
(Note: United Farm Workers (UFW) Fighting for Farm Worker Rights)

Middlesex, NJ Superfund Site Clean-up

Posted by: [ennnews](#) 5:32 pm Full post: <http://bit.ly/33JFIR>
EPA, Army Corps of Engineers, Dept. of Energy Agree to Complete Cleanup of Middlesex, NJ Superfund Site : Soil ..

Need for TSCA Reform

Posted by: [mbdfilms](#): 5:01 pm Full post: <http://bit.ly/3TKwbC>
According to the EPA, 85% of new chemical notices submitted by companies lack data on health effects, and 67% lack...

Posted by: [healthylegacy](#) 3:44 pm Full post: <http://bit.ly/4cBn1C>
Chemicals found in health workers across US including a physician and oncology nurse in Minnesota. We need TSCA reform!

Posted by: [CleanWaterMI](#) 3:46 pm Full post: <http://bit.ly/2kuh9U>
Toxic chems in bodies of Doctors and Nurses - Clean Water Action supports [#Michigan](#) bills to reduce [#toxic](#) exposure

EPA and Texas

Posted by: [greenwala](#) 5:20 pm Full post: <http://is.gd/4jJ7x>
Texas heavy industries worry about EPA crackdown
(Note: greenwala plants a tree for every person who joins their group)

Posted by: [SanAntonioCP](#) 2:00 pm Full post: <http://bit.ly/45R1QH>
San Antonio: EPA crackdown may be costly for Texas industries, consumers
(Note: San Antonio City and Press)

ROUND-UP OF MAJOR BLOGS

AIR

Cap and Trade a Success! 103 Million Americans Now Breathe Cleaner Air (*TreeHugger*)

by Brian Merchant, Brooklyn, New York on 10.14.09

Well, it looks like [the cap and trade](#) is a success--since it was implemented in 2003, smog levels have gone way down, and over 100 million Americans breathe cleaner air. All thanks to a system put into action that allowed polluting companies to find market-based solutions for lowering their emissions. Their Nitrogen Oxides emissions, that is. Yup, I'm talking about the effective cap and trade that has drastically reduced NOx emissions over the last five years--though of course, it makes a strong case for [a cap and trade for CO2](#) as well.

The NOx Budget Trading Program is a cap and trade system involving 20 states and Washington DC. It puts a price on Nitrogen Oxides, and creates an incentive for industries that pollute the NOx to reduce them. And it works.

According the organization's [annual report](#),

the summertime NOx emissions from power plants and large industrial sources were down by 62 percent compared to year 2000 levels and 75 percent lower than in 1990.

Wow, that sounds like a serious reduction! So let's get this straight--power companies and heavy industry successfully reduced their pollution by drastic margins thanks to a government program. But how come no one's yelling about how much more everyone's paying for electricity?

Companies still had to install controls and improve efficiencies to limit their emissions, just like they would with CO2.

Here's what the cap and trade that nobody hates accomplished:

1. The reduction of NOx has helped reduce smog levels by 10 to 14 percent in the NBP region - largely in the eastern parts of the country;
2. There is a strong association between areas with the greatest reductions in NOx emissions and downwind sites that show the greatest improvements in smog; and
3. The program contributed to improvements in air quality in 97 percent of nonattainment areas in the east, with 85 percent of these areas now below the smog standard.

Hmmmm. The system improved the quality of air and human health, all with a market based approach overseen by the government. But surely, this couldn't work for that other cap and trade I keep hearing about--all those loud men keep yelling about how it will take my freedom away. Hm.

CLIMATE CHANGE/GLOBAL WARMING

Dispassion as the world ends: The absent heart of the great climate affair (*Grist*)

In "[The Fallacy of Climate Activism](#)," I suggest that we as climate activists are not telling the unadulterated truth—which seems to worsen daily—to the public. This is one critically important reason we're making so little progress in changing behavior and politics commensurate with the drastic acceleration of global warming. We have hurled ourselves far beyond the point where simply reducing greenhouse-gas emissions will make a difference that makes a difference.

Having examined some of the *what* of our missteps in “Fallacy,” in this piece I take a look at some of the *how*: the timid, tentative, emotionally impoverished voice of our communications, the feelings unexpressed in the face of the premature and squalid end of so much of what we love, the unfathomable reluctance to speak to the depth of the grief we are bringing upon ourselves.

Global climate disruption—having graduated in short order from a spectre a century away to a battering present-day reality—foreshadows the demise of civilization, the failure of our life-support systems, and even, perhaps, the end of most life on earth. Yet most industrialized humans, to date, remain largely unaware and only marginally concerned. This is a remarkable puzzle, and were we to solve it perhaps we would take a major step toward addressing the climate catastrophe.

I offer you a key puzzle piece: The end of all that we have known is an unthinkable thought,^[1] as are so many unprecedented abrupt and catastrophic events.^[2] When a thought is unthinkable, it is invisible even when writ large—we simply can’t see it, even when we have reason to try.^[3] If we do see it, it quickly falls from awareness. If, finally, we accept it, perhaps after months or years of getting used to the idea, we find that we’re alone, mostly talking to ourselves.

Then, when the reality strikes us all irrefutably, undeniably, without mercy, we are completely unprepared, asking incredulously, “Why didn’t somebody tell us?”

And what hasn’t been told?

To date, most of our arguments about the reality of global warming have been data-driven, psychically tepid litanies of climate science and industrial “solutions,” peppered with the heartstring-tugging of cute poster bears and sad stories of people in distant lands whom we don’t care about very much (well, of course we *care*, but we don’t *know* them and there’s nothing we can do to help anyway, except perhaps changing lightbulbs). Coastal insalination rendering vast swaths of farmland useless, houses plunging into the sea as permafrost melts, even [wildfires threatening the City of the Angels](#), to name just a very few—these are far, far away and don’t really affect us. Or we don’t see it. (Yet.)

We climate activists are the ones who aren’t saying what needs to be said.^[4] Our silence is not the lack of words, it is the absence of an essence in urgent human relationships, an essence with power to break the bonds of unthinkable thoughts:

Passion.

To illustrate, I would like to reproduce for you an excerpt from one of my favorite speeches of the 19th century. It is entitled “What to a Slave Is the Fourth of July,” and was delivered by Frederick Douglass before the Rochester Ladies’ Anti-Slavery Society on July 5, 1852 (he refused to speak on July 4, for reasons that will quickly become apparent). Douglass, as you may remember, was one of the great political thinkers and orators of that horrific era, an escaped slave who taught himself to read and went on to become an erudite, articulate, and passionate abolitionist, a writer, a sought-after speaker, and a guest of President Lincoln.

Here are his words:

... What, am I to argue that it is wrong to make men brutes, to rob them of their liberty, to work them without wages, to keep them ignorant of their relations to their fellow men, to beat them with sticks, to flay their flesh with the lash, to load their limbs with irons, to hunt them with dogs, to sell them at auction, to sunder their families, to knock out their teeth, to burn their flesh, to starve them into obedience and submission to their masters? Must I argue that a system thus marked with blood, and stained with pollution, is wrong?

... What, then, remains to be argued? Is it that slavery is not divine, that God did not establish it; that our doctors of divinity are mistaken? There is blasphemy in the thought. That which is inhuman, cannot be divine!! Who can reason on such a proposition? They that can, may; I cannot. The time for such argument has passed. At a time like this, scorching irony, not convincing argument, is needed. O! had I the ability, and could reach the nation's ear, I would, today, pour out a fiery stream of biting ridicule, blasting reproach, withering sarcasm, and stern rebuke. For it is not light that is needed, but fire, it is not a gentle shower, but thunder. We need the storm, the whirlwind, and earthquake. The feeling of the nation must be quickened; the conscience of the nation must be roused; the propriety of the nation must be startled; the hypocrisy of the nation must be exposed; and its crimes against God and man must be proclaimed and denounced.

What, to the American slave, is your Fourth of July? I answer: a day that reveals to him, more than all other days in the year, the gross injustice and cruelty to which he is the constant victim. To him, your celebration is a sham; your boasted liberty, an unholy license; your national greatness, swelling vanity; your sounds of rejoicing are empty and heartless; your denunciation of tyrants, brass fronted impudence; your shouts of liberty and equality, hollow mockery; your prayers and hymns, your sermons and thanksgivings, with all your religious parade and solemnity, are, to him, mere bombast, fraud, deception, impiety, and hypocrisy—a thin veil to cover up crimes which would disgrace a nation of savages. ...

Well ...

Today we are addressing the end of the world we know, quite possibly the extinction of homo sapiens and most other species on earth, *and we can do little more than cite statistics?*^[5] Surely an unravelled web of life, miserable ends for countless creatures great and small, and mass death of billions of human beings, mostly innocent, should call for “scorching irony,” at the very least.

Where are our fire, thunder, ridicule, blasting reproach, withering sarcasm, stern rebuke? Why are we so *polite?*^[6] Why are we so obedient? What are we thinking? What aren't we thinking? What are we doing? What aren't we doing? When do we start?^[7]

I have a proposition for you. Try your hand at a letter—to an editor, or to a friend, or to a lover, or to a child—availing yourself of all the passion you can muster as we hasten blindly toward world's end. [Post it here](#) for all to ponder—then we'll send the collection to everyone we know, far and wide.

When do we start? Now's the time.

Quill and ink (or keyboard) in hand, summon your muse and write for our lives!

—

Endnotes:

[1] Timothy C. Weiskel, "[Selling Pigeons in the Temple: The Danger of Market Metaphors in an Ecosystem](#)," Harvard Seminar on Environmental Values, Harvard Divinity School, July 6, 1997. "In democratically organized societies thought is not overtly censored. We are not forbidden to think about particular topics, but thought control manifests itself nonetheless in the far more subtle form of self-censorship. It is not what it is forbidden for us to think, but rather what it does not occur to us to think, that establishes the bounds of publicly acceptable thought in democratic society."

[2] These could be natural disasters, such as unforeseen volcanic eruptions, hurricanes or changing climate; or the result of human activity such as the overshoot and collapse on Easter Island or the invasion of Europeans and consequent sudden disruption and/or extermination of indigenous peoples and cultures. Prior to such occurrences, few if any members of the affected societies would have been able to envision the outcomes, and if told would likely have given short shrift to such "conspiracy theories."

[3] John A. Livingston, pioneer environmentalist, preservationist, teacher, and writer, described his experience in addressing the challenges of giving voice to the realities of nature in our technoculture: "It is not that audiences disagree with us or resent our argument or are offended by it: it means that *they cannot perceive it* [emphasis is Livingston's]. They literally do not know what we are talking about." The Fallacy of Wildlife Conservation, in [The John A. Livingston Reader](#), McClelland & Stewart, 2007, p. 61.

[4] The scientists' job is to be dispassionate analysts and observers, and they are doing it full well. The climate activists' job is to put the science in the context of real lives, real communities, real future, and communicate with all the means at our disposal. So far, we have screwed it up, but good.

[5] For example, parts per million carbon dioxide is an obsession; necessary fundamental change in the ways we live on earth hardly merits a whisper. And by fundamental change I don't mean switching to 35 mpg—or even 350 mpg—vehicles. That's another obsessive and meaningless statistic among the many.

[6] Symptomatic of our wayward rationality is the data-driven response to climate "skeptics," neo-classical economists, and other toxic relics of an unsustainable culture. They are paragons of delusion and dishonesty, unworthy of scorn and disdain, yet we respond to them as if we were having reasonable conversations with reasonable people. Not everyone will wake up (just ask ark-craftsman Noah), so let's not waste our time, and spend our energies on the vast majority of

people who are concerned about the future and willing to face it—if only we get around to starting a conversation about planetary realities.

[7] Of course there are some passionate writers who stir us beyond wind turbines and photovoltaic panels, but they are, to date, few and far between.

HAZARDOUS WASTES

The risky plan to dump coal ash in an old Tennessee mine (*Grist*)

Posted 12:38 PM on 14 Oct 2009
by [Sue Sturgis](#)

Since a dam burst at its Kingston coal-fired power plant last December and dumped more than a billion gallons of toxic coal ash sludge into a nearby community and river, the federal Tennessee Valley Authority (TVA) has decided to change the way it stores its coal waste, transitioning from wet landfills like the one that failed to dry storage of ash.

Now a company is pushing a plan to use dry coal ash from the Kingston plant to fill an abandoned coal mine in Tennessee—but environmentalists are raising concerns about the proposal's health risks.

Smith Mountain Solutions, a company owned by the principals behind [Wright Brothers Construction](#) of Charleston, Tenn., has proposed taking dry ash from TVA's Kingston plant and using it to fill a former surface mine 20 miles away atop Smith Mountain in Cumberland County.

The company says it would install a protective synthetic liner first and abide by regulations of the Tennessee Department of Environmental Conservation. Coal ash is not currently regulated as hazardous waste by the federal government, though the Environmental Protection Agency has said it intends to release proposed regulations by year's end.

Smith Mountain Solutions [makes the case](#) [PDF] that the plan would benefit the environment by cleaning up the toxic acid mine drainage that now runs from the mine site. Brock Hill, the mayor of Cumberland County, also supports the plan as a way to fix an environmental eyesore, [The Tennessean reports](#):

But many residents stand in opposition, concerned about truck traffic and the potential for air and water pollution from mercury, arsenic, and other potentially toxic substances found in ash. They draw support from a list of heavy hitters that includes the Sierra Club and the National Park Service, both of which are partly motivated by wanting to protect the nearby Obed Wild and Scenic River.

Other groups opposing the plan include [Statewide Organizing for Community eMpowerment](#) (an environmental advocacy group formerly called Save Our Cumberland Mountains), the [Environmental Integrity Project](#), [Earthjustice](#), the [National Parks Conservation Association](#), and the [Southern Environmental Law Center](#).

Their concerns include environmental damage and public health threats from contamination resulting from liner failure as well as from airborne coal ash—a particular concern atop a windy mountain.

Coal ash contains a number of health-damaging contaminants including arsenic, lead, mercury, and radioactive elements. Children are especially vulnerable to the poisons in coal ash

A number of residents of the mountain road leading up to the mine site are also suing over the dumping plans. They include the owner of [Black Cat Lodge](#), a drug treatment center that helps patients recover by getting close to nature. The residents say the mine filling plan has been drawn up without adequate public scrutiny.

Problems associated with dumping coal ash waste into abandoned mines [have been documented nationwide](#). Earlier this year, the nonprofit environmental law firm Earthjustice released a report titled “[Waste Deep: Filling Mines With Coal Ash Is Profit for Industry, but Poison for People](#)” that reported on the poisoning of streams and drinking water supplies by the practice.

Earthjustice estimates that about 25 million tons of coal ash waste—about 20 percent of all such waste generated—is dumped into old mines each year. The practice, which is occurring throughout the U.S. coalfields, is embraced by utilities because it dramatically cuts down on coal ash disposal costs.

But a four-year [study of coal ash mine fills in Pennsylvania](#) by the [Clean Air Task Force](#) found that the practice worsened water quality at 10 of the 15 sites examined, while the other five sites lacked adequate monitoring data to know whether the coal waste was responsible for adverse effects.

The plan being considered for Smith Mountain is different from many mine filling projects in that it includes a synthetic liner as well as a leachate collection system for runoff. However, the U.S. Environmental Protection Agency has acknowledged that [most landfills eventually leak](#).

The leachate collection systems used in landfills are not foolproof either, [according to the Environmental Research Foundation](#). The systems have a tendency to clog up or corrode after a few decades, and the resulting fluid build-up increases the likelihood of liner failure, allowing the coal ash contaminants to come in direct contact with groundwater.

Cumberland County is expected to receive about \$1 million a year in dumping fees from the project. But the plan has already cost one of the local leaders politically, as Mayor Hill was replaced as chairman of the county commission last month for the first time in 15 years by a 10 to 7 vote of his fellow commissioners due to his pro-ash dumping stance.

Smith Mountain Solutions initially proposed taking the ash that was spilled in the Kingston plant disaster last December, but TVA chose to dispose of that at the already-permitted Arrowhead Landfill in Perry County, Ala. That decision [raised concerns about environmental justice](#), since Perry County is 69 percent black with 32 percent of its residents living in poverty.

Cumberland County, Tenn. is 98 percent white, with 17 percent of its residents living in poverty—a slightly higher poverty rate than the state’s 15.8 percent, according to [U.S. Census Bureau data](#).

(A slightly longer version of this story with images and a table originally appeared at [Facing South](#).)

WATER

Clean Air, Dirty Water? (*The New Republic*)

- *Bradford Plumer*
- October 14, 2009 | 11:56 am

Charles Duhigg of *The New York Times* has been doing terrific work in his series on water pollution in the United States—an environmental issue that often gets short shrift with climate change hogging the green spotlight. And his [latest dispatch](#) adds a peculiar twist. Over the years, environmentalists and policymakers have been quite successful at forcing coal plants to scrub out pollutants from their air emissions. But the effort has had at least one unintended consequence: The chemicals from the scrubbing process sometimes get dumped into rivers and streams as wastewater, which is less tightly regulated than air pollution.

[N]o federal regulations specifically govern the disposal of power plant discharges into waterways or landfills. Some regulators have used laws like the Clean Water Act to combat such pollution. But those laws can prove inadequate, say regulators, because they do not mandate limits on the most dangerous chemicals in power plant waste, like arsenic and lead.

For instance, only one in 43 power plants and other electric utilities across the nation must limit how much barium they dump into nearby waterways, according to a Times analysis of E.P.A. records. Barium, which is commonly found in power plant waste and scrubber wastewater, has been linked to heart problems and diseases in other organs.

Even when power plant emissions are regulated by the Clean Water Act, plants have often violated that law without paying fines or facing other penalties. Ninety percent of 313 coal-fired power plants that have violated the Clean Water Act since 2004 were not fined or otherwise sanctioned by federal or state regulators, according to a Times analysis of Environmental Protection Agency records.

I'd just add that this is hardly an argument *against* the air-pollution laws that have ushered in this problem. After all, many power plants installed scrubbers to remove the sulfates that were causing acid rain, which was ravaging lakes and streams in the Northeast and doing far more damage than the current water pollution is doing. The cure, in this case, still seems preferable to the disease. (Although Jonathan Adler [makes a fair point](#) that some clean-air laws in the 1970s *did* force power plants to install scrubbers instead of using low-sulfur coal from the West, when the latter might've been a better option with fewer unintended consequences—but that's a slightly different story.)

Anyway, in theory, the EPA could try to tighten clean-water rules, but power companies tend to be good at swatting away regulations they don't like: "In 2000, Environmental Protection Agency officials tried to issue stricter controls on power plant waste. But a lobbying campaign by the coal and power industries, as well as public officials in 13 states, blocked the effort." The current EPA head, Lisa Jackson, has said she'd like to explore the possibility of new controls, but she's already facing a fair bit of opposition.

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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October 16, 2009**

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Oct. 15, 2009:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Mountaintop Mining Hearings

Posted by: [kentuckynews](#) 6:00 pm Full post: <http://bit.ly/G6pYP>
Lawmakers speak to EPA about backlog of mining permits: The Clean Water Act took center stage on Capitol Hill Thursday.....

Posted by: [wvablu](#): 4:06 pm Full post: <http://bit.ly/2vKs52>
King Coal is shouting itself hoarse and deaf

Posted by: [NRDCSwitchboard](#) 4:38 pm Full post: <http://bit.ly/10SGf6>
EPA's Lisa Jackson Quizzed on Mountaintop Removal by Congress: At a congressional hearing today on the Clean Water Act...

Posted by: [huffingtonpost](#) 4:10 pm. Full post: <http://bit.ly/AbF3B>
Mountaintop Removal Hearings Get Tense. This is the weekly blog post from Bruce Nilles, director of the Sierra Club Beyond Coal campaign..

Posted by: [TreeHugrSciTech](#) 2:38 pm Full post: <http://bit.ly/669Jw>
"Coal" Is A Dirty Word In Troubling New Documentary: Image credit: Photo of mountaintop removal coal mining at ..
(Note: new documentary will be on Planet Green Nov. 14th)

Tell your Senator to Protect EPA in Climate Bill

Posted by: [deanandbritta](#) 6:30 pm Full post: <http://bit.ly/1u53ua>
Tell your senator: Protect the **EPA** in the climate bill Please RT (via [@CREDOmobile](#))

Posted by: [marlitalh](#) 5:15 pm Full post: <http://bit.ly/1u53ua>
Tell your senator: Protect the EPA in the climate bill Please RT (via [@CREDOmobile](#))
(Note: CREDOmobile makes CREDO Mobile, CREDO Long Distance and the Working Assets Credit Card and they claim to donate a portion of their charges to progressive change nonprofits)

Must be 100 RTs in last several hours.

Clean Water Enforcement Announcement

Posted by: [BrendaHorton](#) 4:59 pm Full post: <http://bit.ly/1rG0ZS>
EPA to Clamp Down on Water Polluters: Perhaps in response to recent revelations that hundreds of coal plants...

Posted by: [EPOnline](#) 4:50 pm <http://bit.ly/3d5wei>
EPA to Target Enforcement on Most Significant Issues
(Note: Environmental Protection, Occupational Health & Safety and Water & Wastewater News)

Posted by: [clean4green](#) 3:50 pm Full post: <http://is.gd/4lhqz>
EPA to Clamp Down on Water Polluters

New EPA Annual Fuel Economy Guide

Posted by: [cleancartalk](#) 6:30 pm Full post: <http://bit.ly/3jC4EK>
Prius tops 2010 EPA fuel economy rankings

Posted by: [JayGregory](#) 6:11 pm Full post: <http://bit.ly/3CaZLC>
Green News: EPA Unveils 2010 Annual Fuel Economy Guide

Posted by: [greennewswire](#) 6:00 pm Full post: <http://bit.ly/g3P57>
Find your car's gas mileage and green scores on new EPA website: This guide looks at both a car's fuel efficiency.
(Note: Greennewswire is "environmental news aggregated for easy following on Twitter")

Posted by: [moneymoolahcash](#) 5:55 pm Full post: <http://bit.ly/466fZv>
Prius tops 2010 EPA fuel economy rankings: Nine of the top 10 vehicles in government's fuel economy rankings...

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

US Headed For Massive Decline In Carbon Emissions: 9 Percent Drop In Last Two Years (*TreeHugger*)

by Lester Brown, Washington, D.C. on 10.15.09

For years now, many members of Congress have insisted that cutting carbon emissions was difficult, if not impossible. It is not. During the two years since 2007, carbon emissions have dropped 9 percent. While part of this drop is from the recession, part of it is also from efficiency gains and from replacing coal with natural gas, wind, solar, and geothermal energy.

At the [Earth Policy Institute](#), we believe that the United States has ended a century of rising carbon emissions and has now entered a new energy era, one of declining emissions. Peak carbon is now history. What had appeared to be hopelessly difficult is happening at amazing speed. (Read our [full report](#).)

For a country where oil and coal use have been growing for more than a century, the fall since 2007 is startling. In 2008, oil use dropped 5 percent, coal 1 percent, and carbon emissions by 3 percent. Estimates for 2009, based on U.S. Department of Energy (DOE) data for the first nine months, show oil use down by another 5 percent. Coal is set to fall by 10 percent. Carbon emissions from burning all fossil fuels dropped 9 percent over the two years.

Beyond the cuts already made, there are further massive reductions in the policy pipeline. Prominent among them are stronger automobile fuel-economy standards, higher appliance efficiency standards, and financial incentives supporting the large-scale development of wind, solar, and geothermal energy. (See supporting [data](#).)

Efforts to reduce fossil fuel use are under way at every level of government--national, state, and city--as well as in corporations, utilities, and universities. And millions of climate-conscious, cost-cutting Americans are altering their lifestyles to reduce energy use.

For its part, the federal government--the largest U.S. energy consumer, with some 500,000 buildings and 600,000 vehicles--announced in early October 2009 that it is setting its own carbon-cutting goals. These include reducing vehicle fleet fuel use 30 percent by 2020, recycling at least 50 percent of waste by 2015, and buying environmentally responsible products.

Electricity use is falling partly because of gains in efficiency. The potential for further cuts is evident in the wide variation in energy efficiency among states. The [Rocky Mountain Institute](#) calculates that if the 40 least-efficient states were to reach the electrical efficiency of the 10 most-efficient ones, national electricity use would be reduced by one third. This would allow the equivalent of 62 percent of the country's 617 coal-fired power plants to be closed.

Actions are being taken to realize this potential. For several years DOE failed to write the regulations needed to implement appliance efficiency legislation that Congress had already passed. Within days of taking office, President Obama instructed the agency to write the regulations needed to realize these potentially vast efficiency gains as soon as possible.

The carbon-cutting movement is gaining momentum on many fronts.

- In July, the Sierra Club--coordinator of the [national anti-coal campaign](#)--announced the hundredth cancellation of a proposed plant since 2001. This battle is leading to a de facto moratorium on new coal plants. Shifting from coal to natural gas cuts carbon emissions by roughly half. Shifting to wind, solar, and geothermal energy drops them to zero.
- Thirty-four states have adopted renewable portfolio standards to produce a larger share of their electricity from renewable sources over the next decade or so. Among the more populous states, the renewable standard is 24 percent in New York, 25 percent in Illinois, and 33 percent in California.
- In 2008, a total of 102 wind farms came online, providing more than 8,400 megawatts of generating capacity. Forty-nine wind farms were completed in the first half of 2009 and 57 more are under construction. More important, some 300,000 megawatts of wind projects (think 300 coal plants) are awaiting access to the grid.
- U.S. solar cell installations are growing at 40 percent a year.
- 15 large solar thermal power plants that use mirrors to concentrate sunlight and generate electricity are planned in California, Arizona, and Nevada.
- The U.S. car fleet is shrinking. The estimated scrappage of 14 million cars in 2009 will exceed new sales of 10 million by 4 million.
- Big gains in fuel efficiency will come with the shift to plug-in hybrids and all-electric cars. Not only are electric motors three times more efficient than gasoline engines, but they also enable cars to run on wind power at a gasoline-equivalent cost of 75¢ a gallon. Almost every major car maker will soon be selling plug-in hybrids, electric cars, or both.

- In this new energy era carbon emissions are declining and they will likely continue to do so because of policies already on the books. We are headed in the right direction. We do not yet know how much we can cut carbon emissions because we are just beginning to make a serious effort. Whether we can move fast enough to avoid catastrophic climate change remains to be seen.

For the [full report](#). For more information on a plan for cutting carbon emissions, see [Plan B 4.0: Mobilizing to Save Civilization](#) by Lester Brown, available for free downloading.

The Costs of Cap and Trade and The Costs of Doing Nothing (*The Heritage Foundation*)

Posted October 15th, 2009 at 11.54am in [Energy and Environment](#).

The economic losses from carbon emissions cap-and-trade policies are often compared with “the cost of doing nothing.” CBO director Doug Elmendorf [in his testimony to the Senate Energy and Natural Resources Committee](#) labels these costs as nonmarket impacts. These include effects of human health, loss of species’ habitats, and other destruction to wildlife and ecosystems. He [points to a study](#) by William Nordhaus and Joseph Boyer that found an 11 degree Fahrenheit increase by 2100 translates to an almost 5 percent drop in output.

This is a common argument made by proponents of the legislation. However, those who make this argument do not carry the analysis through in a rigorous way, which renders the argument simply a strawman.

This “opportunity cost” of doing nothing must be discounted by the actual effect the “doing something” will have. Doing something like cap-and-trade, does not mitigate climate change entirely and therefore the (negative) opportunity foregone (i.e., the expected climate change) is not the full benefit.

We have to look at how much climate change Waxman-Markey is expected to mitigate. As Heritage analyst David Kreutzer [says](#), “We need to look at the cost of these proposals in light of what difference these proposals make. None of the proposals will entirely eliminate predicted climate change regardless of the assumptions, models, computers or theories used.”

[Climatologists estimate](#) that Waxman-Markey’s impact on world temperature will be too small to even measure in the first several decades. The projected reduction of world temperature would be 0.05 degree Celsius by 2050. If CO₂-emission levels meet the Waxman-Markey target of 17

percent of 2005 emissions by the year 2050, and if they are frozen at that level for the rest of the century, Waxman-Markey would still reduce the world temperature by only .2 degrees Celsius (0.36 degrees F) by 2100. Therefore the increase from the “do nothing” baseline in GDP assuming a rough linear relationship of 11 degrees to 5% GDP is $0.36*(11/5) = 0.79\%$ (a generous estimate). The cost of 3% of GDP must be compared against a benefit of (at most) 0.79% GDP.

Being good stewards of the environment and not wasting our resources are compatible goals. That is why using a cap and trade policy that hinders the second goal by forcing us to use our resources less efficiently is very likely to end up hurting the environment as well. The [recent Nobel Prize in economics](#) highlights the work of economists that show that individuals are very ingenious at finding ways to work cooperatively towards a common goal. Americans by and large are concerned about the environment and, given the chance and resources will develop environmentally sound and economically efficient energy sources. Maybe the 3% potential income Waxman-Markey is willing to give up each year could be used to find lower cost solutions to mitigating climate change. Why cut that income off?

[Karen Campbell](#) co-authored this post.

- Author: [Nick Loris](#)

CBO Director: There are Costs Involved with Cap and Trade (*The Heritage Foundation*)

Posted October 15th, 2009 at 11.20am in [Energy and Environment](#).

Congressional Budget Office Director Douglas Elmendorf testified on October 14 before the Senate Committee on Energy and Natural Resources to discuss the economic effects of reducing greenhouse gas emissions and the effects – most notably the effects of the Waxman-Markey cap and trade legislation. Although Elmendorf felt that Waxman-Markey could greatly reduce the long-term risks of climate change, he acknowledged [that](#) “such legislation would also reduce economic activity through a number of different channels.”

Note: Director Elmendorf’s expertise is budgets and economics, not climate science.

Some of the channels mentioned the CBO director’s testimony [include](#): shifting production, investment, and employment away from lower cost carbon-based energy industries and carbon energy-intensive goods and services towards higher cost alternatives; reducing productivity of

existing capital and labor, reducing household income, discouraging investment both domestically and from international sources, and [reducing employment](#) and workers' real wages.

Elmendorf made a commonly held assertion that because the economy in 2050 will be twice the size it is today, foregoing 3% of our potential GDP is modest. This ignores the fact that part of the reason the economy continues to grow is because the population continues to grow. For example, better health and medical techniques allows both birth rates to be higher and older adults to live longer. Thus the economy may be twice the size it is today but it also must support a much larger population of people. Second, foregoing potential GDP means lost income opportunities. Income builds wealth because it can be invested in profitable activities. The foregone income could have been re-invested in new technology that could have found a low cost way to reduce emissions rather than higher cost alternative fuel use.

Our economy is enormous and vastly complex and this is one bill. [Table 1 on page 13](#) of Elmendorf's testimony shows the reduction ranges in lost economic activity because of cap and trade for select years based on the CBO's review of other studies. In 2030, gross domestic product loss will be between .4 and 1.1 percent. For the year 2040, the range is .7 to 2.0 percent lost and for 2050 GDP loss would be between 1.1 and 3.4 percent.

The numbers that the CBO director attests to are in line with [estimates done by The Heritage Foundation](#). Our economic [analysis](#) of the Waxman-Markey, which covered the years 2012-2035, found a GDP loss range of .78 percent (\$148 billion) for the year 2019 to a high of 2.79 percent (\$712 billion) for the year 2031. Single-year GDP losses reach \$400 billion by 2025 and will ultimately exceed \$700 billion.

[Cumulative GDP losses](#) are \$9.4 trillion between 2012 and 2035. And since the emission reduction targets become more stringent – reaching 83 percent below 2005 levels by 2050, the news is only likely to get worse. All because of one very bad bill. Director Elmendorf is right in that the economy will continue to grow, but it will be growing well under its potential.

[Karen Campbell](#) co-authored this post.

- Author: [Nick Loris](#)

WATER

EPA to Clamp Down on Water Polluters (*TreeHugger*)

by Brian Merchant, Brooklyn, New York on 10.15.09

Perhaps in response to recent revelations that hundreds of coal plants across the country are dumping waste into lakes and rivers where Americans get their drinking water, the EPA has announced it will be getting tough on enforcing the Clean Water Act. Here's what it's planning to do to keep our drinking water safe.

It was a pretty ugly realization that some coal plants had over 30 violations of the Clean Water Act on their records--and had gone entirely unfined and unpunished. So this comes as good news; that the EPA is paying attention and reassessing its shortcomings.

According to a report today,

The U.S. EPA Administrator Lisa P. Jackson announced ... that the agency is stepping up its efforts on Clean Water Act enforcement. The Clean Water Action Enforcement Plan is a first step in revamping the compliance and enforcement program. It seeks to improve the protection of our nation's water quality, raise the bar in federal and state performance and enhance public transparency

Here are a few of the specific parts of the EPA's plan to amp up water protection:

- · Develop more comprehensive approaches to ensure enforcement is targeted to the most serious violations and the most significant sources of pollution. (That means you, negligent coal plants)
- · Work with states to ensure greater consistency throughout the country with respect to compliance and water quality. Ensure that states are issuing protective permits and taking enforcement to achieve compliance and remove economic incentives to violate the law.
- · Use 21st century information technology to collect, analyze and use information in new, more efficient ways and to make that information readily accessible to the public. Better tools will help federal and state regulators identify serious compliance problems quickly and take prompt actions to correct them.

'Bout time.

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Oct. 16, 2009:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

EPA Moves to Veto Spruce Mine Permit

Posted by: [newszilla](#) 5:50 pm Full post: <http://bit.ly/198i7s>
[WSJ] EPA Halts Mining at Appalachian Site: The EPA put the brakes on the largest mountaintop coal mining ...

Posted by: [NRDCSwitchboard](#) 4:15 pm Full post: <http://bit.ly/1LNveE>
BREAKING: EPA Blows Away Largest Mountaintop Removal Project in WV History: Go tell it on the mountain! Today the...

Posted by: [ecopolitologist](#) 3:35 pm Full post: <http://tinyurl.com/yzcyohv>
RT [@sejorg](#) [@Kenwardjr](#): Huge [#mtr](#) news: Obama EPA moves to block largest strip mine in WV history

Posted by: [Sierra Club](#) 5:30 pm Full post: <http://bit.ly/CIZ4L>
EPA Moves to Veto Permit for Biggest Proposed Mountaintop Removal Coal Mine!

Posted by: [johnmcquaid](#) 3:25 pm Full post: <http://bit.ly/2S3lng>
Should not be under-emphasized: the EPA now actually does environmental protection (via [@Kenwardjr](#))

Climate Change

TalkNewsRadio.com 3:38 pm Listen to audio at:
<http://talkradionews.com/2009/10/former-epa-director-says-america-agrees-on-need-for-climate-change-legislation/>

David Doniger, former EPA climate change director under President Bill Clinton, says Americans are at a consensus on climate change. Doniger says that is why legislation such as the Waxman-Markey and Kerry-Boxer bills are currently on the table.

Posted by: [OnlineDailyNews](#) 5:40 pm Full post: <http://tr.im/vuL4>
Former EPA Director Says America Agrees On Need For Climate Change Legislation: David Doniger, former EPA climate change...

Clean Water Enforcement Announcement

Posted by: [yayayarndiva](#) 6:20 pm Full post: <http://sbne.ws/r/34PD>
EPA says it will do better job enforcing Clean Water Act
(Note: Pediatrician and mom)

Posted by: [mywatersource](#) 5:08 pm Full post: <http://bit.ly/GLNs>
EPA Vows Better Enforcement Of Clean Water Act

[EcoAnalytix](#) 3:05 pm Full post: <http://cli.gs/Z7tj0W> via NYT
[#EPA](#) to improve enforcement of Clean [#Water](#) Act

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Public Still Not Sure What Cap and Trade Is, but They Will If It Passes (*The Heritage Foundation*)

Posted October 16th, 2009 at 12.54pm in [Energy and Environment](#).

Maybe John Kerry and President Obama and proponents of a cap and trade system to reduce greenhouse gas emissions still have time to change message. “I don’t know what ‘cap and trade’ means. I don’t think the average American does,” Kerry [said](#) recently. And he’s right. According to a [new poll released from the Pew Research Center](#), “just 23% of Americans are aware that legislation often referred to as “cap and trade” concerns energy and environmental policy.” The other choices were banking reform, health care and unemployment.

To be fair, those who answered unemployment should have at least received half credit since cap and trade is a jobs-destroying bill but the real issue is that the American public is still unsure of what cap and trade is and what it will mean for the economy – making it all that more important to convey that cap and trade is a significant energy tax that will do nothing to improve the environment.

The Pew response closely follows [that of a Rasmussen poll](#) released in May when only 24% of respondents chose energy and environment when asked what cap and trade dealt with given only three options: healthcare, Wall Street, or the environment. More people (29%) said Wall Street and 30% said they did not know.

Senator Kerry should know what cap and trade is since he’s introduced a cap and trade bill with Senator Barbara Boxer (D-CA). But they’re not [calling](#) it a cap and trade bill; in the summary of the bill, Kerry and Boxer removed the phrase “cap and trade” and [replaced](#) it with “Pollution Reduction and Investment.” How clever. Carbon dioxide is now [carbon pollution](#). And a green job is too nebulous of a term. It’s now a [clean jobs](#) bill.

But the reality is it’s neither a pollution reduction bill nor a job-creating bill. The message should be simple: Cap and trade is a massive energy tax that will destroy far more jobs than it creates. Robert Reich, former secretary of labor under Bill Clinton who also served on President Obama’s transition advisory board, [told](#) NPR’s Marketplace: “Look, any cut in greenhouse gases is going to be expensive for American consumers, who are in no mood to bear additional costs.”

Despite repeated attempts, most notably by President Obama and Nancy Pelosi, to sell cap and trade as a jobs bill, not one of the major studies of cap and trade (including the three government agencies) projected a net increase in income or employment from cap and trade. The entire debate has been over the magnitude of income, consumption and job losses. The chief of the CBO’s recent testimony [on reducing greenhouse gases](#) “contrasted sharply with those of President Obama and congressional Democratic leaders, who have suggested that a cap on carbon emissions would help revive the U.S. economy.”

The Heritage Foundation’s [Center for Data Analysis paints](#) a more realistic picture for this country’s economy with cap and trade in place. When all the tax impacts have been added up, we find that the average per-family-of-four costs rise by almost \$3,000 per year. In the year 2035 alone, the tax impact is \$4,600. And if you add up the costs per family for the whole energy tax aggregated from 2012 to 2035, the years in which we modeled the bill, it’s about \$71,500. The [analysis](#) of Waxman-Markey predicts net job losses (after accounting for green job creation)

approach 1.9 million in 2012 and could approach 2.5 million by 2035. Manufacturing loses 1.4 million jobs in 2035.

With a cap and trade bill passed in the House and a Senate version introduced, education about this energy tax should be just like the energy drink (or Charlie's Angles Two): full throttle.

- Author: [Nick Loris](#)

ENERGY

Waste-Based Energy: One Piece Of The Sustainable Energy Puzzle (*TreeHugger*)

by Wes Muir, Waste Management, Inc. on 10.17.09

Spittelau waste to energy plant provides district heating in Vienna. Image credit: [Wikipedia](#)

In the past few years, there's been much talk about the variety of available and developing technologies that could help secure a more sustainable energy future. Since October is Energy Awareness Month, the discussion of these energy alternatives is even more pertinent. You've probably heard about these developments, such as wind and solar power, as they have dominated headlines in the news and broad-scale discussions about renewable energy. But one technology that is both sustainable and consistently available yet rarely mentioned as an alternative to fossil fuels is waste-based energy.

On average, Americans throw away 4.7 pounds of garbage each day - which equates to about 254 million tons of waste each year. While recycling and composting have proven to divert some of this waste from landfills, other options with waste exist that provide a sustainable source of energy. This waste-based energy can be created through a variety of technologies, including landfill gas-to-energy (LFGTE), waste-to-energy (WtE), and other emerging processes that convert waste into cleaner gases, fuels and additional sources of power.

Here are a few numbers to consider: nationwide, waste-to-energy facilities process nearly 30 million tons of trash each year and generate enough power to meet the needs of three million

homes, allowing more than 36 million people in 27 states to rely on WtE plants. What's more, [according to the EPA](#), waste-to-energy facilities produce electricity with "less environmental impact than almost any other source of electricity."

Keeping in mind the high volume of waste Americans produce, such facilities were designed to divert garbage from landfills, and also develop a viable and economical alternative to burning fossil fuels. This process involves extracting energy from trash in the form of high-pressure steam using high temperature combustion. The steam is converted into electricity in the turbine-generator, or provided in its base form to municipal or industrial heating systems. Wheelabrator Technologies, a wholly-owned subsidiary of Waste Management, operates 16 waste-to-energy facilities in the U.S. that process more than 21,000 tons of waste per day, generating 609 megawatts of power. In all, this delivers enough electricity to power more than 900,000 homes. To learn more about Wheelabrator and how the waste-to-energy system works, [click here for pdf file](#).

Other waste-based technologies allow for the development of gas and fuel alternatives that can be used to power homes, fuel truck fleets and aid in other industrial processes. Following is an overview of just some of these game-changing technologies that Waste Management is currently using:

- [Landfill gas to energy](#): Much of the waste sent to landfills is organic in nature - paper, food scraps and wood. As these items break down, they release gases that consist of approximately 50-60 percent methane and 40-50 percent carbon dioxide. At Waste Management's more than 100 LFGTE facilities across the U.S., the methane is collected and used to fuel onsite engines or turbines, generating electricity to power surrounding homes and neighborhoods. Additionally, landfill gas can be used to create liquefied natural gas (LNG), a clean fuel for vehicles. Waste Management, in a joint venture with Linde North America, will soon create the world's largest landfill gas to LNG facility in the world, capturing and reusing the gas to produce up to 13,000 gallons a day of transportation grade LNG to fuel the company's fleet of natural gas powered trash and recycling trucks.
- [Plasma gasification](#): Right now, plasma gasification facilities are not as widespread as other waste-to-energy plants, but this may be about to change. [Waste Management](#) recently entered into a joint venture with InEnTec to create [S4 Energy Solutions](#), which will develop, operate and market plasma gasification facilities throughout the U.S. using InEnTec's Plasma Enhanced Melter (PEM™) technology. With the PEM™ process, waste materials are fed into a closed chamber where they are superheated to temperatures of between 10,000 and 20,000 degrees Fahrenheit using an electricity-conducting gas called plasma. This intense heat rearranges the molecular structure of the waste materials, transforming them into an ultra-clean, synthesis gas (syngas).
- Clean syngas can be converted into a variety of other products, including transportation fuels such as ethanol and diesel, industrial products like hydrogen and methanol or even for electricity generation. In the secondary stage of the PEM™ process, inorganic (non-carbon-based) materials are transformed into environmentally beneficial glass products that could be used as a substitute for a number of construction applications. For a detailed

video of this process, visit the S4 Energy Solutions Web site <http://www.s4energysolutions.com/> and click "Play Video."

- MixAlco™ technology: Recently, Waste Management joined with Valero Energy Corporation to invest in Terrabon's unique waste-to-fuel conversion technology, MixAlco™. This technology converts organic waste streams into a variety of chemicals and secondary alcohols that can be further refined into renewable high-octane fuels, such as gasoline, jet fuel and diesel.

Amid the vast discussion of possible additions to America's renewable energy portfolio, we've rarely seen any mention of one clear resource that, for the time being, is ever-present: our waste. Waste remains a sustainable, indigenous resource in this country and can now be processed in such ways that provide a variety of energy solutions in a cleaner manner than through the typical burning of fossil fuels. While the development and use of waste-based technologies may not be the only path to energy independence, it's certainly something to consider - and a valuable piece of the puzzle that the waste management industry will use to lead us in the direction of a sustainable energy future.

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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October 2, 2009**

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Oct. 1, 2009:

NOTE: To read the entire blog entry, click on underlined URL in last line. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

LPJ in California

Posted by: [schwarzenegger](#) 1:38 pm Full post: <http://twitpic.com/jul7n>

About to go on right now at an event w EPA Administrator Lisa Jackson, watch @ <http://tweetcast.in>



Posted by: [HamiltonSarah](#) 1:25 pm Full post: <http://twitpic.com/jun8k>

Mayor accepting grant funding for Port of LA from EPA Administrator Lisa Jackson
(Note: secretary to Los Angeles Mayor)



Positive Reactions to GHG Announcement (and some sample negative ones)

Posted by: [EndOvershoot](#): 4 pm Full post: <http://ow.ly/sb70>

E.P.A. Moves to Curtail Greenhouse Gas Emissions - go Lisa Jackson! No wonder she was named a TIME Hero of the Environment!

(Note: EndOvershoot supports a sustainable economy and Ecological Footprint)

Posted by: [EnvAm](#) Full post: <http://ow.ly/secG>

Great week! Sens Kerry & Boxer release GW bill & EPA moves to regulate emissions from power plants! Env Am's Emily Figdor....

(Note: Env. America is a federation of organizations advocating for clean air, clean water, and open space)

Posted by: [ClimaTweets](#) 4:45 pm Full post: <http://bit.ly/3wTYBS>

[HuffPost Green] Ann Carlson: EPA's Jackson Is Moving Fast To Regulate Greenhouse Gas Emissions..

(Note: ClimaTweets is a composite of climate blogs)

Posted by: [LJSearles](#) 5:48 pm Full post: <http://bit.ly/1Ck2z>

Obama is serious about restoring the EPA to its core mission.

Posted by: [knimmo](#) 5:42 pm Full post: <http://bit.ly/FW9qF>

EPA aims to cut emissions at factories, power plants: USA Today | For the first time, the federal government..

Posted by: [AFPhq](#) Full post: <http://bit.ly/LM1EA>

<http://twitter.com/search?q=%23AFPEPA> Overreach: Tailoring Themselves into a Corner

<http://bit.ly/LM1EA>

(Note: Americans For Prosperity is an organization of grassroots leaders for limited government and free market principles)

Posted by: [JusticePrevail](#) 1:32 pm

President Obama and Lisa Jackson, EPA Administrator, illegally try to regulate CO2 while Congress does nothing to stop them

TSCA Reactions

Posted by: [wkenneth](#) 5:45 pm. Full post:

<http://bit.ly/NVMw2http://twitter.com/wkenneth/status/4535404223>

Leaders Praise EPA Administrator Lisa P. Jackson's Plans for Chemical Reform: Leaders Praise EPA Administ.. <http://twitterfeed.com/>

Posted by: [aliwing](#) 4:44 pm Full Post: <http://bit.ly/169Go7>

<http://twitter.com/giggle> EPA will use existing power to launch new reviews of "priority" chemicals like BPA.

(Note: baby product expert and entrepreneur)

Posted by: [RinckerLaw](#) 10:50 am Full post: <http://is.gd/3QrwG>
RT @MLAS: #EPA Moves to cut greenhouse emissions

Posted by: [fryelaw](#) 11 am Full post: <http://is.gd/3Qx3X>
EPA Admin signed proposed rule establishing 25,000 t/yr CO2e cutoff for Title V operating permits and PSD permitting.

Mountaintop Mining

Posted by: [greenREACH](#) 5:30 pm Full post: <http://bit.ly/2un9BY>
EcoMatters: EPA Denies New Mining Permits and Takes a Hard Look At Mountaintop Removal

ROUND-UP OF MAJOR BLOGS

AIR

Clean Trucks: One Year Later (*Huffington Post*)

[Antonio Villaraigosa](#)

Mayor of the City of Los Angeles

Posted: October 1, 2009 08:12 PM

As Congress and world leaders continue to grapple with solutions to address climate change, cities across the United States are endeavoring to find workable solutions to address their specific air pollution challenges.

Los Angeles has long been a leader in this area, and today marks the first anniversary of the launch of one of the most successful emissions reductions programs in our country's history - the Port of Los Angeles' Clean Truck Program.

Partnering local government with businesses, we launched the Clean Truck Program to replace all of the 16,800 trucks entering the Los Angeles port each year with "clean trucks" -- trucks that either meet the Environmental Protection Agency's most recent clean emissions standards or run on alternative fuel. We instituted a Day-One ban on all pre-1989 trucks and infused \$44 million in incentive funding into our local port trucking sector to bring thousands of EPA-compliant trucks to our port. These incentives have helped generate over \$500 million in private investment in almost 2,500 clean trucks, which account for nearly half of an emerging fleet of more than 5,500 clean trucks currently serving our two local ports.

Our program has been so successful in accelerating the replacement of old, diesel-powered trucks that in May our Harbor Commission approved \$23 million in additional incentives for companies purchasing alternative-fueled trucks, specifically, natural gas (LNG and CNG) and a new category of electric-powered, zero-tailpipe emissions big rigs.

This type of cooperation required the support of a broad group of stakeholders ranging from the motor carriers and cargo owners who invested in clean fleets, to the environmental, labor and faith-based communities who shared the common goal of finding a workable solution to air pollution. In other words, all parties involved wanted to find a way to effectively address truck pollution while keeping the cargo moving across our docks.

No seaport had ever attempted such an ambitious program with such an audacious goal of replacing an entire drayage fleet with a clean fleet within five years. With the Clean Truck Program, not only have we achieved most of this fleet replacement within one year, but we have created a system to monitor and ensure truck ownership accountability for thousands of big rigs that move the goods through the Port of Los Angeles.

Today, approximately 66 percent of the trucks that haul cargo containers in and out of our cargo terminals are model-year 2007 or newer. This dramatic fleet turnover has delivered an estimated 70 percent reduction for a program that set its target as an 80 percent emissions reduction by 2012. This emissions reduction is equivalent to removing 200,000 automobiles from our freeways in just 10 months time.

Just as importantly, we've shown that taking dramatic action to curb carbon emissions can be good for economic growth. While new truck sales are down 60 percent nationwide, business at

truck dealers near the Port of Los Angeles is up by one-third versus last year thanks to the Clean Truck Program. By any standard, this is a truly remarkable accomplishment.

The emissions reductions made possible by the CTP are also helping the San Pedro Bay Ports move forward on massive "green growth" cargo terminal modernization projects that were paralyzed the first half of this decade due to air quality concerns and related legal threats. As a result, thousands of construction jobs are being generated at a time when our regional economy badly needs them. These projects will pave the way for tens of thousands of permanent jobs at the Port and throughout our regional economy in the decades ahead.

The American Trucking Association has threatened our innovative solutions by getting a court order to temporarily block the City's ability to directly ban a motor carrier from bringing dirty trucks in our Port. We are vigorously fighting to protect the right of cities like Los Angeles to improve environmental and security conditions on our own land and protect the sustainability of our investment in clean trucks over the long term.

At the same time, while defending our groundbreaking program, we need to clear the path to allow local governments the means to achieve federal clean air measures and more secure transportation hubs, acknowledging the need for different regional approaches.

Here in Los Angeles, we are proud to be making an important contribution to the national goal of cleaner air and "greener" energy. We urge lawmakers in Washington to update federal law and allow a first-of-its-kind emissions reduction initiative like the Clean Truck Program to flourish.

EPA Takes Another Shot at the Economy, Proposes More Micromanagement (*The Heritage Foundation*)

Posted October 1st, 2009 at 4.58pm in [Energy and Environment](#).

As Congress tries to knock out the economy in one fell swoop with its economically dangerous [cap and trade proposal](#), the Environmental Protection Agency (EPA) is taking a different approach: proposing smaller, regulatory jabs at the economy with the intent to reduce carbon dioxide and other greenhouse gas emissions.

First, the EPA worked with the Department of Transportation [to propose new vehicle standards](#) - a 5 percent annual increase in fuel economy starting with the 2012 model year, reaching 35.5 miles per gallon by 2016. Last week, they announced the largest emitters of greenhouse gases [must report](#) their emissions.

Now, they're going after large facilities. Just [yesterday](#), "The Environmental Protection Agency announced plans to regulate greenhouse gas emissions from power plants, factories and oil

refineries — a warning shot to Congress that if it does not move to curb global warming, the Obama administration will act on its own.”

In her speech, EPA Administrator Lisa Jackson [said](#),

By using the power and authority of the Clean Air Act, we can begin reducing emissions from the nation’s largest greenhouse gas emitting facilities without placing an undue burden on the businesses that make up the vast majority of our economy. This is a common sense rule that is carefully tailored to apply to only the largest sources — those from sectors responsible for nearly 70 percent of U.S. greenhouse gas emissions sources. This rule allows us to do what the Clean Air Act does best – reduce emissions for better health, drive technology innovation for a better economy, and protect the environment for a better future – all without placing an undue burden on the businesses that make up the better part of our economy.”

Although the newly proposed EPA rule will not apply to schools, restaurants and small businesses, it’s the large emitters of carbon dioxide that provide America with 85 percent of its energy needs. Regulating greenhouse gases with “the use of best technologies” will mean higher costs for energy passed on to schools, restaurants, small businesses, and of course, the consumer. Further, EPA’s attempt to exempt smaller entities is on flimsy legal ground and is not likely to withstand the inevitable and endless lawsuits from environmental activists

The Heritage Foundation’s [analysis](#) of the carbon capping Waxman-Markey bill project higher energy and other costs for a household of four - nearly \$3,000 per year between 2012 and 2035. Gasoline prices will rise by 58 percent (\$1.38 more per gallon) and average household electric rates will increase by 90 percent by 2035. And if the EPA is running the show, the micromanaging of our economy and the compliance costs that come along with it will only increase the costs.

On April 17, the EPA issued an endangerment finding, saying that global warming poses a serious threat to public health and safety. Interestingly, Jackson spoke as if 60-comment period on the endangerment finding and the EPA’s plan to regulate carbon dioxide was met with unanimous support. She [said](#), “We have received more than 400,000 responses in the 60-day public comment period. And we soon expect a final document that will lay the foundation for reducing greenhouse emissions and confronting climate change.”

But through The Heritage Foundation’s StopEPA.com site, nearly 30,000 of you voiced your opinion against EPA regulations. Other organizations, such as The US Chamber of Commerce, American Solutions, FreedomWorks, and the Institute for Energy Research aggregated similar numbers, but there’s no mention of that.

Contrary to Administrator Jackson’s assertions, using the Clean Air Act to regulate CO2 would likely be the most [expensive environmental regulation in history](#) and will bypass the legislative process completely. While some Members of Congress undoubtedly support the EPA’s attempt to curb global warming, the fact that unelected and unaccountable EPA bureaucrats are trying to use backdoor rulemaking to reduce carbon dioxide makes it all the more objectionable.

- Author: [Nick Loris](#)

CLIMATE CHANGE/GLOBAL WARMING

A Pollution Reduction Bill? (*The Heritage Foundation*)

Posted October 1st, 2009 at 3.30pm in [Energy and Environment](#).

Well, that depends on what your definition of pollution is.

As Senators Boxer and Kerry [unveil their cap and trade bill](#), John Kerry's recent pitch to the American public is yet another example of how mainstream environmentalists have sought to change the definition of pollution. As Kerry [explained last week](#), the bill is not a “cap and trade” proposal but a ‘pollution reduction’ bill. I don’t know what ‘cap and trade’ means. I don’t think the average American does,’ Kerry said. ‘This is not a cap-and-trade bill, it’s a pollution reduction bill.’” To make this point clear, in the summary of the bill, Kerry and Boxer removed the phrase “cap and trade” and [replaced it](#) with “Pollution Reduction and Investment.”

Kerry's statement points to the recent shift in environmental rhetoric which is less concerned about pollution being linked to smog and toxins in the air and water, and more concerned with what they believe to be the biggest problem: carbon. This new-found definition of pollution has permeated environmental rhetoric and has been heavily employed by the Obama administration.

[In his speech to the UN last week](#), Obama mentioned the disastrous consequences that will ensue from “greenhouse gas pollution” and “carbon pollution.” Furthermore, after the Waxman-Markey bill was passed in the House, Obama [praised](#) the effort saying that we have seen our reliance on fossil fuels “pollute the air we breathe and endanger our planet” and argued that “There is no longer a debate about whether carbon pollution is placing our planet in jeopardy. It’s happening.”

No longer a debate? Contrary to Obama's statements, there is a [very vigorous](#) debate among [scientists](#) as to whether Co2—an invisible component of the human respiratory cycle—can be [classified as a pollutant](#). What is abundantly clear is that the Senate climate change bill is less interested in pollution that is visible or proven to be harmful to human health and almost completely focused on a new-found definition of “carbon pollution.” This is most apparent in the opening sentence of the bill, which repeats the opening of the Waxman-Markey bill: “To create clean energy jobs, achieve energy independence, reduce global warming pollution, and transition to a clean energy economy.” The bill includes four titles that tackle greenhouse gas “pollution”

and pushes for a 20 percent reduction in carbon emission by 2020, compared to the 17 percent reduction in the House bill.

With most of the emphasis being on Co2 and with very little being on proven harmful pollutants, Kerry's claim that the bill is a "pollution reduction" bill is highly dubious; but there is no doubt that it is a [cap and trade bill that will cause massive damage to the economy](#). As the United States begins to recover from a recession, is the country going to sacrifice the economy for these sudden amendments to the dictionary? Let's hope not.

Katie Brown contributed to this post.

- Author: [Nick Loris](#)

Copenhagen: Obama Better Go Back (*Huffington Post*)

[Naomi Klein](#)

Award-winning journalist and author of *The Shock Doctrine*

Posted: October 1, 2009 03:04 PM

When Obama arrives in Copenhagen tomorrow to support Chicago's Olympic bid, he will be showing the world that he is willing to schlep to Scandinavia for an event he considers important. The big question now is: will he do it again on December 7, when Copenhagen plays host to the United Nations summit on climate change, the highest-stakes environmental negotiations in history?

British Prime Minister Gordon Brown has already pledged to be there, characterizing the summit as a last chance to pull the planet back from the brink. "I will go to Copenhagen to conclude the deal," Brown told the UN General Assembly. "This is too important an agreement -- for the global economy, and for the future of every nation represented here -- to leave to our official negotiators. So I urge my fellow leaders to commit themselves to going to Copenhagen too."

No word so far on whether Obama will heed the call (remember that George Bush Sr. went to the Rio Earth Summit...). Considering the Obama administration's paltry proposals on emissions cuts, and the total absence of a U.S. plan to help developing countries meet the massive costs

associated with a climate crisis they did not create (ask the residents of flooded-out Manila), it's not surprising that the president might want to avoid what promises to be an angry showdown in Copenhagen. Already U.S. negotiators are trying to lower expectations for what the summit can accomplish, an ominous sign.

One thing is certain: if Obama skips Copenhagen in December, after making time to go there to promote the Olympics in October, he will be saying something chilling about his administration's commitment to battling global warming. Now is the time to tell Obama: you'd better go back to Copenhagen.

Why Climate Change Isn't Like Health Care (*The New Republic*)

Bradford Plummer - 9:23 pm
THURSDAY OCTOBER 1, 2009

In case you missed it on the homepage today (or on that sidebar to the right), Bill McKibben [has a piece](#) in our current print magazine on why global warming, as a policy issue, is going to be fundamentally different from health care. Physics and chemistry, he argues, don't tend to be terribly flexible negotiating partners:

In Washington, and in Copenhagen, political realism dictates reaching some kind of deal. And the pressure from vested interests—mostly the fossil-fuel lobby—combined with the political fear of annoying voters with higher gas prices or lifestyle shifts means that the incentive for anyone who has to run for office anytime soon is to take the easiest possible deal. Look at Waxman-Markey, which has been revised to cut emissions just 17 percent by 2020—and even that comes loaded with loopholes written to win over particular congressmen with particular coal mines. And it barely passed—by seven votes. Scientific realism demands much more.

And scientific realism holds the trump card here. If you pass half a health care bill, you can always come back in a decade. People will suffer in the meantime, but it won't grow impossible to fix the problem: The Clinton debacle in the 1990s didn't mean that we couldn't try again this year. But, if we don't do what the science requires on climate change, the situation will get badly out of hand. In the last two years, methane levels in the atmosphere have begun to spike sharply, apparently because warming temperatures are now melting the permafrost that caps large deposits of the potent greenhouse gas. If we let the planet keep warming, we won't be able to shut that cycle off—we're clearly much closer to that kind of tipping point than we imagined just a few years ago. Half a job may not be better than no job at all.

EPA Keeps Putting The Squeeze On The Senate (*The New Republic*)

- *Bradford Plumer*
- October 1, 2009 | 12:47 pm

Yesterday, the other big climate news that broke, apart from the release of the Kerry Boxer-bill in the Senate (and, do take note, the official moniker appears to be "Kerry-Boxer," not "Boxer-Kerry"), was that the EPA clarified new rules for regulating greenhouse gases from large stationary sources—from coal-fired power plants to refiners to large factories. I'm just going to rip off Dave Roberts's lucid [summary](#):

When the new EPA fuel economy regulations [for vehicles] go into effect in 2010, that will automatically—as in, by law—trigger regulations of stationary sources. Such sources will have to get permits showing that they've used Best Available Control Technology to reduce CO₂. BACT has not yet been defined for CO₂. That's going to be a huge and incredibly contentious fight.

Right. What's the best way to control CO₂ from coal plants? Sequestering the carbon? Co-firing with biomass? Efficiency improvements? No one's sure yet! Anyway, that leads us to yesterday's proposed rule:

What was announced today is the “tailoring” rule; it establishes that *when* the EPA regulates stationary sources, it will only regulate those that emit more than 25,000 tons. This is a modification of the threshold now in the Clean Air Act, which is 250 tons. If EPA regulated every source emitting more than 250 tons, it would be a nightmare (churches! schools! marathons!). There's some dispute about whether the EPA is legally allowed to do this; not surprisingly, I hear different things from different sides of the aisle. It is sure to be litigated.

From a political standpoint, I'd be curious to know if yesterday's EPA announcement was intentionally timed to coincide with the release of the Kerry-Boxer bill. Because, in essence, the EPA is warning the Senate that if it *doesn't* pass its own climate legislation, the agency will start regulating greenhouse gases next year regardless. (Last week, Lisa Murkowski [tried and failed](#) to pass a Senate amendment that would've nullified the EPA's authority over CO₂.) The pressure's on.

Related: Michael Livermore [argues](#) that EPA regulation is a viable, if flawed, fallback option.

Obama Gives EPA the Go-Ahead to Regulate Greenhouse Gases (*TreeHugger*)

by Brian Merchant, Brooklyn, New York on 10. 1.09

Showing that he's serious about curbing emissions, Obama announced that he's moving ahead with plans for [the EPA to regulate greenhouse gases](#). Specifically, "large industrial facilities" that emit more than 25,000 tons of greenhouse gases a year will require an operating permit for those emissions. If, after inspected, they haven't taken reasonable measures to reduce emissions, they could face fines. This is big news--it provides a strong incentive for Congress to pass a climate bill, and sends a signal to the world that the US is serious about climate action.

From [the New York Times](#):

Unwilling to wait for Congress to act, the Obama administration announced on Wednesday that it was moving forward on new rules to regulate greenhouse gas emissions from hundreds of power plants and large industrial facilities.

The EPA ruled that it had the ability to regulate [carbon dioxide emissions as a harmful pollutant](#) months ago. But Obama always said that he much preferred to pass legislation in Congress, than regulate coal plants and factories individually through regulations--and that's still his stance now.

It should come as no surprised that this announcement was timed to coincide with the introduction of the [Kerry-Boxer Senate climate bill](#). The move acts to put pressure on Congress to pass a climate bill--it's an "or-else" scenario. Like before, nobody wants to see factories and coal plants regulated one by one. But if Congress fails to pass a climate bill, the EPA can work to start reducing emissions in the country's heaviest polluters anyways.

It also seems to serve as a stopgap measure between [now and Copenhagen](#), since the US likely won't have climate legislation--or emissions reduction commitments--passed by then. It shows that even without Congress, Obama is willing to start curbing emissions and transitioning to a clean energy economy.

The rules would take effect in 2011, and would target the 14,000 largest sources of greenhouse gas emissions in the nation (mostly coal plants and industrial factories).

From [the EPA](#):

"By using the power and authority of the Clean Air Act, we can begin reducing emissions from the nation's largest greenhouse gas emitting facilities without placing an undue burden on the businesses that make up the vast majority of our economy," said EPA Administrator Jackson.

"This is a common sense rule that is carefully tailored to apply to only the largest sources -- those from sectors responsible for nearly 70 percent of U.S. greenhouse gas emissions sources. This is good news, especially for the sign it sends to the global community--that our president is serious about fighting climate change.

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**U. S. Environmental Protection Agency
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Prepared by the Office of Public Affairs

Friday, January 11, 2013



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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Oct. 19, 2009:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

BP Permit

Posted by: [INLivingGreen](#) 5:39 pm Full post: <http://bit.ly/15wRXS>

EPA grants part of a citizen petition on BP's air permit
(Indiana blog: A Hoosier's Guide to A Sustainable Lifestyle)

Posted by: [beckcomgrp](#) 4:21 PM Full post: <http://bit.ly/2St1ye>

RT @HEC_ED A victory for cleaner air in Indiana! EPA sides with citizens concerned about air permit for BP refinery in NW Indiana.

Posted by: [ELPCenter](#) 1:57 pm Full post: <http://tinyurl.com/yh4nmto>

EPA Blocks Air Permit for BP Refinery Expansion, Sides with ELPC and Coalition: The United States Environmental...

(Note: Midwest Environmental Law Center)

Posted by: [GreenCorps](#) 4:42 pm Full Post: <http://bit.ly/2zI>

EPA: BP permit must be rewritten

Posted by: [JoeReneeVizi](#) 4:41 pm <http://bit.ly/4aaXTJ>

EPA: Indiana must rewrite BP refinery air permit

Posted by: [JP54Offer](#) 4:35 pm Full post: <http://bit.ly/1rW3TD>
EPA Objects To BP Whiting Oil Refinery's Permit: Whiting, Indiana, refinery expansion, agency officials.. .

First WaterSense Spec for Commercial Buildings

Posted by: [AWHAP](#): 12:25 pm Full post: <http://bit.ly/46w2ya>
Talking toilet-flushes and water savings: WaterSense labeled flushing urinals will use 50 percent less water than...

Posted by: [ANeponline](#) 4:43 pm Full post: <http://bit.ly/1wOyQr>
EPA released its first [#WaterSense](#) specification for a commercial building product: flushing urinals
(Note: Pollution and Waste Treatment Solutions for Environmental Professionals)

Posted by: [P2RX](#): 2:35 pm Full post: <http://ow.ly/vg0u>
From [@EPAgov](#) WaterSense for commercial buildings. Low-flow urinals saving 4K gallons of H2O/year for each installed unit.

Posted by: [EPOnline](#) 5:24 pm Full post: <http://bit.ly/1wOyQr>
EPA released its first [#WaterSense](#) specification for a commercial building product: flushing urinals

EnergyStar Program

Posted by: [TifaniAndCo](#) 6:20 pm Full post: <http://bit.ly/dHQWL>
RT [@tommytrc](#) Not all EnergyStar goods measure up, report finds

Posted by: [ecocontractors](#) 4:47 pm Full post: <http://ow.ly/viRZ>
EnergyStar Products Aren't Meeting EnergyStar Requirements via treehugger
(Note: Ecocontractors links green contractors to eco-minded consumers)

Posted by: [PeterMSchwartz](#) 3:27 pm. Full post: <http://tinyurl.com/yke9ybw>
Congress, DOE and EPA debate an overhaul to the Federal Energy Star Program

Posted by: [EarthShareOR](#): 3:49 pm Full post: <http://bit.ly/26ntN5>
What does EnergyStar really mean? RT [@goodcorporation](#) "Energy Star" status for appliances not independently verified

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Is a Climate Deal Sunk? (*The New Republic*)

- *Jesse Zwick*
- October 19, 2009 | 9:07 pm

Over the weekend, Maldives [held](#) its first cabinet meeting underwater. Yes, underwater: The ministers of the tiny island nation all put on scuba gear and sat at desks six meters below sea-level in a rather brazen bid to get people to pay attention to the rising sea levels that are threatening countries like the Maldives. (If sea levels rise at least a meter by 2100 as a result of global warming—a figure that's looking increasingly [likely](#)—more than 80 percent of the Maldives will be swamped.) The country's president, Mohammed Nasheed, has also pledged that his nation will go carbon neutral within a decade and will set up a fund to help evacuate the island's entire population, should that prove necessary down the road.

Nasheed's stunt wasn't randomly timed. Right now, as various nations haggle over a climate treaty, one of the biggest points of contention is whether wealthy nations will offer up aid for developing nations—both to develop low-carbon technologies and to adapt to climate-related changes that are unavoidable. British Prime Minister Gordon Brown has suggested that some \$100 billion per year may be required by 2020, but only the EU has made any gesture at all toward that goal—pledging some 15 billion euros per year. (The Waxman-Markey bill that passed the House, meanwhile, would devote 1 percent of the value of pollution permits toward international clean-tech deployment and another 1 percent to help poor nations adapt from 2012-

2021—both of those would rise to 4 percent by 2050). Unfair or not, in the midst of a recession, most industrialized countries aren't keen on shelling out billions for foreign aid.

So does that mean a deadlock's inevitable? Not necessarily. One way to potentially bridge the gulf would be to abandon the idea of pure aid transfers. Mexico, for instance, has [proposed](#) the creation of a "green fund," into which all nations would be obliged to contribute a certain amount based on a number of factors including their historical and current emissions, GDP, and population. The United States and Europe would be responsible for a large share of the fund, at least initially, but a system in which all countries had to chip in might be more politically palatable.

ENERGY

Energy Star Products Aren't Actually Meeting Energy Star Requirements (*TreeHugger*)

by Jaymi Heimbuch, San Francisco, California on 10.19.09

[Energy Star](#) is regarded by consumers as one of the most reliable raters of electronics and appliances in terms of knowing how much energy a device consumes. The organization continually raises the bar (little by little, but still raises) on energy efficiency and tests products to see if they meet requirements for an Energy Star ranking. However, looks like a recent audit shows that Energy Star isn't so reliable after all.

[The New York Times](#) today reported that the Department of Energy (DOE) conducted an internal audit, and found that there isn't a tracking system in place to ensure that companies slapping an Energy Star label on their products have actually met Energy Star specifications for energy efficiency.

That's a bit of an issue. It means consumers can't trust one of the few green labels that has been thought to be reliable, all because Energy Star isn't going through a few extra steps to make sure their label is being used properly.

Energy Star has its history of shortcomings, from creating standards that aren't exactly stringent to not checking up that testing on electronics is up to snuff. But this really lays into the credibility of the label.

The report also noted that while the government said in 2007 that it would conduct "retail assessments" to ensure that all the products carrying the Energy Star logo deserved them, it is still not doing so for windows, doors, skylights, water heaters and solid-state lighting. And the department is not following through to ensure that when inappropriately labeled products are identified, the labels are actually taken off, the audit said.

If it can't be trusted, what good is a label?

It was just last year that 5 refrigerator models were stripped of their Energy Star labels because they failed to meet the criteria. So how many more supposedly Energy Star-qualified products are on the market right now sporting a label they haven't earned?

Lane Burt, the manager of building energy policy at the Natural Resources Defense Council, points out that as the Energy Star program has grown so rapidly, it's not surprising that it is having "growing pains" though that doesn't make the mislabeling of products and the lack of verification acceptable.

The Energy Department and the E.P.A. signed a memorandum of understanding that attempts to address some of the problems found during the audit, including a "super star" program within Energy Star that ranks the best performing products ranked by efficiency.

That's nice, but how about first focusing on actually making sure that what products carry the label meet the specifications at all.

"For the sake of our environment and our economy, it's critical that we enforce our energy efficiency regulations," said Scott Blake Harris, General Counsel of the Department in a statement from the Department of Energy. "Strong enforcement of the rules will encourage compliance and keep manufacturers who break the law from having a competitive advantage over manufacturers who play by the rules."

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Oct. 20, 2009:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Water Enforcement, Standards and Infrastructure Projects

Posted by: [greenbiztweets](#) Posted by: 5:50 pm Full post: <http://su.pr/2ugPUy>
EPA Thinks Outside The Bowl With New Urinal Standards
(Note: 11,000 followers)

Posted by: [EnergyLiberty](#): 4:41 pm Full post: <http://bit.ly/YmNSO>
EPA Announces \$38, 993,400 Recovery Act Funds for Water Infrastructure Projects in DC....
(Note: non-profit empowering low-income communities with the tools needed to excel in the emerging green job sector)

Posted by: [ecoFactory](#) 5:10 pm Full post: <http://www.ecofactory.com/node/3907>
New post: Water Polluters Beware: EPA Plans to Enforce Clean Water Act

National Academy of Sciences (NAS) Report on Hidden Costs of Producing Energy

Posted by: [pdjmoo](#) 4:51 pm Full post: <http://ow.ly/vx92>
Fossil Fuels' Hidden Cost Is in Billions - Premature Pollution Deaths -Study Says.....

Posted by: [ChemicalWeek](#) 4:50 pm Full post: <http://bit.ly/wHpjo>
Dirty Energy Generates Hidden Costs of \$120 Billion/year in the U.S. [21 minutes ago](#) from [bit.ly](#)

Posted by: [turnageb](#) 4:30 pm Full post: [#p2](http://bit.ly/1vwCK1)

RT [@tnr](#): Hey CBO, can we subtract the \$120 per year hidden cost of fossil fuels from the climate bill costs?

Posted by: [HumanityNews](#): 4:25 pm Full post: <http://bit.ly/3KvX8N>
Green News: Estimating Energy's Hidden Costs

Posted by: [ClimaTweets](#) 3:33 pm Full post: <http://tinyurl.com/yhauw6o>
Aging Coal Plants Carry High Hidden Costs, Particularly to Health: A new study from.

Posted by: [lowelectricbill](#) 4:00 pm Full post: <http://bit.ly/2FCvxn>
Aging Coal Plants Carry High Hidden Costs, Particularly to Health: Compared to the \$62 billion in damages the s..

Energy Star

Posted by: [greennewswire](#) 3:34 pm. Full post: <http://twurl.nl/n6uozx>
Green purchasing appears to be accelerating: In the US, Energy Star, Green Seal and EcoLogo are the three most recognized eco-labels with recognition rates of 88, 61 and 59 percent.....

Posted by: [KTVL](#) 5:18 pm Full post: <http://bit.ly/2drxR8>
Energy Star label isn't always true: Consumer Reports finds some manufacturers cheat on their app.. [video]
(Note: news from KTVL.com ... MOBILE: <http://m.ktv.com>)

Posted by: [EarthShareOR](#): 3:49 pm Full post: <http://bit.ly/26ntN5>
What does EnergyStar really mean? RT [@goodcorporation](#) "Energy Star" status for appliances not independently verified

Posted by: [EnergyWire](#) 5:30 pm Full post: <http://bit.ly/fCOCd>
Energy Star dimmed - Examiner.com: New York Times Energy Star dimmed. That Energy Star logo on your ma...

ROUND-UP OF MAJOR BLOGS

AIR

Michigan: Eliminating 90% of Mercury Emissions by 2015 (*TreeHugger*)

by Kristin Underwood, Sacramento, CA on 10.20.09

After many years of hoping and waiting for this day, the Michigan government has finally finalized regulations effectively reducing mercury emissions from power plants to 90% below 1999 by 2015, reports the Associated Press. The Great Lakes (and all of their inhabitants) can now take a huge sigh of relief, as can area Michigan children.

In total, this means a reduction of 3,600 pounds of mercury emissions each year. For a state that has mercury consumption warnings on all 11,000 inland lakes, mercury is not just a "small fry" problem and fishing in Michigan contributes to over \$2 billion USD to the state's economy. But, as the mercury turns into methylmercury in water and moves up the food chain to accumulate in fish, the fish are then a threat to all who consume them. Mercury is responsible for lower IQs, as well as problems with vision, memory and motor skills. Children and infants are particularly susceptible to mercury poisoning.

Power plants are among the largest sources of mercury emissions, thanks to the coal that is burned at the plant. Environmental groups estimate that the reductions will be closer to 77% when all is said and done, but that even that is something to cheer about. Existing power plants can either install a system which instantly drops emissions 90% by injecting carbon into gases emitted, which isolates the mercury ash which can then be landfilled. Or they can install scrubbers to clean up the mercury. Smaller plants can be a little more creative with their solution, but it will be approved on a case-by-case basis. New plants are required to use best available technology and cannot choose from among these options.

Michigan is the 19th state to regulate power plants in this manner. Many of the plants in the area wish that there was a federal rule requiring everyone to pay to clean up their emissions, thus leveling the energy playing field.

CLIMATE CHANGE/GLOBAL WARMING

**That's pretty much all the nations there are. For 350.
(*TreeHugger*)**

by Bill McKibben, 350.org on 10.21.09

I should be diligently trying to psych people up for this weekend's 350.org International Day of Climate Action. Instead, I'm kind of stunned, knocked for a loop, flabbergasted.

The outpouring of organizing that is going on around the world truly boggles my mind. Yesterday we passed 4,000 different events, rallies, protests set for Saturday; about 8 pm, when it turned out there was a big action planned for Brunei, we had the 170th nation involved. That's pretty much all the nations there are. This will apparently be the most widespread day of political action in the planet's history.

And the wild part is: these are people rallying around a semi-arcane scientific data point. Around a parts-per-million goal for the concentration of a particular molecule in the planet's atmosphere. People aren't supposed to be capable of this--and yet they very clearly are.

Please go out and take part in Saturday's events. It's easy to find, at 350.org, the nearest action. Some will be small, some will be big, some will be mundane and some will be mindblowingly beautiful. But it barely matters. You want to be involved--you want to have been there when the climate movement was fully born, when people in large numbers across the seven continents finally rose up and said: we like our planet more or less as it is. We're going to defend it.

I can't guarantee that this day will succeed. At this point, no one can guarantee that anything will succeed. It's possible we've waited too long to get started--clearly we've gotten very near the threshold. The lead paper in last week's issue of Science, by Aradhna Tripathi et al, demonstrated that it had been 15 million years since carbon concentrations were this high--and that when it happened last the seas rose a hundred feet above their current level. No guarantees, none at all.

Except that: there's something ironclad gorgeous about people finally coming together. I've waited twenty years to see what the climate movement would look like. It looks like young people in Burundi organizing a massive demonstration in a capital city I'd never even heard of (Bujumbura). It looks like scuba divers underwater on the Great Barrier Reef, and climbers high on the melting slopes of Mount Everest, and Israelis and Palestinians and Jordanians coming together across the checkpoints and walls. It looks like people in every single American state and Canadian province--and Indian state. It looks like 300 big rallies in China where it's not easy or simple to organize. It looks like people willing to go out in the streets in Kabul, in Iraq, in Tegucigalpa in the middle of the Honduran coup.

Uncertainty, Climate Models, And Geoengineering (*The New Republic*)

- *Bradford Plumer*
- October 20, 2009 | 1:45 pm

The uproar over *Superfreakonomics* has led to a lot of smart posts being written on the pitfalls associated with "geoengineering" as a response to global warming. Now, as I've mentioned before, "geoengineering" is often used as a catch-all term for a wide variety of schemes to artificially reduce the temperature of the earth, but Nate Silver [homes in on](#) the two most audacious ideas out there:

-- Finding some mechanism to shoot sulfur into the atmosphere -- this is the approach that Levitt and Dubner concentrate on in *SuperFreakonomics*. Sulfur has a cooling effect, as can be observed, for instance, when there is a large volcanic eruption -- volcanoes emit lots of sulfur and when Mount Pinatubo erupted in 1991 it cooled the planet's temperatures by approximately 0.9° F for several months.

-- Creating artificial cloudcover. Or to be more precise, modifying clouds to be more reflective, which would modify the earth's albedo and cause more sunlight to be bounced back into space. This is the approach pursued by Dr. John Latham, a seventysomething British scientist employed by the National Center for Atmospheric Research in Boulder, Colorado, whom I spoke with on the phone several weeks ago.

A couple points about this. First, if, like Dubner and Levitt, you're skeptical about the omniscience of climate models—and, while I think modern climate models are pretty good, it *is* true that there's a fair bit of uncertainty still—then you should be skeptical of geoengineering, too. Trying to spray sulfates or other aerosols into the air to reflect sunlight and cool down the planet could have a lot of unintended side effects that are, at present, difficult to model. Whenever I ask climate scientists what they wish they still understood better, aerosols are often

at the top of the list. And the consequences could be dramatic: Two University of Colorado researchers [recently found](#) that the sulfur scheme could wreak havoc on global rainfall patterns. A *lot* more research is needed on this subject, and Dubner and Levitt are way too glib about the risks.

Second, as Ryan Avent [points out](#), geoengineering is likely to create as many headaches over international coordination as a treaty to reduce carbon emissions will. Who controls the sulfur spray? What if one country gets drought as a result of geoengineering and wants to adjust the mechanism at the expense of another country? What if some countries decide unilaterally to fiddle with their own cloud cover? Who compensates the losers? This isn't necessarily any easier than a carbon treaty.

Third, most people who work on geoengineering will tell you that we should be looking into it as a *complement* to efforts to reduce carbon emissions, not as a substitute. One important thing to note, which Nate Silver does, is that spraying sulfur in the air to try to cool the Earth without reducing emissions would do nothing to prevent the build-up of carbon that's rapidly acidifying the ocean. [Ocean acidification](#) is a big deal—it's already wreaking havoc on coral reefs, it could seriously disrupt the ocean food chain, and it could conceivably alter the climate in ways we don't quite understand.

In many ways, the uncertainty around climate projections always struck me as a good argument *for* reducing emissions and trying to interfere with the Earth's climate as little as possible. Yes, it's possible that climate modelers are overstating how hot the Earth will get if we keep pumping CO₂ into the air. It's also very possible that they're *understating* things. (If forced to bet, I'd stick with the IPCC "consensus" estimate that a [doubling of CO₂ in the air](#) will raise global average temperatures about 3°C, but as the IPCC will be the first to concede, "values substantially higher than 4.5°C cannot be excluded.") Uncertainty is not our friend. It's risky business to keep fiddling with atmospheric chemistry and assuming everything will turn out okay.*

* I guess one counterargument here is to say: "Sure, but isn't it *also* risky business to try to revamp the world's energy economy and assume everything will turn out okay, given the (even greater) uncertainty in economic modeling?" That's a fair point, and I guess I'd respond by saying **a**) trying to cap carbon and shift away from fossil fuels seems like the more reversible move: If, for some reason, the costs of moving away from burning fossil fuels turn out to be absolutely intolerable, we can quickly go back to using them; that may not be true if the climate hits certain [tipping points](#) where, say, Siberian bogs start decaying, methane in the ocean is bubbling up, and we can no longer control the rate of warming; and **b**) from past experience, [every time](#) we've put a price on an externality or capped a seemingly "indispensable" pollutant (lead, CFCs, sulfur-dioxide), the economy has survived just fine. In the face of uncertainty, shifting away from fossil fuels looks like the far less risky venture.

Gearing Up for the Copenhagen Climate Conference (*The Heritage Foundation*)

Posted October 20th, 2009 at 9.17am in [Energy and Environment](#).

Cap and trade is nowhere near dead but it's not the only weapon in the arsenal against capping carbon dioxide emissions. Another significant threat to United States energy policy is the possible climate treaty that could supplant the Kyoto Protocol as the new treaty to combat global warming. Just as scary, if not more so, is how an international treaty could affect U.S. sovereignty.

In preparation for the December 7-18 summit, The Heritage Foundation will be covering all the details - up to, during, and after the conference. From energy, to free trade to sovereignty, we'll address all the angles and provide background information, frequent updates and international perspectives.

Whether a treaty will be signed is very much in the air. On October 19 Yvo de Boer, the head of the U.N. Climate Change Secretariat, [told](#) the *Financial Times*: "A fully fledged new international treaty under the [U.N. framework] convention [on climate change] - I do not think that is going to happen. If you look at the limited amount of time that remains to Copenhagen, we have to focus on what can realistically be done and how that can realistically be framed."

The same day, UK Climate Secretary Ed Miliband [told a group of journalists](#), "It's an uphill battle, but I just feel today it's more do-able than (I did) yesterday." He also mentioned "going all out" at Copenhagen.

In a piece of good news, Todd Stern, the US administration's chief negotiator, [mentioned to the press](#) that Copenhagen would not be an extension of Kyoto, saying, "We're not a party to the Kyoto Protocol and we're not going to be a party."

But the bad news is it could be a lot worse. Stay tuned; it's going to be an eventful two months.

- Author: [Nick Loris](#)

Judge to the EPA: Don't Write Rules with Shaky Legal Foundations (*The Heritage Foundation*)

Posted October 20th, 2009 at 9.11am in [Energy and Environment](#).

The Environmental Protection Agency (EPA) is moving forward with micromanaging regulations that would regulate greenhouse gases and slow economic growth. However, one judge is warning the EPA not to overstep its legal authority. Judge David Tatel of the U.S. Circuit Court of Appeals for the District of Columbia [told](#) a forum:

“[...] agencies choose their policy first and then later seek to defend its legality. This gets it entirely backwards. It’s backwards because whether or not agencies value neutral principles of administrative law, courts do, and they will strike down agency action that violates those principles — whatever the president’s party, however popular the administration, and no matter how advisable the initiative.”

He reminded the forum that the courts will uphold the law as in the case of the 2006 ruling which overturned the EPA’s decision to regulate caps on pollution seasonally or annually rather than daily as was [required](#) by the Clean Water Act. Tatel [said](#), “I hope that the EPA lawyers are participating in the policy process as legal advisers, not policy advocates. Above all, I hope EPA is listening to its lawyers, even when they offer unwelcome advice.”

The EPA already commenced with new regulations in September, first proposing new vehicle standards in coordination with the Department of Transportation and then proposing a rule that would require facilities that release more than 25,000 tons of greenhouse gases a year to take steps to curtail those emissions when obtaining clean air permits under the Clean Air Act. Administrator Lisa Jackson [told](#) the crowd at the Governors’ Climate Summit in Los Angeles:

“Today, I’m proud to announce the next major advance in this effort: today I signed a proposed rule to use the power and authority of the Clean Air Act to begin reducing emissions from the nation’s largest greenhouse gas emitting facilities. Under this new rule, large facilities would be required to adopt the best, most efficient technologies available when they are constructed or upgraded, helping us significantly reduce greenhouse gases from sectors that account for nearly 70 percent of non-vehicle emissions.”

Jackson [also said](#) that this rule would apply primarily to power plants, refineries and factories, or as she says “sectors responsible for nearly 70 percent of U.S. greenhouse gas emissions sources. This rule allows us to do what the Clean Air Act does best.” Or in other words the rule allows the EPA to substantially modify the Clean Air Act’s regulatory scope: currently the Clean Air Act thresholds [are 100 or 250 tons per year](#) for the regulation of harmful pollutants such as lead, sulfur dioxide and nitrogen dioxide. If the rule is not tailored, these lower thresholds would be implemented for greenhouse gas emissions and would entangle millions of smaller business in red tape. The rule then relies upon the premise that the courts, in response to inevitable legal challenges, will uphold the authority of the EPA to modify the Clean Air Act’s thresholds for permits in order to avoid the result of the EPA sweeping in too many businesses for it to regulate.

The agency’s attempt to regulate carbon dioxide will undoubtedly be complicated and time-consuming and, [if implemented, very costly](#). New EPA regulations would essentially assure that

a great deal of business activity would be held up for months, if not years, because of unprecedented red tape and litigation. And those costs businesses incur will inevitably be passed onto the consumer. Judge Tatel's warning is a valid one and should be a concern for businesses of all shapes and sizes.

- Author: [Nick Loris](#)

ENERGY

Green Jobs? Mandated Wind and Solar? Cap & Trade? We'll Pass on that Showcase (*The Heritage Foundation*)

Posted October 20th, 2009 at 4.53pm in [Energy and Environment](#).

Members of Congress like to play games and they like to spend money. What better analogy to use to describe Congress's proposed green energy policies than the Price is Right? As Congress seeks to implement policy that would create green jobs by mandating renewable energy projects, three cautionary European tales suggest the U.S. should take a second look at cap and trade and renewable energy mandates. We'll take you through a [Price Is Right showcase style](#) tour of three failed renewable energy initiative.

Our first stop takes us to Germany where think tank Rheinisch-Westfälisches Institut für Wirtschaftsforschung just [released its study](#) on the economic impacts of the country's green energy initiative. Commissioned by the [Institute for Energy Research](#) (IER), the [report finds](#) with per worker subsidies for solar industry jobs are as high as \$240,000. Last [year](#), "the price mark-up attributable to the government's support for "green" electricity was about 2.2 cents US per kWh. For perspective, a 2.2 cent per kWh increase here in the US would amount to an average 19.4% increase in consumer's electricity bills." Government subsidies for wind and solar [are projected](#) to be over \$100 billion from 2000-2010 and, to make matters worse, as the subsidies run out, so do the jobs.

Our next stop on the trip brings us to Denmark, and if you don't mind a brief layover in Oslo, you'll receive a complementary Nobel Peace prize. President Obama stresses we should be more

like Denmark since 20 percent of the nation's electricity comes from wind power. But is that really the case? According to a [study from the Danish Centre for Political Studies](#) (CEPOS), also commissioned by [IER](#), the road to increased wind power is less traveled for a reason. The study refutes the claim that Denmark generates 20 percent of its power from wind stating that its high intermittency not only leads to new challenges to balance the supply and demand of electricity, but also provides less electricity consumption than assumed. The new [study says](#), "wind power has recently (2006) met as little as 5% of Denmark's annual electricity consumption with an average over the last five years of 9.7%." Furthermore, the wind energy Denmark exports to its northern neighbors, Sweden and Norway, does little to reduce carbon dioxide emissions because the energy it replaces is carbon neutral. The study goes on to say that absent of government subsidies, Denmark would be absent a wind industry.

The third and final destination on our green energy tour takes us to Spain, another country Obama says the U.S. should replicate when it comes to energy policy, [saying](#), "they're making real investments in renewable energy." But real investments aren't necessarily good investments. Another IER-commissioned [study](#) coming out of King Juan Carlos University in Madrid by Gabriel Calzada found that, for every green job created, 2.2 jobs in other sectors have been destroyed. Furthermore, [Spain's government spent](#) \$758,471 to create each green job and used \$36 billion in taxpayer money to invest in wind, solar, and mini-hydro from 2000-2008.

Which brings us back home to the United States where our government wants to create green jobs by subsidizing windmill and solar projects as well as cap carbon dioxide in what they call a pollution reduction bill. But there are two fundamental problems with this: First, as shown in the Spanish study and [explained](#) by Heritage analyst David Kreutzer: "Environmentalists do not see government expenditure as having a cost. They employ the same free-lunch fallacy that underpins essentially all the analysis showing green-energy subsidies increase employment.

The first week of every principles of economics class goes over the problem with free-lunch assumptions. The labor and material used to make windmills or solar panels or to install insulation cannot simultaneously be used to make refrigerators and automobiles. When government spends more money, it necessarily diverts labor, capital and materials from the private sector. Dr. Calzada simply calculated how many jobs, on average, would have been supported with these resources had they been left to the private market."

Secondly, with cap and trade Congress is mandating higher energy prices and killing many more jobs throughout the process. Consumers spend less. Businesses, faced with higher prices, are forced to make production cuts and reduce labor or they will move to another country where the costs of operation are cheaper without cap and trade and renewable energy mandates. [Our analysis](#) of the proposed green energy economy will destroy 1.9 million jobs in 2012 and 2.5 million by 2035 – after accounting for the green jobs created.

George Mason economist Tyler Cowen [writes](#), "We're dealing now with something beyond the Keynesian short run and so those extra jobs are a drain of resources from elsewhere. If you wish, sub out the word "energy" and sub in the word "agriculture" and then reevaluate the sentence from the vantage point of 1900. Would it truly create net jobs — much less good jobs — to trash

tractors and industrial fertilizer? The ideal situation would be a technology where very few jobs were required to create and distribute the nation's energy supply.”

Heritage energy expert Ben Lieberman sums it up well, [saying](#), “Real-world experience bears this out. Governments that subsidize or mandate green jobs reap fewer overall jobs and a weaker economy.”

When it comes to green energy economies and green jobs, the price is wrong. When the price is right, the market will invest in alternative energy technologies without help or mandates from the government. But as it stands now, we'll pass on that showcase.

- Author: [Nick Loris](#)



**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013



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PEOPLE ARE TALKING

**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Oct. 21, 2009:**

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Climate Bill

Posted by: [NobleFreshEnergy](#) 2:14 pm Full post: [#cejapa](http://bit.ly/4dLebh)
RT [@eschor](#): Senate GOP Re-Names the Climate Bill: Now It's a "\$3.6 Trillion Gas Tax"

Posted by: [sustspaces](#) 2:00 pm Full post: <http://bit.ly/3tRyPH>
Obama gives Senate Climate Bill a Push at MIT

Posted by: [JesseJenkins](#): 12:19 pm Full post: <http://is.gd/4u5Xn>
RT [@N_E_I](#): NYT: Obama to Give Senate Climate Bill a Push With MIT Speech [Friday]

Posted by: [chamberpost](#) 11:21 pm Full post: <http://tiny.cc/2L8tR>
RT [@karenhanretty](#): New economic study by National Black Chamber of Commerce finds will cost 3.6 million U.S. jobs.
(US Chamber of Commerce)

Water Enforcement, WaterSense and more

Posted by: [LeslieGreenBiz](#): 1:12 pm Full post: <http://retwt.me/1cEh5>
EPA Sets WaterSense Standard for First Commercial Building Product | GreenerBuildings.com

Posted by: [TECVBloxEnergy](#) 1:45 pm. Full post: <http://bit.ly/2WyR8k>
EPA Designates First WaterSense Product: Urinals labeled with WaterSense logo will use 50% less water.

Posted by: [tdower](#) 11:14 am Full post: <http://tinyurl.com/yhl5u2c>
Drinking Water: EPA recognizes leaders in water efficiency: October 21,2009 -- WASHINGTON, DC, Oc..

Posted by: [myEARTH360](#) 10:45 am Full post: <http://bit.ly/6ssZp>
RT @ [fabiencousteau](#) Water Polluters Beware: EPA Plans to Enforce Clean Water Act: [#waterwednesday](#)

Energy Star

Posted by: [BLR_EHS](#) 11:35 am Full post: <http://ow.ly/vH17>
Congress fights Energy Star wars - Lisa Lerer - POLITICO.com
(Note: BLR EHS is news for Safety, Environmental, and Health professionals)

Mountaintop Mining

Posted by: [botanybuddy](#) 12:56 pm Full post: <http://bit.ly/IUy88>
RT @ [InvasiveNotes](#): RT Worth watching if you haven't already: Leveling Appalachia: Legacy of Mountaintop Removal Mining

Posted by: [rdstauffer](#) 11 am Full post: <http://bit.ly/2bxqrF>
RT @ [FacesofCoal](#): "Have you noticed that all the mountaintop removal protesters are from out of state?"
(Note: Republican strategist)

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Chamber of Commerce: A Long History of Killing Clean Energy Policy (*Huffington Post*)

James Hoggan

Co-founder www.desmogblog.com

Posted: October 21, 2009 12:20 PM

The U.S. Chamber of Commerce is taking on water for advocating a climate change position that even its own members find irresponsible.

But this is only the latest episode in the Chamber's 20-year campaign to block legislative solutions that would reduce greenhouse gas emissions, create new green jobs and, ultimately, lead to energy independence.

That campaign is a central -- unavoidable -- theme in [*Climate Cover-up*](#), the book that I have recently written with Richard Littlemore. It details four years of research on climate change misinformation and especially on the work of a powerful alliance of lobbyists and industry front groups who have set back the fight against climate change -- and the push for clean energy independence -- by two decades.

The U.S. Chamber of Commerce, a leading player from the outset, is finally suffering mainstream exposure, as major companies abandoned ship in protest against the Chamber's climate policy. Apple, Exelon, PNM Resources, PG&E, PSEG, Levi Strauss & Co, and the San Francisco Chamber of Commerce have all quit; and Nike stepped down from the Chamber board of directors. All cited embarrassment over Chamber climate policy as the cause.

The Chamber brought this rift upon itself.

Vice President Bill Kovacs triggered the humiliation during the summer when he suggested that the Environmental Protection Agency be subjected to [a Scopes monkey trial](#) to review the science behind man-made climate change. Kovacs back-pedaled as soon as mainstream media picked up the story, but not in time to stop the exodus of Chamber members who wanted to distance themselves from the Chamber's anti-science position.

Last week, *Mother Jones* revealed that the Chamber has also been [inflating its membership numbers](#) by 1,000 per cent. While the Chamber has been claiming to represent "more than three million" U.S. businesses, in reality, it has just 300,000 business members. That still could be seen as an impressive number but, at less than 1% of all American companies, it hardly justifies the Chambers claim to be "the voice of business" in the United States.

Washington Post columnist Steven Pearlstein published [an excellent piece](#) on the Chamber's inflated membership, noting "how disingenuous the Chamber has become in its Washington lobbying."

Even the [White House joined in the Chamber pile-on](#). Energy Secretary Steven Chu told reporters, "It's wonderful" to see so many companies quit the Chamber of Commerce. "I think companies like that -- Exelon and others -- are saying we have recognized the reality. They are saying we can't be a party to this denial and foot-dragging."

"I would encourage the Chamber of Commerce to realize the economic opportunity that the United States can lead in a new industrial revolution," Chu said.

Secretary Chu is absolutely correct.

The United States can -- and should -- lead the clean energy revolution. It can -- and should -- pass strong climate and energy policies. These policy signals would do far more to secure American energy independence and create millions of jobs than anything the Chamber and other business lobbyists could conjure up. Strong climate and energy policy will facilitate the rapid deployment of renewable energy technologies throughout the global economy, securing our future against oil price shocks, climate-altering pollution and wars over dwindling resources.

Against that scenario, the Chamber has been running interference on behalf of entrenched fossil fuel interests, a point often overlooked in the current hostile media coverage. Despite the dents to its reputation, the Chamber remains one of the most effective lobbying forces behind the continued U.S. failure to address the climate crisis.

The Chamber has always fought tooth and nail against the Kyoto Protocol negotiations, arguing that a transition to clean energy technologies would kill the U.S. economy. The Chamber has repeatedly tried to magnify the voices of climate change skeptics like [Richard Lindzen](#) and [Roy Spencer](#).

The Chamber's long history of extreme opposition to climate policy is openly reflected in reports and press releases on its own website. For example, an excerpt from the Chamber's 'Summary Remarks' section of its 2005 report, [Reality Check: Straight Talk About the Kyoto Protocol](#):

"Addressing the climate change challenge by attempting to stabilize the level of CO2 in the atmosphere (if proven necessary) would require expending absolutely vast sums of money (many trillions of dollars) on a far larger scale of intervention than that envisaged by the Kyoto Protocol. However, adopting such an enlarged intervention, premised on enforced, huge cutbacks on CO2 emissions, could be highly destructive to the economies of many nations and could severely curtail the availability of funds needed for addressing other major societal problems, particularly if such a program were to be implemented within a short time frame of a few decades."

Further examples of the Chamber's climate skepticism abound, especially in [its campaign against](#) the failed Lieberman-Warner climate bill of 2008.

The Chamber [claims a responsible line](#), saying that it has "called upon the United States to join with other nations to negotiate a new international agreement that sets binding CO2 reduction commitments for each nation, while allowing each to devise its own best path to meeting its target."

But in advocating for the death of Kyoto, the Chamber is really calling for a global agreement that requires no accountability between nations. The Chamber wants the U.S. to pollute at will, while holding other nations responsible for reducing emissions -- "if proven necessary."

While the beneficiaries of this policy are exclusively the fossil fuel industries that dominate Chamber policy making, the effects have been widespread. And no wonder. The Chamber spent nearly \$35 million in the [third quarter of 2009 alone](#), setting a single quarter record and quadrupling its 2nd quarter lobbying expenditures. That brings the Chamber's annual lobbying total to over [\\$52 million so far this year](#), with an active 4th quarter under way.

Their lobbyists and advertisements typically use arguments that are simple and effective, even while being inaccurate and misleading. The Chamber also claims "mainstream, commonsense views that are shared by a broad majority of the American people." But in reality, the group is far out of step, pushing for denial and delay when most major companies are calling for urgent government action.

As a result, the Chamber may be losing serious ground.

[Politico reports this week](#) that the White House and congressional Democratic leaders are working to marginalize the Chamber by dealing directly with the CEOs of major U.S. corporations. This plan to "neuter the Chamber" goes beyond the Kerry-Boxer climate bill, involving President Obama's full first-year agenda on health care reform, climate change legislation and regulatory reform.

"They've taken a real hit this year," a prominent Democratic lobbyist told Politico this week. "In the White House and on the Hill, among the people who run things, they are radioactive."

But the Chamber, famous for long campaigns against labor unions, workplace safety regulations and other common sense American policies, is not giving up on its dirty energy advocacy.

"If people want to attack us, bring 'em on," Chamber CEO Tom Donohue [told reporters recently](#). "We are not changing where we are," he said. "We've thought long and hard about what is important here and we are not going anywhere."

Whether anyone will still be listening remains to be seen. A diminished role for the U.S. Chamber would brighten the prospects of passing climate and energy policy in the United States and abroad, but there are other lobbying groups determined to defend dirty fossil fuel interests at all costs. More on that in future posts about who is killing American climate policy. Stay tuned.

James Hoggan is a 35 year veteran in public relations and the author of the new book [Climate Cover Up](#) that will be released this week US-wide.

Tallying Up The Climate Bill Fence-Sitters (*The New Republic*)

- *Bradford Plumer*
- October 21, 2009 | 12:43 pm

Darren Samuelsohn [dusts off](#) the crystal ball and tries to figure out if the climate bill can garner 60 votes in the Senate. By his count, there are now 67 senators in play—that includes 43 likely "yes" votes (including the two Maine Republicans, Olympia Snowe and Susan Collins), 17 dithering Dems, and seven Republican fence-straddlers: Lindsey Graham, Lisa Murkowski, John McCain, George Voinovich, Richard Lugar, Judd Gregg, and George LeMieux. Graham, recall, wants any climate bill to include more offshore drilling and backing for nukes, and those tweaks might just entice a few of his aisle-mates. That's still unclear.

Also, to split hairs a bit, a climate bill doesn't really need 60 "yes" votes. It just needs 60 senators to thwart a filibuster—even if some of those filibuster-thwarting senators vote "no" on the final bill—and then 50 votes in favor. A few Democrats, including [Sherrod Brown](#) and [Arlen Specter](#), have already pledged not to filibuster a climate package, regardless of their final vote. In the health care debate, Harry Reid and other Senate leaders have been trying to enforce this sort of party unity on all procedural votes—something Brian Beutler has been [tracking closely](#) at TPM. How these health-reform maneuvers shake out could have a big impact on the prospects for cap-and-trade legislation.

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**U. S. Environmental Protection Agency
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PEOPLE ARE TALKING

**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Oct. 22, 2009:**

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Climate Bill

Posted by: [BssNews](#) 6:20 pm <http://bit.ly/1DYqp8>

White House encouraged by climate bill status: WASHINGTON (Reuters) - The White House is encouraged by progress...

[TMCMemberFeed](#) 6:25 pm Full post: <http://bit.ly/KcmIp>

Grist: 67 Senators in play on climate bill: by Joseph Romm Photo courtesy KouK's via FlickrOka...

(Media consortium news sources)

Posted by: [redstate23](#) 6:33 pm Full post: <http://retwt.me/OJH3>

Keep them from getting there ... RT [@politico](#) Uphill climb to 60 votes on climate bill - Lisa Lerer - POLITICO.com

Posted by: [304blogs](#) 6:50 pm Full post: <http://bit.ly/BUutx>

Sen. Byrd upgraded to 'on the fence' on climate bill

(Note: W. Va. Blog)

New Study on Carbon Impact of Biofuels

Posted by: [ecointernet](#) 6:00 pm Full post: <http://bit.ly/AidCe>
2nd generation biofuels stoke global warming - same problems from **biomass**, biochar & cellulosic ethanol as from agrofuel

Posted by: [GreenEnergyPol](#) 5:10 pm Full post: <http://bit.ly/4i8Q0>
Science article on GHG accounting misses the mark on biofuels - Biomass Magazine

Posted by: [glennhurowitz](#) 4:46 pm Full post: <http://tr.im/CHuE>
Bombshell Science Study: Biofuels and biomass climate accounting completely and totally wrong.

School Chemical Safety

Posted by: [wsfal2news](#) 6:44 pm Full post: <http://bit.ly/1RRbhm>
EPA recognizes Ala. school chemical safety: The Alabama Department of Environmental Management (ADEM) was one....

Water and the Web

Posted by: [beckyhammer](#) 1:43 pm Full post: <http://bit.ly/Vj3b1>
I just found this great EPA "training module" on climate & water. The good stuff starts around slide 13. Check it out!
(Note: Environmental lawyer)

Posted by: [ZuvoWater](#) 12:45 pm Full post: <http://bit.ly/3L68Xh>
Don't forget you can get specific information from the EPA about your local tap water!

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Today's Calamity: A Second Call for Transparency (*The Heritage Foundation*)

Posted October 22nd, 2009 at 2.41pm in [Energy and Environment](#).

Our [Tuesday rendition of Cap and Trade Calamities](#) discussed how only the EPA was given the semi-draft form of the Boxer-Kerry cap and trade bill to model the economic effects. The Heritage Foundation's Center for Data Analysis, along with several other organizations (including other government organizations) that modeled the Waxman-Markey cap and trade bill, do not have access. We have another call for transparency – this time from the House side.

On October 2, Chairman of the House Energy and Commerce Committee Henry Waxman sent a letter to Heritage's David Kreutzer, [lead author of our analysis of the Waxman-Markey cap and trade legislation](#). The letter included 33 questions about the details of our model, the details of our assumptions, the details of our policy assumptions and the interpretation and presentation of our results.

As David Kreutzer [writes](#) in his *Politico* op-ed, "We were delighted to engage. Our study had reached conclusions not at all pleasant to the eyes of the bill sponsors. It showed that, when all the tax impacts were added up, the Waxman-Markey legislation would cost the average per-family-of-four cost almost \$3,000 per year. Over the 2012-2035 time period, we forecast total per-family-of-four costs would tally roughly \$71,500.

This back and forth is not only a civic obligation as Congress debates this legislation, but it is also a useful exercise in transparency. There has been a shroud of secrecy over negotiations on energy taxes, health care reform and stimulus legislation this year. Closed door meetings and private backroom negotiations have largely prevailed, while the general public and most of Congress are left outside.

We commend Chairman Waxman and Chairman Markey for opening these doors. We humbly believe that our research models are second to none, and welcome the chance to share our research and results with anyone who is interested, regardless of their political affiliation."

All of the questions, as well as our detailed answers, are publicly available [here](#).

Several other organizations that modeled the effects of cap and trade were sent the same letter. These include: Charles River Associates (commissioned by National Black Chamber of Commerce), The American Council for Capital Formation (commissioned by National Association of Manufacturers), the Massachusetts Institute of Technology, the Energy Information Administration, and the Environmental Protection Agency.

Interestingly, some groups such as the Political Economy Research Institute, the Congressional Budget Office and the Brookings Institute were omitted from Chairman Waxman's request. In an effort to promote transparency, we sent letters to these organizations asking them to respond to the same questions where we can post them for the public to see on [Heritage.org](#). We also formally invited the other organizations who were asked these questions by Chairman Waxman to post their responses, in the interest of full transparency.

Kreutzer's *Politico* chat wrap can be found [here](#).

Update: Chairman Waxman sent the questions to the Congressional Budget Office and they are fully cooperating.

- Author: [Nick Loris](#)

Hydropower Not Likely Under New Climate Future (*TreeHugger*)

by Kristin Underwood, Sacramento, CA 📍 on 10.22.09

Countries that have built dams as part of their "clean" energy future may have to rethink that future, thanks to climate change. As glaciers are melting faster and faster, the water just isn't there. In Peru, Ecuador, Bolivia and Colombia, the UN IPCC has already identified the "the lack of water for hydropower as 'critical.'" Reuters reports that rapidly declining glaciers around the world may mean an [end to hydropower](#) and major changes for the more than one billion people who live in areas fed by glaciers.

Switzerland, for example, [relies on hydropower](#) for about half of their energy supply. Melting glaciers are responsible for everything in the area from farming to cooling nuclear towers, in addition to moving hydropower turbines. Hydropower won't be the only thing to suffer in a [glacier-free world](#). Earlier this year Matthew reported that scientists around the global are not

just melting faster, but that their rate of melt is accelerating, meaning that we are losing glaciers way sooner than anyone predicted.

How does the hydropower industry plan for something like that? Not just the loss of glaciers, but the accelerating timeline they are looking at that is rapidly coming to a close. You can bet that they are keeping an eye on this. In Switzerland, for example, one study predicts that the country will go from 60% hydropower to 46% by 2035 due to a lack in rainfall, loss of glaciers and an increase in energy use. The hydroelectric industry is funding multiple studies, but trying to predict water resources in a changing environment is like trying to hit a moving target.

This also means that countries using hydropower to meet part of their climate goals may have to rethink that as the lack in meltwater translates to less power produced. And yet, there will still be winners in this losing battle. Norway, which produces almost 100% of its power from hydropower will actually get more rain and snow, even as their glaciers melt. No word on whether it will be enough to cover their hydropower needs. While the dams may not work as well for hydropower, they can be used as reservoirs to spread out water resources throughout the threatened region over the year.

Switzerland, for example, is already rethinking how to use its hydropower. Typically they store water up until September when winter is just around the corner and more energy will be needed for heating homes and buildings. In April the storage lakes are typically dry and, with summers getting drier and drier, water usage allotments will have to change. In the short-term, the melting glaciers will give more water for use in hydropower, but in the future the country will have to rely on rainfall to fill the storage lakes and manage their water resources differently. This is challenged by the energy industry which was recently liberalized and therefore there is a greater incentive to make money in the short term, rather than plan for dwindling supplies. Switzerland can also use "pumped storage power stations" to bring water to high reservoirs and release it only when demand increases. China, on the other hand, plans to build 20 more dams on the headwaters of the Yangtze River, despite a rapidly declining water source in the Himalayas.

These schemes only work if a country or industry have the ability to plan out into the future and also the resources to shift where their water supplies come from. If a nation doesn't have a fall-back "plan" like increased precipitation, they may have to turn to other energy production methods that might not be as "green" as hydropower. That is, unless they can use their muscle to force neighboring countries also dependent on the glaciers to help come up with (or finance) a solution.

Poll finds sharp rise in global warming skepticism (Grist)

Posted 5:12 PM on 22 Oct 2009
by [Jonathan Hiskes](#)

There are good reasons not to get too worked up about public-opinion polling on issues like climate change and energy. Polls confirm, over and over, that the public opinion is malleable—so much rides on the wording of questions. And most people don't analyze policy in their spare time, so why ask them about cap and trade? Only 24 percent of Americans could even identify cap and trade as an energy/environment policy in [a May Rasmussen poll](#). Twenty-nine percent thought it was a Wall Street regulation.

Still, it's hard not to be troubled by a [Pew Research Center poll](#) released today. Conducted three weeks ago among 1,500 adults reached on cell phones and landlines, the poll finds a significant drop in the number of Americans who believe global warming is happening, is human-caused, and is a serious problem.

The poll found that only 57 percent of respondents believe that “the earth is getting warmer,” compared with 71 percent in April 2008. Pew has asked similar sets of questions six times since June 2006 and has never found such a dramatic rise in skepticism.

Those who believe warming is caused by human activity (burning fossil fuels) wavered between 41 and 50 percent in the first five polls. This fall, the figure dropped to 36 percent.

Those who consider global warming a “very serious problem” ranged between 41 and 47 percent in the first five polls. This fall, the figure fell to 35 percent.

The shift was most pronounced among political independents. In that group, those who believe there is solid evidence for climate change fell from 75 percent in the April 2008 poll to 53 percent (that's 22 points). Democrats who believe there is solid evidence for climate change dropped from 83 percent in the last poll to 75 percent. Republicans slipped from 49 percent to 35 percent.

Other recent polls haven't found the rise in skepticism that Pew documents. An [August Zogby poll](#) found a majority of Americans wanted additional or continued action from Congress on climate change. A [July poll from WorldPublicOpinion.org](#) found Americans lagging other countries in demanding a climate plan, yet still asking their government to do more. For a bit of context on what scientists think, yesterday [18 leading scientific organizations](#) sent a letter to U.S. senators reminding them of the scientific consensus that climate change is happening, that it is caused by human activities, and that its effects will be severe.

There were two small (and puzzling) bits of consolation in the poll: many respondents support limiting greenhouse-gas emissions, and many want the U.S. to join an international climate-change plan.

Fifty percent of respondents favor CO2 limits and “making companies pay for their emissions, even if it may mean higher energy prices.” Thirty-nine percent say they oppose this, and 11 percent are unsure or did not answer.

Fifty-six percent of respondents think the United States “should join other countries in setting standards to address global climate change.” Some of them appear to support solutions—even ones that raise the cost of energy—to problems they do not believe in.

There are a number of possible explanations for the rise in skepticism. Although, honestly, the findings are still surprising.

- For one, it’s been a [cold summer in much of the country](#).
- Let’s not forget about that years-long, systematic [disinformation campaign](#) to confuse the public about climate change.
- Also, the economy. This week a [POLITICO poll](#) asked respondents to rank issues of concern. Predictably, the economy came out tops. Pew’s poll didn’t ask respondents to rank their concerns, but there is an (accurate) perception that politicians can only address so many problems. Telling pollsters you’re not so concerned with the climate is a way of telling elected leaders [that’s great, now fix the economy](#).
- A national climate plan has become [more likely than ever before](#). As the policy implications of this become more immediate and concrete, people may decide it’s more convenient not to believe in the phenomenon. Don’t believe in the problem and you don’t have to feel guilty for not responding to it.
- Finally, the campaign against cap and trade might have the inadvertent effect of making people reject the problem along with the solution. “It’s quite possible that anti-cap-and-trade messaging has seeped into America’s unconscious mind, affecting opinion on global warming even as the public says it’s heard very little about the legislation being proposed,” [Chris Good writes](#) at the Atlantic.

None of these are especially satisfying answers. It’s not a very satisfying poll. If nothing else, it underscores the importance of using [clean-energy arguments](#) to promote an energy and climate plan.

Put a cap on it, America! (*Grist*)

Posted 4:56 PM on 22 Oct 2009
by [Russ Walker](#)

Don’t let the perfect be the enemy of the absolutely essential.

That's the message author and climate campaigner [Tim Flannery](#) brought to Grist's Seattle office today. By that, he means: The U.S. Congress absolutely must pass climate legislation that puts a cap on the country's total carbon emissions. Failure to do so will take pressure off other nations to follow suit, effectively undermining the spirit and intent of the [international climate talks](#) set to happen in Denmark in December.

Flannery is an Australian scientist-activist in the model of Carl Sagan, James Hansen or Stephen Jay Gould. The author of the influential book [The Weather Makers](#) and chairman of the [Copenhagen Climate Council](#), he's traveling the United States promoting his latest book, [Now or Never: Why We Must Act Now to End Climate Change and Create a Sustainable Future](#).

The inspirations for the book, he said, are the political tracts and pamphlets of 17th and 18th century Britain—lengthy, often underground, publications circulated by the various political factions.

“It's a tract for our times,” he said—20,000 words making the case for why the world must get serious about global warming.

If the U.S. Senate fails to pass a companion to the [Waxman-Markey cap-and-trade bill](#), America will show up in Copenhagen without anything to put on the table, Flannery said. “The United States needs to be able to demonstrate a commitment to reducing total emissions,” he said.

For climate activists who say no bill is better than a watered down climate law, Flannery says cool it. As long as a firm cap is put in place, he said, it will spur the international talks and, more importantly, boost alternative energy.

Flannery praised the Waxman-Markey bill in particular, noting that its provisions calling for a huge U.S. investment in international carbon credits amounts to “the perfect mechanism for exporting cap-and-trade to the rest of the world.”

The agricultural offsets included in Waxman-Markey, he said, will drive additional research into how much carbon farmland can store and how it should be managed to maximize storage. That, he said, will do much to spur a vibrant market in carbon credits.

For readers who will be making the trip to Copenhagen, Flannery advises that you study up on your Shakespeare. The Copenhagen Climate Council has rented out the historic [Kronborg Castle](#), famous as the setting for Hamlet, and will use it on Dec. 12 as a stage for scores of business leaders to talk about the importance of finalizing a global climate deal.

And a word of consolation for American climate campaigners: If you think the coal lobby is bad here, move to Australia, where 90 percent of the country's electricity comes from coal-fired plants. The industry's influence over the political system is expansive, with the conservative Liberal Party beholden to the mining and power generating companies while Labor must balance its support for change with the need to curry favor with an important political constituency—the labor unions that represent coal industry workers.

Flannery will speak tonight at Town Hall in Seattle. The point he will stress to the audience: Our planet is at a critical moment in time, and voters in United States in particular are at a critical juncture. Carbon emissions need to be capped and curtailed, otherwise we're on track for 1,000 ppm of atmospheric carbon dioxide.

Best-case scenario, Flannery said, is that we max out at 450 (we're at about 390 now). Those may sound like dry numbers, but a 1,000 world would look drastically different than a 450 world. Just ask the folks [at 350](#).

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ROUND-UP OF MAJOR BLOGS

CLIMATE GLOBAL WARMING

Telling the Whole Story on Global Warming (*Huffington Post*)

Sen. Barbara Boxer

Democratic U.S. Senator from California

Posted: October 25, 2009 11:33 PM

Global warming is one of the greatest challenges of our generation. Addressing this challenge also represents enormous opportunities for economic recovery and long term prosperity.

But sometimes the big picture is lost when just a part of the story is told.

That's just what happened when Douglas Elmendorf, the head of the Congressional Budget Office, testified recently before the Senate Energy Committee about the economic impact of clean energy legislation recently passed by the House of Representatives.

Afterward, a few headlines gave a misleading impression about the implications of addressing the challenge of global warming.

But those reports largely missed what CBO left out of its analysis.

The CBO Director said it himself: "These measures of potential costs do not include any benefits from averting climate change."

Global warming is happening now. Ignoring the long-term costs of doing nothing to avert the most dangerous impacts of a changing climate results in a profoundly incomplete and distorted economic picture.

The U.N. Intergovernmental Panel on Climate Change warns that more frequent and intense storms, wildfires in the West, heat waves across the nation, increased droughts and flooding, global instability and conflict, food shortages and more are all among the likely impacts of continued global warming.

Whether or not it was caused or worsened by climate change, the devastating effects of Hurricane Katrina provide a window into the kind of world we can expect if global warming continues unabated.

Earlier this month, President Obama visited New Orleans. In 2005, Hurricane Katrina took an estimated 1,700 lives and displaced 1 million people. The total cost of the storm is estimated at well over \$100 billion, with some estimates much higher. Four years later, the people of the region are still suffering, and it will take billions more to rebuild the Gulf Coast and protect coastal communities from future storms.

And that's just what one storm cost us. How many of these disasters can we withstand? We must take action to address these real and costly threats.

A closer look at CBO's testimony, and analyses by the Environmental Protection Agency (EPA) and the Energy Information Administration (EIA), shows that the cost of action is dwarfed by steady growth in the economy.

CBO estimated an average monthly cost of about \$13.00 per family in 2020. An EPA analysis estimated a price tag even smaller - less than a postage stamp per day.

The CBO has also estimated U.S. gross domestic product may be just slightly lower in 2050 (one to three percent) than it would be without comprehensive clean energy legislation, but they didn't put that in context.

Let's think about what that really means. Over the next four decades, our economy is projected more than double in size. According to CBO's estimate, if we act now to address global warming and invest in clean energy, the economy 40 years from now may be about 249 percent bigger, instead of 250 percent bigger. And we'll still get to 250 percent - in May instead of January 2050.

And a recent study from the University of California at Berkeley reports that comprehensive clean energy legislation, coupled with gains in energy efficiency, could produce nearly 2 million new American jobs by 2020.

The CBO director noted, "The uncertainties around the damage of climate change are also great ... many economists believe that the right response to that kind of uncertainty is to take out some insurance ... against some of the worst outcomes."

We are at a crossroads. We can choose a future in which we face the ravages - and the costs -- of unchecked global warming, while other nations gain the jobs and the economic benefits of investing in clean energy technologies. Or we can act now to transform our economy, create millions of new American jobs, and lead the world in developing and exporting in clean energy technologies while protecting our children from dangerous pollution.

Comprehensive clean energy legislation like the Clean Energy Jobs and American Power Act that Senator Kerry and I have introduced in the Senate is not only the right choice to transform our economy, create jobs, and make America more secure. It is also our most effective insurance policy against a dangerous future.

Where in the World is Global Warming a Priority? (*The Heritage Foundation*)

Posted October 26th, 2009 at 8.52am in [Energy and Environment](#).

Not in the small island nation of Vanuatu even though its government lists addressing global warming as a top priority. Take one of Vanuatu's residents, Torethy Frank, who [asked](#) a researcher for the Copenhagen Consensus Center, "What is global warming?"

Her bigger [concerns](#)?

Torethy and her family of six live in a small house made of concrete and brick with no running water. As a toilet, they use a hole dug in the ground. They have no shower and there is no fixed electricity supply. Torethy's family was given a battery-powered DVD player but cannot afford to use it.

Three of Torethy's four teenage children have never spent a day in school. The eldest attended classes on another island, which cost Torethy and her husband 12,000 vatu (\$110) a year, but she now makes him stay home because "too many of the kids at the school were smoking marijuana."

Three years ago, an outbreak of malaria ravaged Torethy's village, Utanlang. The mosquito-borne illness is a big problem in Vanuatu, although aid from the Global Fund to Fight AIDS, Tuberculosis and Malaria is helping. This deadly disease causes fever, headaches and vomiting, and can disrupt the blood supply to vital organs.

One small clinic in Utanlang provides basic medicines like painkillers and bandages. For real medical care, Torethy must travel to the capital, Port Vila. In perfect conditions, that involves a 30-minute boat trip and then a two-hour car ride. Because the villagers are too poor to own any boats other than outrigger canoes, it can take up to five hours."

In the United States global warming is becoming less of a priority and there's even a rapid decline in those who believe there is solid evidence the earth is warming. According to a [new poll from the Pew Research Center](#), 57 percent of respondents believe there's solid evidence, down rapidly from 71 percent in April of 2008. Only 36 percent believe it is from human activity, down 11 percent from last year's poll and only 35 percent believe it is a serious problem, which is down from 44 percent. This comes [after a January 2009 Pew poll](#) which asked

what is our nation's top priority, and global warming was ranked 20th out of 20 possible answer, even ranking behind moral decline, lobbyists and trade policy.

Caring for the environment in the United States is a luxury good. Because we have running water, electricity and shelter, we can devote resources to protecting and improving the environment. And because we have well-established private property rights, owners of land and resources have the proper incentive to care for these goods for the future. The only thing capping carbon dioxide is will direct and reduce resources away from processes that can have a direct and immediate impact on places like Vanuatu if climate change adversely affects its residents. The Heritage Foundation's analysis of cap and trade would make the United States alone [\\$9.4 trillion poorer](#) from the years 2012-2035. Signing an international treaty at Copenhagen would make matters worse since it would restrict the economic growth and resources available from all developed countries.

Sure, there would be a huge transfer of wealth from the developed nations to developing nations, but that's not what Torethy Frank wants. She [says](#), "There is too much corruption in the government and it goes in people's pockets. Give the money directly to the people for businesses so we can support ourselves without having to rely on the government."

As David Kreutzer [mentions](#) in his *Politico* chat wrap, there much faster and much less expensive ways to adapt to climate change than trying to change the temperature by capping greenhouse gas emissions. Mosquito nets and attacking breeding grounds of mosquitoes and building levees to protect against potentially rising sea levels are all much cheaper but dramatically more effective than signing on to something that would prohibit these countries to develop.

Proponents of a climate treaty or cap and trade believe it's our moral obligation to help these countries and it can be done by paying billions of dollars in carbon dioxide reparations for growing our economy. But the truth is that it is morally wrong and it is those countries we want to help the most that will suffer the most.

- Author: [Nick Loris](#)

American belief in global warming plummets (*New Scientist*)

Richard Fisher, deputy news editor

Posted on October 23, 2009 1:42 PM

Global warming scepticism among US citizens appears to be on the rise. According to a [survey of 1500 people by Pew Research Centre for the People and the Press](#), only 57 per cent of Americans believe there is solid scientific evidence for global warming. In 2007, the figure was 77 per cent. The decline has been [sharpest among independent voters and Republicans](#).

Fewer respondents saw global warming as a very serious problem: 35 per cent today, down from 44 per cent in 2008.

There was some good news for those who support [legislation currently being considered by Congress](#) that would place a cap on US emissions. Over half of the respondents supported the idea of [the US joining with other countries in setting standards](#) to address climate change, and half favour setting limits on carbon emissions, even if it affects energy prices and [industry](#).

All that said, over half (55 per cent) had not heard of the cap-and-trade legislation under consideration.

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

International day of action heralds the emergence of a global grassroots climate movement (*Huffington Post*)

[Richard Graves](#)

Blogger/Online Campaigner, Global Campaign for Climate Action

Posted: October 27, 2009 02:58 AM

The [350.org](#) international day of climate action this Saturday, was the second in a series of ground-breaking, record smashing days of citizen action around the world on climate change. It is simply amazing that the day of action was only one part of a drumbeat of worldwide and local climate events that have been building towards an enormous outpouring of climate action and activism at the Copenhagen climate talks. This December 12th, a huge and growing global movement made up of ordinary citizens in almost every country in the world and international civil society will send a resounding message to the world leaders and negotiators in Copenhagen that the public is [ready for them to sign](#) a fair, ambitious, and binding climate treaty.

[September 21st](#), saw an wave of climate action, as local organizers around the world held over 2,600 events in over 120 countries, where people gathered, made noise to wake up the public to climate change, and called their political leaders to demand action this December at the UN climate talks in Copenhagen. Less than one month later, 13,599 bloggers from 156 countries, wrote about the need for climate action to a collective audience of over 18 million people for [Blog Action Day](#). This weekend, supporters of [350.org](#) and of strong action on climate change organized over 5,200 events in 181 countries. Notice a pattern?

Time is running out for action on climate change. Leading scientists have been warning that climate impacts are accelerating. This year we don't have a movie like 'An Inconvenient Truth' raising awareness on climate change and magazines popping out green issues. Yet, I am more

hopeful that we will see real action from world leaders than I have been since I started following the issue of climate change. Why?

This year, we have seen the emergence of a global, grassroots movement that is networked, coordinated and ready to take action on climate change. Two years ago, I was a youth delegate to the international climate talks in Bali. That year, we watched Al Gore and the IPCC receive a Nobel Prize for their work on climate change. Yet, George Bush was still president, Japan's prime minister Fukuda presided over a ruling [LDP](#) that opposed real climate targets, and magazines still equated climate action with changing lightbulbs.

The world is now aiming higher, with world leaders gathering in Copenhagen this fall to hammer out an agreement, with grassroots leaders working on climate change online and on-the-ground in over 181 countries. One hundred and eighty-one countries. Think about it. Nobody even agrees on how many countries there are in the world, although the UN only recognizes 192 countries. Virtually every country on Earth that exists and is connected to the outside world, had a group participate in a day of action calling for world leaders to sign a climate agreement around a scientific datapoint, the safe level of carbon dioxide, 350ppm.

Amazingly, this day of action more than doubled the participation of the Global Wake Up Call on September 21st. In one month and three days, the global climate movement hosted two days of action, doubling their size and outreach. This is only one sign of the emergence of a huge and growing movement. The TckTckTck campaign barely existed a few months ago, but they were determined to pull together the notoriously independent organizations making up global civil society, into one campaign working together to get a global climate treaty signed in Copenhagen. In a few short months and almost three million supporters and over 200 organizations later, including Oxfam, the Red Cross/Crescent, Greenpeace, CARE and so many more, they are all working together to generate the global political will for action.

Young people have also been leading, as two years ago I had just come from helping organize the [Power Shift](#) conference, with 5,500 students coming to call for climate action in Washington DC. Youth leaders gathered in Copenhagen and returned to their countries, launching networks like the [Indian youth climate network](#) and the [China Youth Climate Action Network](#) and groups hosting their own Power Shift conference in Australia, the UK, and Canada.

So, what is next for this growing global movement? In December, world leaders will gather in Copenhagen with a commitment to agree a global deal on climate change. The public is expecting a deal, only the political will is currently lacking. Building on the [Global Wake Up call](#) on September 21st and the [350.org](#) Day of Action on October 24, millions of people will [take action on December 12](#) to tell world leaders it is time to sign. In countries across the globe, individuals, organizations and community groups will sign a call for a fair, ambitious, and binding deal to be agreed in Copenhagen.

At the 12th hour of the 12th day of the 12th month the world will come together in the massive [Time to Sign action](#) — the most important global signing event for the future of the world.

The timing of the action is planned to take place exactly at the midpoint of the Copenhagen

climate talks. At this crucial moment, amidst the culmination of years of preparation, organizing, and negotiation around the globe, [Time to Sign](#) will send a simple, clear message to their leaders: It is time to sign a fair, ambitious and binding climate treaty.

Follow Richard Graves on Twitter: www.twitter.com/tcktcktck

Kicking Off The Senate Climate Debate... (*The New Republic*)

- *Bradford Plumer*
- October 26, 2009 | 11:36 pm

Health care and the public option are still hogging all the headlines, but this week is *also* the week that the climate debate officially dashes off the starting blocks in the Senate. From Tuesday through Thursday, the Environment and Public Works (EPW) committee will hold hearings on the Kerry-Boxer climate bill, with witnesses including pretty much everyone even tangentially involved in this issue: from administration officials to utility executives to military leaders to energy wonks... (You can see each day's schedule [here](#), [here](#), and [here](#).)

For those wondering what the months ahead will bring, the rough schedule will go like this: EPW holds hearings on the bill, EPW marks up the bill, EPW passes the bill. (Democrats hold a 12-7 edge on the committee, so they can easily approve whatever they feel like approving—the main question is whether they'll report out a fairly liberal bill, to move the goalposts of the overall debate leftward, or try to craft a bill that can appeal to moderate Dems and Republicans.) After that, the climate portions of the bill need to be stitched up with legislation on efficiency/renewables/transmission that the Energy Committee [passed back in June](#), and then the Finance, Agriculture, Commerce, and Foreign Relations committees all get a crack at the bill. Realistically, the sucker probably won't hit the Senate floor until December or January—if that. A lot depends on health care getting done first.

So this will drag on for quite some time. There are still, after all, a staggering number of questions senators will want to hash out (and which we've examined in sometimes excruciating detail over the last few months—hence the epidemic of links that's about to drop): [How much](#) is a cap on carbon going to cost? [How much](#) will *failing* to cap carbon cost? What [sorts of benefits](#) will a green economy bring? [Who gets](#) the carbon permits? Which industries will benefit and which industries will suffer? What role will [nuclear power play](#)? What about [coal](#)? Can we find [a substitute](#) for oil-powered cars? How stringently do we need to slash our carbon pollution to

reduce our chances of planetary meltdown? (There are, sadly, no sure things in climate policy—it's all about managing risk.) And I'm sure there are hundreds more...

Is The Senate Climate Bill Really More Ambitious? (*The New Republic*)

- *Bradford Plumer*
- October 26, 2009 | 11:07 am

Over at *Grist*, Dave Roberts has a great post [asking](#) whether the Senate climate bill is really, as today's *Post* [describes it](#), "more ambitious" than the Waxman-Markey legislation that passed the House back in June. It all depends. The Kerry-Boxer bill in the Senate does have slightly stricter near-term emission targets and scrutinizes carbon offsets more carefully (at least, the initial draft does—we'll see what happens after the full Senate gets its paws on the bill). Those provisions, on their own, will likely mean steeper cuts by 2020 and fewer bogus offset projects.

On the other hand, Dave's right that the House bill has stronger provisions for energy-efficiency upgrades and bolder mandates for renewable power. (According to an [EPA analysis](#), the Senate's efficiency program, which was passed by Jeff Bingaman's Energy Committee in June, does about half what the House climate bill would achieve.) The Senate bill takes a different route in addressing methane, which is subtly important—see the wonky footnote below.

Now, I disagree with Dave that the weaker efficiency measures in the Senate bill will affect the overall amount of carbon reductions. Under a cap-and-trade system, efficiency programs won't lead to *additional* cuts over and beyond what the cap requires¹, they'll just enable companies and households to meet the targets at a lower cost. (Using power more efficiently and less wastefully is often the cheapest way to tackle carbon pollution, but there are frequently [market barriers and misaligned incentives](#) standing in the way of doing so, which means that government mandates can have a surprisingly large impact.) Still, lower costs are important, so this is worth keeping an eye on going forward.

¹A wonky footnote. Dave cites [this analysis](#) of Waxman-Markey from the World Resources Institute. This chart, in particular, gets posted a lot, and I think it gets slightly misunderstood:

Notice that, in the near-term, WRI estimates that the cap-and-trade portion of Waxman-Markey would reduce U.S. greenhouse-gas emissions by a fair bit, but most of the heavy lifting would come from "complementary requirements" (that dark blue line). This isn't referring to the energy-

efficiency and renewable-energy components of a climate bill. Since those two things mainly apply to capped sectors like electric utilities, they wouldn't lead to any additional cuts.

Instead, that dark blue line refers to complementary regulations on sectors *not* covered by the cap-and-trade system, like methane from landfills, coal mines, or leaking out of natural-gas pipelines. (Everyone saw that *New York Times* [piece](#) on the scourge of invisible methane leaks, right?) Oddly, the Senate bill doesn't explicitly regulate many of these uncapped sectors—it would instead make them eligible for carbon-offset projects—which is one major difference between Kerry-Boxer and the House bill, though I'm not sure what exact impact this would have.

Global Warming Roulette (*The Heritage Foundation*)

Posted October 26th, 2009 at 6.31pm in [Energy and Environment](#).

Spin the wheel and whatever number the ball lands on will be the new tipping point we must get below; if not, catastrophic global warming to cause 2012-style disasters on our planet. A few years ago the upper limit on carbon dioxide was 450 parts per million (ppm), which meant an 80 percent cut in greenhouse gas emissions by 2050. Now [it's 350 ppm](#):

In the past four years, climate scientists, led by NASA's James Hansen, have dramatically altered the goal. To avoid the collapse of the continental ice-sheets and a dangerous rise in sea levels, many scientists are now saying we have to get down to 350 ppm, and quickly.

This means what was already a heroic (and to many, impossible) target has become mind-boggling. Reaching 350 ppm would require a 97 percent reduction in emissions, entailing a complete conversion to renewable energy systems by mid-century, with the world economy virtually free of carbon emissions. Such a goal is far more demanding than any of the leading policy proposals under discussion.”

Recently a group of scientists [wrote an open letter](#) to Congress stressing that cap and trade is a good first step, but Waxman-Markey should just be the beginning: “The Waxman-Markey bill now being considered by the Congress offers a powerful advance and must be enacted this year. But at its best it will be only a first step in the direction that scientists now recognize as necessary to protect local and regional climates.”

What would be necessary to obtain these goals is an energy transition of unthinkable magnitude. Although authors of a report Economics for Equity and the Environment Network say stopping global warming is something we can afford and “remains fundamentally a problem of political will”, others suggest that's not the case.

Energy chemist Nate Lewis of the California Institute of Technology [says](#) just the opposite: “It’s not true that all the technologies are available and we just need the political will to deploy them.” Lewis [shows](#) just how much political will we’d need to even have a shot at this working:

The world used 14 trillion watts (14 terawatts) of power in 2006. Assuming minimal population growth (to 9 billion people), slow economic growth (1.6 percent a year, practically recession level) and—this is key—unprecedented energy efficiency (improvements of 500 percent relative to current U.S. levels, worldwide), it will use 28 terawatts in 2050. (In a business-as-usual scenario, we would need 45 terawatts.) Simple physics shows that in order to keep CO₂ to 450 ppm, 26.5 of those terawatts must be zero-carbon.

That’s a lot of solar, wind, hydro, biofuels and nuclear, especially since renewables kicked in a measly 0.2 terawatts in 2006 and nuclear provided 0.9 terawatts. Are you a fan of nuclear? To get 10 terawatts, less than half of what we’ll need in 2050, Lewis calculates, we’d have to build 10,000 reactors, or one every other day starting now. Do you like wind? If you use every single breeze that blows on land, you’ll get 10 or 15 terawatts. Since it’s impossible to capture all the wind, a more realistic number is 3 terawatts, or 1 million state-of-the-art turbines, and even that requires storing the energy—something we don’t know how to do—for when the wind doesn’t blow. Solar? To get 10 terawatts by 2050, Lewis calculates, we’d need to cover 1 million roofs with panels every day from now until then. “It would take an army,” he says.”

And Marlo Lewis at the Competitive Enterprise Institute [points out that](#) “sacrifices required of developing countries would be immense, because 90% of the growth in global CO₂ emissions is expected to occur in developing countries.”

This is for 450ppm. They want 350ppm. To put this in some perspective, Sharon Begley [notes](#) in her *Newsweek* column that we are currently at 386 ppm; we were at 280ppm before the Industrial Revolution.

The shift from 450ppm to 350ppm demonstrates how arbitrary and inconclusive the science on global warming is. MIT’s Richard Lindzen Yong-Sang Choi [recently](#) published a study that says the impact of carbon dioxide emissions from fossil fuels may affect the global temperature far less than originally thought. It also goes to show how capping carbon dioxide emissions could strangle the global economy and adaptation could be a much less costly but much more effective approach to dealing with climate change.

- Author: [Nick Loris](#)

The Other MIT Global Warming Guy (*The Heritage Foundation*)

Posted October 26th, 2009 at 10.00am in [Energy and Environment](#).

President Obama gave a [talk](#) at the Massachusetts Institute of Technology today, focusing on energy policy and global warming. While the President's MIT comments on global warming are important, especially as we head into the Senate debate on the Kerry-Boxer cap and trade bill and the international climate change conference in Copenhagen in December, there's an MIT professor whose work on the topic may also prove very influential – Richard Lindzen, the Alfred P. Sloan Professor of Meteorology at MIT.

President Obama and Dr. Lindzen could scarcely be further apart on the issue. The President has described global warming as a dire crisis and has stated that combating it will be a high priority in his administration. On the other hand, Lindzen is perhaps the most influential of a growing number of scientists who dissent from such alarmism. Lindzen sees a wide gulf between the not-so-alarming scientific realities of warming and the apocalyptic scenarios that have catapulted it into the headlines. He fears that global warming policies based on such hype would do more harm than good. He has also spoken out against the attempts to intimidate and marginalize dissenters such as himself, something that President Obama unfortunately engaged in during his speech.

Most recently, Dr. Lindzen has coauthored [a paper](#) concluding that the impact of carbon dioxide emissions from fossil fuels on the earth's temperature may be only a fraction as much as some had previously thought. In other words, other factors play a much bigger role in temperature trends than man made emissions from energy use. This would help explain why there has been no global warming for a decade or more even though carbon dioxide emissions have continued to increase. Most importantly, his work raises serious questions whether the multi-trillion dollar price tag of any efforts to try to ratchet down carbon dioxide emissions make sense.

Those interested in a counterpoint to the President's talk can listen to Dr. Lindzen in Washington DC on October 26th at [CEI](#).

- Author: [Ben Lieberman](#)

Morning Bell: The Transparent Costs of Cap and Trade (*The Heritage Foundation*)

Posted October 26th, 2009 at 9.30am in [Energy and Environment](#).

On June 26th of this year, the House of Representatives narrowly passed H.R. 2454, the American Clean Energy and Security Act. More commonly known as the Waxman-Markey bill (named after bill sponsors Reps. Henry Waxman (D-CA) and Ed Markey (D-MA), the 1,427-

page bill tries to control global temperatures by creating a “cap” on greenhouse gas emissions, and then hoping that greenhouse emitters would “trade” emissions permits meet the cap. Under the scheme, the government would issue fewer allowances each year, causing the cost of the permits to rise. The cost of these allowances is a tax, and under Waxman-Markey, the tax would rise each year. As with any tax, it will ultimately be passed on to consumers in the form of higher energy and product prices.

On August 6th, the Heritage Foundation’s Center for Data Analysis released a [report](#) detailing the economic costs of the Waxman-Markey. Since energy is the lifeblood of the American economy, 85 percent of which comes from CO₂-emitting fossil fuels, the Waxman-Markey bill’s arbitrary and severe restrictions on the current energy supply and infrastructure will not only have direct impact on consumers’ budgets through higher electric bills and gasoline prices, but also cause unnecessary inefficiencies at virtually every stage of production. CDA estimates that Waxman-Markey legislation would cost the average family-of-four almost \$3,000 per year, cause 2.5 million net job losses by 2035, and produce a cumulative gross domestic product (GDP) loss of \$9.4 trillion between 2012 and 2035.

Surely our study did not produce the results Waxman and Markey expected. Earlier this month Reps. Waxman and Markey sent us, and a number of other institutions, a letter asking us to answer 33 methodological questions about the analytical techniques used in our study. We were delighted by Waxman and Markey’s letter since it is just the kind of thoughtful investigative work our lawmakers should do more often. For example, they asked if our model took into account an increase in private sector investments in research and development that would be sparked by the legislation and a new carbon market. [Answer: It did.](#) Our model incorporates both short and long-run responses to higher energy prices.

Waxman also asked if our model quantified any benefits of avoided climate change. Answer: It didn’t. Because according to [estimates](#) based on IPCC data, the Waxman-Markey bill would only impact global temperatures by .044 degrees C (about .09 degrees F) by 2050. There simply are no economic benefits from such a minuscule impact.

Waxman-Markey did not send their questions to some notable organizations that have conducted analysis of their bill like the Congressional Budget Office and the Brookings Institution. After we requested they do so, we have since [received word](#) that Waxman and Markey sent the same letter to the [CBO](#). They had previously included the Environmental Protection Agency ([EPA](#)), Energy Information Administration ([EIA](#)), Massachusetts Institute of Technology ([MIT](#)), [CRA International](#), the American Council for Capital Formation ([ACCF](#)), and the Natural Resource Defense Council ([NRDC](#)).

In the interests of an honest and transparent debate about the costs of cap and trade the Heritage Foundation has devoted a space on our website, www.heritage.org, where we have posted [our answers in their entirety](#). We have formally invited the other organizations who were asked these questions to allow us to post their responses as well, in the interest of full transparency.

Let's hope the Waxman-Markey questionnaire signals that a serious debate can now take place. American families deserve to be kept fully apprised of how Congress intends to act, and how those actions will most likely affect their pocketbooks, their jobs, and their lives.

Quick Hits:

- Top Senate Democrats are reportedly close to a deal on health care legislation and could submit the bill to the Congressional Budget Office for a cost estimate [as soon as today](#), and make the legislation public as soon as Tuesday.
- Contrary to leftist rhetoric, the [Associated Press](#) reports that health insurer profits are “anemic compared with other forms of insurance and a broad array of industries, even some beleaguered ones.”
- Health insurers are [poised to reap huge profits when Obamacare passes](#) thanks to mandates forcing Americans to buy health insurance and federal subsidies to help them do so.
- Even with the federal subsidies to buy health insurance, other Obamacare regulations will [drive up the cost of health insurance](#) and “put coverage out of reach for millions.”
- According to Gallup, [40% of Americans now identify themselves as conservative](#) compared to 36% who call themselves moderate and only 20% who say they are liberal. Independents are the fastest growing group of conservatives.

- Author: [Conn Carroll](#)

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Prepared by the Office of Public Affairs

Friday, January 11, 2013



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October 28, 2009**

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Oct. 27, 2009:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Climate Bill Hearings

Posted by: [grnczar](#) 5:30 pm Full post: <http://ow.ly/wWU5>
Administration Jackson: "The Clean Energy Jobs and American Power Act is a significant milestone..."

Posted by: [enviroknow](#) 5:41 pm Full post: <http://bit.ly/RR4t5>
[EnviroKnow TV] Sen. Whitehouse (D-RI) tells EPA Administrator Jackson to Hold Coal Accountable <http://ow.ly/15XHn6>
(Note: enviroknow TV has 28,000 followers)

Posted by: [CleanLantern](#) 5:08 pm Full post: <http://bit.ly/EZ44Y>
Contentious Senate Hearings Begin on Climate Bill: Senate Finance Chairman Max Baucus said today that he has serious reservations.....

Posted by: [jhiskes](#) 4:00 pm Full post: <http://bit.ly/25DQCe>
Day one: Five senate champs from 1Sky
(1Sky created in 2007 to focus millions of concerned Americans on bold federal action to stem global warming.

Posted by: [drgrist](#) 12:06 pm
Jackson makes great point: EPA authority prevents "hot spots" that concentrate pollution in poor communities. I'm sure Rs care!
(Grist – environmental journalism – 10,000 followers)

Posted by: [xForexonline](#) 1:49 pm
EPA chief Lisa Jackson said the legislation would transform the energy sector and cost fewer than 50 cents a day in 2020.
(Note: xForex is foreign currency exchange group)

[GuardianUSA](#) 4:10 pm Full post: <http://bit.ly/1vu8f9>
Senate Democrats push for climate bill ahead of Copenhagen

Posted by: [RepowerAmerica](#) 4:05 pm Full post: <http://tr.im/DeRK>
Join campus activists and young professionals [@9PM](#) for a clean energy conf call w/
[@JohnKerry](#).
(Note: Repower America is sponsored by the Climate Protection Action Fund)

Posted by: [keribere](#) 4:00 pm Full post: <http://bit.ly/4sYIch>
Lovin' the smackdown RT [@drgrist](#): VIDEO: Kerry smacks down Inhofe's lies about the cost of
climate policy

Chesapeake Bay Cleanup

Posted by: [VCNVAorg](#) 4:50 pm Full post: <http://bit.ly/5QJdW>
Take Action for Clean Water Day sponsored by CBF

Posted by: [BayDaily](#) 3:45 pm Full post: www.cbf.org/baydaily
Wanted! People willing to speak out and speak up. Tell EPA to put the Bay on a strict diet. To
find out how, go to.....

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

EPA's Economic Analysis of the Boxer-Kerry Cap and Trade Bill (*The Heritage Foundation*)

Posted October 27th, 2009 at 10.35am in [Energy and Environment](#).

“Second verse same as the first, a little bit louder and a little bit worse.” This is the basic theme of the [EPA's analysis of the shrouded Boxer-Kerry Bill](#) (S. 1733).

Given just 12 days to analyze the Boxer-Kerry climate bill (that others were not allowed to review), the EPA relied on previous analysis and the similarities between Boxer-Kerry and previous climate bills, most notably Waxman-Markey (H.R. 2454). Comparing S. 1733 to H.R. 2454 they [conclude](#) (page 28):

While there are some minor differences in the bills in several areas that will likely result in slightly higher costs for S. 1733, these differences are overshadowed by the fundamental similarities in approach, caps, offsets, and other critical design parameters that affect the costs.”

Preliminary analysis by the Heritage's Center for Data Analysis comes to the same basic conclusion: Though we disagree on the magnitudes, we agree that the Senate bill is very similar and a little worse than the House version.

The numbers most likely to be repeated from the EPA analysis are the same misleading numbers repeated from the analysis of Waxman-Markey. However, before reviewing the analysis, one point needs to be made crystal clear—there is no green stimulus here.

Even the most generous scenario in this EPA report shows that there will be costs forced on the economy—higher energy prices and lost income. For every year reported, household consumption drops compared to a world without Boxer-Kerry. This is a climate bill and, even according to the EPA, it will reduce economic activity. Spinning this as a job-creating, green stimulus bill is an act of fraud.

What will be the real costs? The Heritage analysis finds aggregate GDP losses (adjusted for inflation to 2009) grow to \$9.6 trillion—an average loss of about \$400 billion per year. Note that Heritage only projects impacts for the first 24 years of the 40-year program. The full 40-year cost will obviously be much higher.

The legislation pushes more than 1.8 million onto the unemployment rolls in 2012 and ultimately raises unemployment by over 2.7 million. This is net of any green jobs.

Energy costs rise. Even after adjusting for the purchase of more expensive energy-saving appliances, even after consumers drive less and adjust their thermostats, family energy expenditure rises by nearly \$900 dollars per year—a total of more than \$21,000 for the 24 years analyzed. Again, these figures have already been adjusted for inflation.

The EPA on the other hand reports results that amount to tens of billions of dollars per year. As with their analysis of Waxman-Markey, the EPA analyzed the economic impacts of several scenarios for Boxer-Kerry—from extremely unrealistic on one end to much more realist on the other. However, in the current report they present the economic cost of only one unrealistic scenario.

This particular scenario depends on three extreme assumptions. First, nuclear power generation must nearly double in the first 25 years. This is the equivalent of about 100 additional nuclear power plants. In the past 30 years, not one new nuclear power plant has been licensed and Boxer-Kerry (like Waxman-Markey) makes little to no provision for eliminating the legal and political barriers to the nuclear renaissance necessary for this EPA analysis.

Second, the EPA assumes that technology for capturing and storing the carbon dioxide emitted from coal-fired power plants will be fully commercialized in the next 15 years. Pilot projects are still on the drawing boards. Further, even after the extraordinary technological and economic hurdles have been cleared, the political and environmental obstacles to storing tens or hundreds of millions of gallons of liquid CO₂ each day must be overcome.

Third, the EPA assumes nearly two billion tons of CO₂ can be emitted beyond the caps set by the legislation because we will pay others to cut their CO₂ emissions. Known as offsets, some of these cuts are to be made in the U.S., while many more are expected to be provided abroad. The results from current offset programs elsewhere are so unsatisfactory, that Boxer-Kerry devotes 90 pages to specifying the structure for establishing the stultifying regulations for offset certification, verification and trading. The theoretical availability as outlined in the earlier part of the bill is a long way from the actual availability of the offsets necessary for the EPA's analysis. On page 20 of their report, the EPA [makes clear](#) that offsets are not a done deal:

“There are many institutional design issues, including the measurement, monitoring, reporting and verification requirements, surrounding estimates of offset availability. These issues must be addressed to ensure that the offset reductions are truly incremental, and represent real reductions.”

On the same page, the EPA acknowledges the great uncertainty of offsets and their projected [economic impacts](#):

Additionally, the cost and availability of offsets, particularly international offsets, is one of the greatest uncertainties in forecasting the cost of climate legislation.”

Gambling trillions of dollars in family income and millions of jobs on any of these strained assumptions would be a great risk. Relying on all three seems unconscionable.

- Author: [David Kreutzer](#)

Global Warming Could Create a Legion of 'Climate Terrorists' (*TreeHugger*)

by Brian Merchant, Brooklyn, New York on 10.28.09

Scientists predict that climate change will exacerbate many of the world's continuing troubles-- [food shortages](#), [poverty](#), [lack of water](#), [spread of infectious diseases](#), and so on. And many have already suggested that strained resources and migration caused by global warming could eventually lead to wars; maybe even a world war. But few have considered this national security concern: climate change could usher in a brand new generation of terrorists.

One man who has made such a consideration is Dr. Greg Austin. The provocative piece he wrote for New Europe called [Climate Terrorists: They Will Come](#) is especially foreboding. Austin notes that 40% of the world lives in tropical areas, where even incremental rises in temperatures can have disastrous effects.

Blueprint for Climate Terror

[Developing nations](#) comprise the vast majority of these tropical states, many of which have exploding populations, a growing youth bulge, and increasing problems with hunger and health. And while there was once optimism for these nations to develop rapidly, hopes are beginning to fade. From [New Europe](#):

There has been however a hitherto unshakeable faith among many in the idea of 'progress', especially the belief that economic growth and technological advance would ultimately reduce poverty and provide jobs for most of the expected population growth.

Climate change is a threat to this basic hope for progress.

The Rise of Climate Terrorism

Austin notes that there are already parts of the world where people live with temperatures as high as 48 Degrees Celsius (118 Fahrenheit!), such as the Sudan. If climate change causes the temperature to rise even a fraction of a degree, it could make such regions uninhabitable--forcing large groups of people to abandon their homes. This displacement, along with a lack of legal means to relocate, and a need to survive, could help foster piracy and terrorism. Austin explains:

About 40 per cent of the world's population lives in tropical zones. The eruption of piracy and terrorism in tropical zones, places like Somalia and Indonesia, cannot be separated from emerging climate stress. The warming of concern for these zones is not the distant future but the recent past and immediate future. With more global warming, human communities in marginal areas like these will be forced to migrate, first in small numbers and then en masse.

Then, the strain on such communities, and resulting widespread desperation could spur a rise of 'climate terrorism'.

It's certainly a provocative speculation, and not too far-fetched. And it's further reason that slowing climate change is in the best interest of national security policy--the concept of the 'climate terrorist' may be ill-defined, but it highlights the social turmoil that is certain to occur in areas where climate change causes resource scarcity and mass migration.

60% of Americans Now Support Cap and Trade (*TreeHugger*)

by Brian Merchant, Brooklyn, New York  on 10.27.09

Six in ten Americans support cap and trade, the mechanism at the heart of climate legislation in US Congress that uses the market to put a price on carbon emissions. Only 37% oppose it--these are the findings of a new national poll from CNN. And what's even more interesting is how those votes break down.

According to CNN,

Sixty percent of those questioned in a CNN/Opinion Research Corporation survey say they favor "cap and trade," a Democratic sponsored plan in which the federal government would limit the amount of greenhouse gases that companies could produce in their factories or power plants.

Thirty-seven percent oppose the proposal, which would penalize companies that exceed

greenhouse gas limits with fines or by making those businesses pay money to other companies that producer smaller amounts of pollution.

Indeed--the trend towards supporting cap and trade has actually improved since we last checked in on [Americans' thoughts on energy policy](#). In August, a poll found that 52% of Americans supported cap and trade, while 43% opposed it. Looks like [all the dirty tricks](#) being pulled by the coal and oil companies aren't exactly having the intended effect.

Here's how some of the numbers broke down in the poll:

- The survey indicates a generational divide, with 68 percent of Americans under age 50 supporting "cap and trade" but those 50 and older split on the issue.
- The poll also suggests a partisan divide, with three in four Democrats backing the proposal and nearly six in 10 independents on board as well, but only four in 10 Republicans supporting "cap and trade."

The support of the Independents is important to note--the fact that they're leaning green bodes well for energy policy reform prospects.

Another interesting consideration is that this poll comes right on the heels of a far more discouraging one--the one that came in last week showing that while 65% of Americans thought global warming was a serious issue, only [23% correctly identified](#) what cap and trade was. This evidence seems to point to a failure on part of the mainstream media to correctly explain what cap and trade actually is--considering that it's at the heart of US energy reform efforts, and the core of a bill that's already passed the House of Reps, it should constitute headline news. But Americans seem to recognize the ideas behind cap and trade--moving towards clean energy, growing jobs and sparking innovation, curing our addiction on foreign oil, and cutting down on carbon emissions.

And they like what they see.

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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Global Climate Treaty "Impossible" this December (*TreeHugger*)

by Brian Merchant, Brooklyn, New York on 10.28.09

Now, I know this might seem like I'm lending my voice to the media's [climate treaty roller coaster ride](#) here--but this is pretty bad (if unsurprising) news indeed. Yvo de Boer, the top UN climate negotiator (ie, the guy running the [COP15 global climate talks](#)), has publicly said that there's no way that an agreement on a full-fledged global climate treaty can be reached this December.

According to [Bloomberg](#), de Boer said that while a binding climate treaty is now "impossible," progress can still be made:

Delegates from about 190 nations meeting in the Danish capital should instead focus on "four key political essentials" involving emissions cuts for developed nations, efforts to be made by developing countries, climate aid and governance, de Boer said today on a conference call. The final details must be filled in next year, he said.

The COP15 meeting can still lay the groundwork for meaningful political climate action--just because the entire treaty won't be completed doesn't mean that this isn't still one of the most important international summits in history. And it will still likely have far reaching effects--and according to de Boers, it must:

"Copenhagen can and must agree on the political essentials that make a long-term response to climate-change clear and realistic," de Boer told reporters. "We do not have another year to sit on our hands."

Indeed not.

Nation's Leading Universities Draw Bottom Line on Clean Energy R&D Funding in Senate Climate Bill (*The Huffington Post*)

[Jesse Jenkins](#)

Director of Energy and Climate Policy, Breakthrough Institute

Posted: October 28, 2009 10:01 PM

This is a guest post by Yael Borofsky

The nation's leading research universities are calling on the Senate to ensure dramatically more funding for clean energy R&D in the Senate climate and energy bill, investments they described as necessary to achieve the bill's targeted deep cuts in emissions.

In a letter delivered to Senate Majority Leader Harry Reid earlier this month, the Association of Public and Land-grant Universities (APLU) and the Association of American Universities (AAU) wrote:

"As the Senate moves forward with climate change legislation, we strongly urge you to ensure the amount of R&D funding designated for clean energy technologies is more in line with the President's proposal of \$15 billion."

APLU and AAU collectively represent most of the nation's public and private research universities, and their letter imparts a pointed criticism of the House-passed ACES bill, calling for a frontloaded investment in research and development to kick-start critical clean energy innovation. The letter draws an apparent bottom line for the nation's top research universities, calling for dedicated R&D funding from the [climate bill's cap and trade allowance revenues](#) that totals at least one third of the \$15 billion per year [proposed](#) by President Barack Obama.

The letter ([pdf](#)) and the accompanying "Climate Change R&D Funding Discussion Paper," ([pdf](#)) warn that the U.S. is seriously under-investing in the kind of clean energy research and development that will allow the U.S. to realize a clean energy future, mitigate climate change, and maintain competitiveness with [nations ramping up efforts to lead in clean technology innovation](#):

Today our federal energy R&D expenditures are just one-fifth of their 1980 peak as a percentage of GDP. Indeed, since 1980 the U.S. federal investment in energy dropped from 10 percent of total government R&D investments to just two percent today. This underinvestment has left our

current knowledge base and our available clean energy technologies inadequate to tackle the looming energy and climate challenges.

The letter goes on to remind Senator Reid that both President Barack Obama and Energy Secretary Steven Chu have repeatedly expressed a vision of a clean energy future and called for significant investments in the research and development of clean technology despite the fact that House-passed ACES and the current Senate draft of the bill " are not sufficient to let the US meet its goals." In the associated fact sheet, AAU and APLU drill right down to the critical importance of these R&D investments (emphasis in original):

The American Clean Energy and Security (ACES) Act calls for an 83% reduction in US carbon emissions by the year 2050. **Without significant advances in science and technology, the incentives now provided in ACES and other laws are not sufficient to let the US meet its goals.** Many studies have recommended major increases in both Federal and private sector energy R&D to do this; thus the President, in his FY10 Budget, calls for creating a "Clean Energy Technology Fund" of \$15 billion per year for 10 years. We need a major effort to obtain the basic scientific knowledge to develop and implement the technologies needed to eliminate the projected growth in the use of fossil fuels, and then to displace five of every six barrels of oil and tons of coal with renewable and nuclear energy, and enhanced energy efficiency.

The organizations proposes that at least \$5 billion in revenue from emissions allowances "be allocated to conducting the research necessary to accelerate" clean energy innovation and that investment in "research and training must be frontloaded," due to the urgency with which the U.S. must research, develop, and deploy clean energy technology. The discussion paper outlines a proposal for the creation of an ACES Research Fund held by the Treasury and overseen by the Secretary of Energy, that will aggregate and then redistribute the proceeds from allowance sales to programs focused on basic or applied research in at least one of the following areas:

- new lower, or zero, carbon emission energy resources and technologies, including in energy efficiency
- improved methods for sequestering greenhouse gases
- climate change research, including its modeling, monitoring, and analysis
- the economic and social factors effecting consumer energy use

The letter and discussion paper echo the [Breakthrough Institute](#), as well as previous [letters to Congress from energy and research experts](#) on the need for energy investment in R&D, by calling attention to the egregious lack of funding that would be directed towards these efforts under ACES and pointing out that basic and applied research plays a critical role in bringing clean energy off the shelf and making it cheap and abundant.

Although the proposal calls for a bottom line investment of \$5 billion per year - significantly less than the levels called for by President Barack Obama, Breakthrough Institute, Third Way, Brookings Institution and others - this would still be considerably more than the \$1 billion that would be allocated under ACES and the \$1.2-2.2 billion allocated under the latest draft of the Kerry-Boxer climate bill.

This direct outreach from the leadership of America's universities, major centers for clean energy research and development, comes at a critical time as the Senate version of the climate and energy bill continues to be developed and tweaked. As the letter makes clear, Reid and the Senate now have the responsibility to ensure that long-term clean energy R&D efforts are given the funding they desperately need to secure America's leadership in clean energy innovation, maintain our economic competitiveness and achieve our vision of a clean energy future.

Is the Left Now Wary of EPA's Power? (*The Heritage Foundation*)

Posted October 28th, 2009 at 1.49pm in [Energy and Environment](#).

[Politico reports:](#)

In hearings before the Senate Environment and Public Works committee Tuesday, several moderate Democrats expressed concerns that the EPA is jumping the gun in mandating new curbs on greenhouse gas emissions across a slew of industries.

...

EPA estimates that 14,000 major polluters would need to get the permits. Small business, farms, restaurants and other small businesses would be exempt from the regulations.

Several Democrats said in Tuesday's hearings that they would like to include language in the legislation that would stop the EPA from implementing a 2007 Supreme Court opinion that would mandate new regulations on greenhouse gas emissions for a slew of industries.

First of all, EPA's assertion that they can selectively regulate carbon emissions sources under the Clean Air Act is simply false. Heritage fellow Ben Lieberman [explains](#):

Once something is regulated as a pollutant under one section of the act, it is automatically regulated under several other sections. Fully applying the rest of the Clean Air Act to sources of carbon dioxide emissions would result in severe adverse economic consequences.

For example, the stringent New Source Review permitting program applies to any source that emits 250 tons of any regulated pollutant per year, and in some cases as little as 100 tons per year. Most pollutants currently regulated are trace compounds like smog or mercury that are typically measured in parts per billion, so this threshold level sensibly distinguishes between minor contributors and significant ones.

But carbon dioxide is not a trace compound. Background levels of naturally occurring carbon dioxide alone measure 275 parts per million, and even relatively small usage of fossil fuels could

reach 250 tons. Thus, even the kitchen in a restaurant, the heating system in an apartment or office building, or the activities associated with running a farm could cause these and other entities to be regulated—potentially more than a million buildings, 200,000 manufacturing operations, and 20,000 farms.

New Source Review permitting imposes an average of \$125,000 in costs and takes 866 hours to complete. These and other onerous programs would now be imposed, for the first time, on a million or more entities beyond the large power plants and factories that have already been regulated in this manner.

So what is the left doing in the face of these economy crippling regulations? Saving their own skins. Again from [Politico](#):

Big livestock interests and Great Lakes shippers won key regulatory concessions from Democrats Tuesday in a double blow to President Barack Obama's climate change and clean air agenda.

The Environmental Protection Agency would be effectively barred from mandating the reporting of greenhouse gas emissions generated by large-scale cattle, dairy and hog producers. In addition, 13 Great Lakes cargo steamships won a last-minute exemption from a proposed rule to require lower-sulfur fuel to reduce harmful emissions.

In each case, the legislative riders will run only for the one-year life of a \$32.24 billion natural resources bill that is otherwise very generous in funding the EPA, as well as parks and wildlife programs within the Interior Department. But the back-to-back regulatory fights show the strain on Democratic loyalties caused by the faltering economy.

No less than House Appropriations Committee Chairman Dave Obey (D-Wis.), backed by maritime unions, was a major player in protecting the Great Lakes shippers. And the agriculture greenhouse gas requirements touched off a revolt among farm state Democrats, who threatened to bring down the entire bill if the legislative rider was included.

- Author: [Conn Carroll](#)

Guest Blogger: Senator David Vitter (R-LA) on Cap and Trade (*The Heritage Foundation*)

Posted October 28th, 2009 at 3.02pm in [Energy and Environment](#).

This week, the Senate Environment and Public Works Committee began debate on comprehensive climate change legislation, S. 1733, otherwise known as cap-and-trade. This legislation represents a new tax in the order of more than \$1,700 per American household annually, and, if it's passed, American families can expect to see considerable increases in the cost of electricity, gas, food and utilities. It is clear that most Americans families' standard of living will be reduced if this cap-and-trade bill is approved by Congress.

Every legitimate economic analysis says that this bill is a bad idea ? the Energy Information Administration, the Congressional Budget Office, the National Black Chamber of Commerce, the National Association of Manufacturers, the Brookings Institute and the Heritage Foundation are all in agreement on that point. The impact of these new regulations on American jobs and energy prices cannot be marginalized or ignored.

The CBO has stated that mining and refining jobs will be among the industries most impacted by the proposed cap-and-trade program. However, nearly every product manufactured requires some derivative from oil and natural gas or other minerals. How can it be a strategically sound idea for the United States to become more dependent on mined and refined products from foreign countries?

A critical point in this whole debate is that China, India and Russia have made it unequivocally clear that they have no intention of agreeing to a cap on carbon emissions, and all three are aggressively pursuing natural resource assets around the world and increasing energy production from fossil fuels. It would be naïve for us to think that U.S. businesses will be able to effectively compete on the international level when they are subject to carbon caps and regulation, increased energy costs and an easily manipulated market scheme. Secretary Chu mentions in his testimony that China is spending \$9 billion a month on clean energy. They are also building two coal fired power plants a week, increasing nuclear power generation and securing oil and other mineral resources across the globe.

Despite my concerns with the idea of a cap-and-trade program, I do support investment and research in renewable technologies. And I do believe that a robust plan for investment should be in place, but to do so should not borrow money from China or steal money from American families under the guise of global warming.

The greatest opportunity for investment in new technologies is revenue generated from increased domestic energy production. Recent analysis suggests that increased domestic resource production could generate \$8 trillion in GDP, \$2.2 trillion in incremental tax receipts and perhaps two million jobs or more ? all without borrowing a dime or increasing taxes even a penny.

- Author: [David Vitter](#)



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ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Today's Calamity: Senate Concerns on Cap and Trade Cannot Be Fixed (*The Heritage Foundation*)

Posted October 29th, 2009 at 1.08pm in [Energy and Environment](#).

Senate Finance Chairman Max Baucus made headlines this week for something other than healthcare. On October 27 Senator Baucus [said he has](#) “serious reservations” about the cap and trade bill, especially the increased near-term target of 20 percent carbon dioxide reduction below 2005 levels by 2020 – up from 17 percent in the passed House bill.

No changes can be made within the cap and trade approach can alleviate his concerns. Changing the targeted emissions reductions for 2020 from 20 percent to 17 percent might reduce the near-term economic impact, but the reduction targets from there on out mirror the Waxman-Markey bill. The steeper the reduction targets in subsequent years, the higher energy prices will have to go to meet those targets.

The scariest numbers from [The Heritage Foundation CDA analysis](#) of Waxman-Markey were in 2035, when job losses reach 2.5 million, gasoline prices will rise by 58 percent (\$1.38 more per gallon) and average household electric rates will increase by 90 percent. The Heritage model only goes out to the year 2035 but carbon dioxide reduction cuts are most stringent in 2050.

This is just one of many concerns the Senate has with the cap and trade. In June of last year 10 Democrats [sent a letter](#) to Senator Barbara Boxer and Senator Harry Reid stating their concerns over a cap and trade bill, the biggest being that it contain costs and prevent harm to the U.S. economy.

The Heritage Foundation [analysis](#) of Waxman-Markey found that implementing the bill would reduce aggregate gross domestic product (GDP) by \$9.4 trillion from 2012-2035. Even the Congressional Budget Office acknowledged [that](#) “such legislation would also reduce economic activity through a number of different channels.”

Senators in coal producing states rightly have their own reservations. For instance, Senator Sherrod Brown (D-OH) said one of his top concerns was “a spike in energy prices” [saying](#), “I don’t think we’re entirely there, for coal states.”

And we’ll never get there for coal states. President Obama’s infamous line when it comes to cap in trade is that electricity prices will “necessarily skyrocket”, but his message on coal was just as alarming. Although the President did talk about the possibility of clean coal, [he also said](#), “So, if somebody wants to build a coal-fired plant, they can. It’s just that it will bankrupt them because they are going to be charged a huge sum for all that greenhouse gas that’s being emitted. That will also generate billions of dollars that we can invest in solar, wind, biodiesel and other alternative energy approaches.”

So we’re going to tax cheap, reliable energy (costs that will be passed on to the consumers) to invest in expensive, inefficient energy sources that cannot survive without government support.

Despite Boxer’s repeated attempts to promote cap and trade as a jobs bill, Senator Debbie Stabenow (D-MI) [still has concerns](#): “My message over all is that for us to support what needs to be done in addressing global warming we need to demonstrate that, in fact, jobs are created.”

They won’t be; they will be destroyed. It’s important to stress that of the organizations that modeled cap and trade, not one scenario, including [the EPA’s after generous assumptions](#), projected a net increase in income or employment from cap and trade. The entire debate was over the magnitude of income, consumption and job losses.

The Senate has a lot of problems with cap and trade. But there aren’t any solutions.

- Author: [Nick Loris](#)

Multiyear Arctic Sea Ice Practically Gone - Not in the Future, Today (*TreeHugger*)

by Matthew McDermott, New York, NY on 10.29.09

You've probably seen all sort of predictions about when the Arctic will see it's first ice-free summer in, umm, all of human history. Well, the University of Manitoba's David Barber, just returned from an expedition to examine multi-year ice in the Beaufort Sea, has told Reuters that, for all practical purposes we're already there:

Barber's expedition failed to largely find the multiyear ice they sought, instead finding hundreds of miles of 50cm-thick "rotten ice" that could be navigated through.

Multiyear Ice is the Barrier to Development of Arctic

Barber said,

From a practical perspective, if you want ship across the pole, you're concerned about multiyear sea ice. You're not concerned about this rotten stuff we were doing 13 knots though.

I would argue that, from a practical perspective, we almost have a seasonally ice-free Arctic now, because multiyear sea ice is the barrier to the use and development of the Arctic.

Add to all this news via Climate Progress which points out that as winter sets in Arctic sea ice is now refreezing more slowly, and you start to get a picture of what's happening as the Arctic warms three times more quickly than elsewhere.

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PEOPLE ARE TALKING

**With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Oct. 5, 2009:**

NOTE: To read the entire blog entry, click on underlined URL in last line. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

Posted by: [ClimateChamps](#): 2:07 pm Full post: <http://bit.ly/4q6kt1> (watch summit)
[@whitehouse](#) The Climate Champions thank the President for sending Lisa Jackson & Nancy Sutley to the Gov Climate Summit!

(Note: ClimateChamps run by British Council and CA Air Resources Board)

Posted by: [villaraigosa](#): 6:50 pm Full post: <http://bit.ly/CUOIP>
Check out Lisa Jackson's post on EPA's local partnerships & LA's Groundbreaking Clean Truck Program!

(Note: Mayor of Los Angeles)

Posted by: [portoflongbeach](#) 7:15 pm Full post **AND Video** <http://bit.ly/2k8Ozf>
See the YouTube video on the EPA grant to the Port of Long Beach: (Lee)

Posted by: [GreenCollarW](#) 11:30 am Full post: <http://bit.ly/wA7Yt>
EPA Administrator Lisa P Jackson to speak w/ Bill Maher about California's new announcements on GHG reductions

(Note: Green Collar Woman - a network space for women in the green economy to build relationships with each other & responsible businesses)

More Reactions to GHG Regulation Announcement

Posted by: [MommyMellie](#) 10:45 am Full post: <http://tinyurl.com/y8jdnlb>
RT [@MotherNatureNet](#): EPA moves to regulate smokestack greenhouse gases (a big step forward!)

(Note: Eco-Blogger for MNN and Raising Them Green)

Posted by: [DRockman](#) 6:45 pm Full Post: <http://tinyurl.com/ycv5gvx>
Big News. EPA proposes permit requirements for major greenhouse gas sources.

Posted by: [NAM Shopfloor](#) 5:32 pm Full Post: <http://bit.ly/Dk7RZ>
Refiners group says EPA shows "patent disregard of the Clean Air Act." That is, the law. Voila, the Imperial EPA.....
(Note: National Association of Mining)

Posted by: [womenandyou](#) 4:19 pm Full post: <http://bit.ly/2rLmY1>
New EPA Rule Will Require Use of Best Technologies to Reduce Greenhouse Gases from Large Facilities/Small busin..

More Reactions to TSCA Announcement

Posted by: [healingautism](#): 3:14 pm Full post: <http://shar.es/16HbW>
RT [@ChicagoEnviron](#) All sides praising [#EPA](#) update of Toxic Substances Control Act -

Posted by: [atwilson](#) 2:10 pm Full post: <http://bit.ly/31w0VD> .
Exciting news that EPA plans to revamp chemicals regulation. Lisa Jackson laid out vision in San Francisco Tuesday:

Posted by: [EHSG](#): Full post: <http://tinyurl.com/yba25w3>
EPA May Regulate Chemicals in Many Products

Posted by: [chicmommyusa](#) Full post: <http://cli.gs/M4HneX>
RT [@thesoftlanding](#): EPA unveils plan 2 rvw 6 controversial chemicals (including BPA & phthalates) reform US toxics policy

Interview with Carol Browner

Posted by: [NatResourcesGOP](#) 4:30 pm Full post: <http://tinyurl.com/y9jzwuj>
Atlantic: EPA Czar suggests Admin may implement Cap & Trade if Dems can't pass bill.

Posted by: [OceanusRex](#): 6:30 pm Full post: <http://ow.ly/srOO>
Energy Czar Raises Possibility Of EPA Implementing Cap-And-Trade.....

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Forests a big focus at Governors' Global Climate Summit 2 (*TreeHugger*)

by Roberta Cruger, Los Angeles

California [Gov. Arnold Schwarzenegger](#) said he'd be back to co-host the second [Global Climate Summit](#) in Los Angeles, this past week he addressed the group again saying this reprise will be better than most movie sequels ("except for mine," added the Governor). US governors gathered with international governors from Canada, Mexico, Indonesia, Brazil, Nigeria, and The Philippines, from Tuesday September 29-October 3. Also present were Lisa Jackson, Administrator of the EPA, Energy Department representatives, a delegation from the UN, and a host of others trying to gather steam leading up to [COP15](#). One of the themes: don't leave out forest.

The other theme: listen up. Though these type of events are often about speeches reiterating the alarming problems and bragging about commitments to change, [Schwarzenegger](#) plans to attend COP15 to speak on behalf of the "subnationals" with findings from this summit, praising the grassroots efforts of regional governments creating a green revolution. Ticking off the list of actions taken since last year, he included India's installation of billion solar lights to replace kerosene lamps in rural communities.

The confab opened with Harrison Ford addressing the crowd, showing [Conservation International's Teamwork](#) video, asking for all to "Get off our butts and get in the game" to save the forests, which doesn't require a huge R&D investment, like hybrid vehicles. In the [webcast opening ceremony](#) the UN's Olav Kjørven, Assistant Secretary-General said they were meeting to "Ramp it up" for COP15, so lots of dazzling facts, figures and announcements ensued during the opening ceremonies.

More than 200 speakers addressed the conference, ranging from former UK Prime Minister Tony Blair, primatologist Jane Goodall, and *Hot, Flat and Crowded* author Thomas Friedman, along with diplomats, executives, NGOs, and academics to cover an agenda ranging from water and oceans to forests and green jobs. Titles of panel sessions included "Moving Goods with Less

Carbon" and "Breaking the Deadlock." With all the networking that happens at conferences, partnerships will create connections to achieve the officially stated goal: to expand and strengthen "cooperative efforts...in support of, the next global agreement on climate change."

Brazil's sizable delegation coughed up the dirt on the efforts to save the rainforest at a panel to discuss Reducing Emissions from Deforestation and Degradation (REDD), a controversial UN program that provides a financial incentive for people to preserve their forests. Osvaldo Stella, Climate Change Coordinator for the Amazon Environmental Research Institute, described a project involving 350 small producer families protecting 31,000 hectares. While other initiatives said they experienced frustration with the Brazilian government.

Maybe Brazil's been too busy clinching the Olympics 2016. When the celebrating ends, what will they do about the Amazon's "Lungs of the Planet"?

Browner: Climate Bill Before Copenhagen? Probably Not. (*TreeHugger*)

by Daniel Kessler, San Francisco, California

Carol Browner, President Obama's director of the White House Office of Energy and Climate Change Policy, said Friday that the chance that Congress will pass a climate bill before December, when the international climate negotiations in Copenhagen will take place, is "not likely." With a bill or not, Browner said the U.S. is serious about action as demonstrated by the EPA's announcement this week that the agency will begin regulating so called stationary sources of greenhouse gas emissions that exceed 25,000 tons per year of emissions.

Browner spoke Friday at a conference organized by The Atlantic magazine.

"Obviously we'd like to be through the process -- that's not going to happen," Ms. Browner said at a conference on politics and history organized by The Atlantic magazine. "I think we would all agree the likelihood you would have a bill signed by the president on comprehensive energy by the time we would go in early December is not likely."

Yet Ms. Browner said it was possible that the Senate could at least complete its hearings on the bill by the time the international climate talks open on Dec. 7. Those hearings, along with the

Obama administration's recent moves toward regulating greenhouse gases, would provide evidence that the nation was serious about cutting emissions, she said.

The Senate bill introduced this week exceeds the short-term targets of the House version of the bill, which narrowly passed this summer with a vote count of 219-213. The House bill called for a 17 percent cut in carbon emissions below 2005 levels by 2020, and about an 80 percent reduction by 2050. The Senate bill calls for 20 percent reductions by 2020.

The targets are well below what the best science says is needed. The IPCC maintains that industrialized nations must cut their carbon output by at least 40 percent by 2020, relative to 1990 levels. Additionally, the bill is compromised by up to 2 billion tons of offsets made available every year to polluters, meaning they can do business as usual while sending jobs and investment overseas.

It's unclear how much latitude U.S negotiators will have in Copenhagen without a U.S. bill.

The Two Arguments Against Reducing Emissions (*The New Republic*)

- *Jonathan Chait*
- October 2, 2009 | 3:14 pm

There are two main arguments conservatives put forward against cutting carbon emissions. The first is that the science undergirding rising global temperatures is wrong, or uncertain, or that the effect is negligible. Generally this argument relies upon grasping at small bits of data while ignoring their broader context. Here's a classic example from a [recent op-ed column](#) from a climate change skeptic:

One recent conservative op-ed column, for instance, seizes upon a recent New York Times article that cites a recent plateau in global temperatures. The climate change skeptic ignores the fact that the article reports the following...

Scientists say the pattern of the last decade — after a precipitous rise in average global temperatures in the 1990s — is a result of cyclical variations in ocean conditions and has no bearing on the long-term warming effects of greenhouse gases building up in the atmosphere.

... and simply seizes upon the fact of the plateau to cast doubt upon the science.

Skepticism about the science of climate change has grown less useful (and more ridiculous) over time. Thus many conservatives have leapt to a second argument: fatalism. Having once denied the reality of rising global temperatures, they now say they reality is so stark that there's nothing we can do about it at all. Here's a good example of the futility argument:

A recent [report](#) from the United Nations Environment Program predicts an enormous 6.3 degrees Fahrenheit increase by the end of the century *even if nations fulfill their most ambitious pledges concerning reduction of carbon emissions*. The U.S. goal is an 80 percent reduction by 2050. But Steven Hayward of the American Enterprise Institute [says](#) that would require reducing greenhouse gas emissions to the 1910 level. On a per capita basis, it would mean emissions approximately equal to those in 1875.

That will not happen. So, we are doomed. So, why try?

Of course, this is also pretty silly. While there's tremendous consensus that greenhouse gases are causing, and will continue to cause, average global temperatures to rise, there's great uncertainty as to precisely how much they will rise. So seizing upon either the low end of the projected rise (to argue for complacency) or the high end (to argue for fatalism) is a silly exercise that utterly fails to comprehend probability and statistical range.

Moreover, even if we could be completely certain about the high-end forecasts, what does it mean to say "we are doomed"? It doesn't mean that humanity will disappear. It means that climate change will bring about a great deal of human suffering. To say "we are doomed" is to wave away the reality that there will be people alive whose suffering we can help mitigate.

Anyway, I find both these arguments tiresome and dishonest. The other thing about them is that they're completely mutually exclusive. Either climate change is too small a problem to worry about, or it's too big a problem to deal with. It can't be both. Yet both the passages I quote above come from the same author, George F. Will. They even appear in the [same column](#).

ENERGY

Energy Is Not That Hard (*Daily Kos*)

by [Devilstower](#)

Sun Oct 04, 2009 at 02:03:49 PM PDT

When Waxman-Markey made it out of the House, I supported the bill. It isn't perfect -- isn't close to perfect. Honestly what eventually emerged from the House was such weak tea that it's unlikely to have any effect on either the course of global warming, or the structure of our energy infrastructure. I completely understand the position of those so disappointed that they feel obliged to refuse their support.

Still, it is at the very least a demonstration that we are willing to grab hold of what some of the richest interests in the country have spent million on million trying to turn into a "third rail." The same corporations that have wrecked towns, smashed unions, ruined landscapes, and made unbelievable fortunes doing it, managed to get people -- people who have suffered directly because of the policies of those corporations -- to march around carrying signs that conflated "cap and trade" with Nazism. Whether that's a measure of effective marketing, or of abject gullibility, it's still astounding. The same corporations that didn't stop with only passing along every cost increase directly to the consumer, but used disaster and conflict as an excuse to rack up profits unmatched by any industry, ever, in the history of the world, got senators and congressmen to scream that it was government limitations on these corporations that was the problem. The same corporations that abandoned US jobs and US communities to increase their operations in areas where they could ignore safety regulations and pollute to their heart's content, used the pollution that they were helping to create overseas as a lever to help prevent any changes in the country they had all but abandoned. Then, with PR warchests fat from profits carved out of family budgets and measured in lost jobs, they wrapped themselves in the flag and presented themselves with photoshopped populism.

To see anyone oppose these corporations, even in the slightest, is refreshing. Maybe essential. Or at least it would have been, had the Senate acted quickly enough to push this legislation through in time to show the rest of the world that the United States government wasn't a marketing arm for oil and coal. That didn't happen.

With that in mind, I feel a bit more free to respond to the Clean Energy Jobs and American Power Act (which I'm going to refer to as "Boxer-Kerry" to keep from having to repeat that title and make a distinction with Waxman-Markey) put forward this week by Senators Boxer and Kerry. There are certainly things to like in the plan.

First, Boxer-Kerry contains significantly more provisions for the promotion of natural gas. If that sounds like a negative, consider this. Natural gas produces only half the carbon of coal when used to generate electricity. Not only can plants be built to burn natural gas, existing coal plants can be [retrofitted](#) to burn natural gas instead. We're so used to thinking of "oil and gas" together, that we may assume that natural gas is mostly in the hands of the same companies that control big oil, but most natural gas is actually controlled by far smaller companies (which is part of the reason natural gas has been all but ignored in previous energy bills). Finally, while peak oil came in 1970 and no new significant coal reserves have been discovered in years, natural gas has enjoyed a resurgence by discovering means of extracting gas from deep shales. Natural gas

reserves are actually heading up while other fuels are going down. I don't want to sound like I've swallowed a T. Boone Pickens promotional brochure (and I still believe his scheme to be economically unworkable), but this combination of features makes gas a good bridge fuel as we work to replace electrical demand currently generated by coal.

Boxer-Kerry also contains a strong emphasis on conservation, with a series of programs designed to reward decreased consumption. The importance of this can't be overstated -- and the ability of Americans to conserve doesn't get nearly the press that it should. This past year has seen a sharp drop in electrical demand, something that opponents of energy legislation said was impossible, and only a small part of that has come from decreased manufacturing. Americans are watching the thermostat, and being rewarded by programs that help them conserve. We recently saw how effective the "cash for clunkers" program was in motivating people to make changes in their cars. Strong incentives to improve energy efficiency will leave us with both short term and long term gains, and do it more cheaply than any other provision. Without buying into the cutesy language of "negawatts," energy not consumed beats the tar out of any form of energy production. More energy is not equivalent to "progress," and using less energy is the most effective way of producing less pollution of all sorts.

On the feature that gets the most press, the carbon offset mechanism, Boxer-Kerry edges out Waxman-Markey by... actually, all the things that are being showcased as improvements (increased flexibility, a "carbon collar" that limits maximum cost, and provisions that make it easier for businesses to buy the offsets they need) actually make the bill weaker. There will be more carbon certificates available, available more readily, and available at a low price. These features ensure that the "cap and trade" structure will never impose enough of an economic cost to encourage movement from high CO2 sources. They've been so well designed to address business concerns, that they've been engineered into being inconsequential. Not that it's strict enough to have an effect under Waxman-Markey.

Boxer-Kerry also follows Waxman-Markey's lead in awarding massive payments to the biggest winner under both bills: coal. By far the biggest payments in the bill go into the pockets of the industry most responsible for the problem. If this is supposed to protect some huge number of jobs, it doesn't. There are fewer people employed in the coal industry than there are unemployed auto workers in Indiana alone. Yes, America has significant reserves of coal, but here's the thing *there's no law that says we have to burn it all*. Giving billions to the coal industry didn't make any sense under Waxman-Markey, and it doesn't make any sense in Boxer-Kerry. It doesn't "improve national security," it doesn't generate jobs, and it doesn't take us one inch closer to the energy infrastructure we want. Worst of all, the coal industry is rewarded for past sins, and gives up nothing in return.

Personally, I'd propose an energy bill that's much more simple. Maybe even radical.

No cap and trade. None.

No funding for "clean coal." Zero.

If we really want to make advances, we need to provide the funding and guaranteed orders that will allow alternative sources to compete on price. For a fraction of the funding now offered for the R & D of CO2 sequestration, we can ensure that solar and wind actually outcompete coal in the marketplace. Give them the boost they need to simply undercut the bastards. If that's not coming fast enough, use the natural gas to cut your CO2 in half by retrofitting the existing plants. For God's sake, don't do anything that encourages building *more* of the plants now causing the bulk of the problem.

If we really want to improve natural security, we won't do it by building power plants of any type. Instead we have to entangle the two parts of our energy picture by electrifying transportation. Providing funds for mass transportation and for electric vehicles is reducing America's demand for oil. Everything else has nothing to do with it.

And hey, if you really must give money to coal why not at least demand that mountaintop removal be off the table forever so they're giving up *something* before you lay out the buffet of federal dollars?

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CLIMATE CHANGE/GLOBAL WARMING

The Hype Behind Carbon-Munching Trees (*The New Republic*)

Bradford Plumer

• October 8, 2009 | 5:13 pm

A few weeks ago, David Keith, a physicist at the University of Calgary, [got a write-up](#) in *The New York Times* for pointing out that world governments are lavishing a fair bit of R&D money on fancy new solar panels or carbon sequestration for coal plants, but very little money—a paltry \$3 million globally—on researching ways to suck out carbon that's already in the air. Now, Keith wasn't trying to dismiss research into advanced solar technology and the like—if anything, there's not enough of that R&D right now. But given that, [according](#) to one recent U.N. report, even the boldest schemes for decarbonizing and shrinking our emissions may not be enough to avoid a risky 2°C-or-more temperature rise, surely we ought to be exploring ways to take carbon *out* of the atmosphere, too, no?

So in that vein, over at *Environment 360*, David Biello [takes a look](#) at one of the more promising technologies—"artificial trees" that mimic the way plants vacuum CO₂ out of the air and convert the carbon into a storable form. It sounds like a swell idea. And the technology's within grasp. But once you slip past the glossy concept, there's a whole parade of caveats ready and waiting:

Proponents of air-capture technology acknowledge it is far from a perfect solution and will not enable humankind to continue spewing CO₂ into the atmosphere with impunity. First, although it has been successfully tested on a small scale, air capture is at least five years away from being tested on a larger scale and, after that, could take at least two decades before it could be widely deployed. Second, to set up enough artificial trees to make a dent in reducing the vast amounts of CO₂ being produced by humanity would require massive production at enormous expense.

"The cost estimates for capturing CO₂ from ambient air are gross underestimates," says principal research engineer Howard Herzog at the Massachusetts Institute of Technology. "It's actually still a question whether it will take more energy to capture CO₂ than the CO₂ associated with [fossil fuel] energy in the first place."

Even if artificial trees do prove capable of pulling large amounts of CO₂ from the air, scientists then face the problem of what to do with that carbon dioxide. Underground sequestration—one

possible solution—is still in the experimental stages. And deploying such artificial trees on a mass scale will have significant environmental costs, including producing the electricity needed to run them, the large land area the air capture devices would occupy, and the manufacture and installation of devices using resins, plastics, and other substances that could release air pollutants.

Still, there's a strong case that this is worth looking into—not as a replacement for all the other well-trodden ideas for reducing our CO2 emissions, but at least as a supplement.

FLASHBACK: In Bush Era, Inhofe Decried ‘Chilling Effect’ Of Probing White House ‘Regardless Of Administration’ (*Wonk Room*)

By [Brad Johnson](#) on Oct 8th, 2009 at 2:38 pm

Sen. Jim Inhofe (R-OK), who attacked investigations into the years of interference on global warming regulation by the Bush White House, is now calling for probes into Obama’s “Presidential czars” who are taking action. Yesterday, Inhofe, Sen. John Barrasso (R-WY) and Sen. David Vitter (R-LA) sent a letter to EPA administrator Lisa Jackson “[requesting specific information](#) about White House Coordinator of Climate and Energy Policy Carol Browner, and how her office has exercised authority over the Environmental Protection Agency.”

This champion of “transparency,” however, attacked an investigation into the [White House’s interference with the EPA](#) last year, saying that “[regardless of Administration](#), the President acting through the entire executive branch is fully entitled to express his policy judgments to the EPA Administrator”:

Instead we are here to **politicize the internal deliberative process of the Administration** under the guise of an update on the science of global warming hearing. While I welcome the opportunity to discuss the latest science on global warming, doing it in this heavily political setting with a **predetermined outcome focused on internal deliberations** of the Executive is not the right venue for such discussion. It is my view that **regardless of Administration, the President acting through the entire executive branch is fully entitled to express his policy judgments to the EPA Administrator**, and to expect his subordinate to carry out the judgment of what the law requires and permits. It can be argued that **the “unitary Executive concept” promotes more effective rulemaking** by bringing a broader perspective to bear on important regulatory decisions. . . .

Therefore, I consider **this debate over censorship within the Administration to be a nonissue**. All administrations edit testimony and all documents go through interagency review before any final agency action. **I cannot support any investigations that could have a chilling effect within the deliberative process of the Administration**, and cause future career and political employees from refraining from an open and honest dialogue.

By some strange miracle, Inhofe has had a complete change of heart on the inviolability of the “[unitary executive](#)” during the Obama presidency. In yesterday’s letter, Inhofe requests “[all correspondence and records](#)” from “all meetings, discussions and conversations between EPA and Carol Browner,” which “includes but is not limited to the following: letters and other written communications, electronic communications, phone records, meeting notes, documents prepared to summarize meetings and agendas, meeting dates, including attendees of listed meetings, and transcripts and notes from stakeholder briefings.”

In June, Inhofe even supported a [criminal investigation](#) into whether the EPA was “suppressing science.” Inhofe’s newfound love for transparency in the executive branch stands in utter contradiction to his professed outrage last year:

INHOFE, [10/6/09](#): It’s astonishing that EPA, so confident in the scientific integrity of its work, refuses to be transparent with the public about the most consequential rulemaking of our time.

INHOFE & BARRASSO, [9/23/09](#): For example, our letter asks for — and we believe it’s important for the public to know — all communications between experts inside and outside of the agency who helped influence how the Agency arrived at the scientific conclusions found in the TSD.

INHOFE & BARRASSO, [8/4/09](#): From our limited vantage point, EPA’s process of determining endangerment appears to be marred by bias and, to some extent, political manipulation.

INHOFE, BARRASSO, & VITTER [6/30/09](#): In the coming weeks, we will make a series of inquiries to ensure EPA’s process governing the development of the endangerment finding is open and transparent—and that the Agency considers all view-points, and makes use of the best available, and most up-to-date, scientific data.

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GENERAL

Obama's Environmental Record So Far? Pretty Mixed. (*The New Republic*)

Bradford Plumer

- September 9, 2009 | 12:22 pm

The Washington Post takes stock of Obama's environmental record to date and finds it "far from radical." I'd say it's been mixed. On climate and energy, the administration really has taken some unprecedented steps—the billions for clean tech and efficiency in the stimulus package were an utter break from historical norms and, as [this EIA chart](#) shows, are expected to make a dent in the country's carbon emissions (though they're no substitute for a comprehensive climate bill, which, no question, will be the ultimate measuring stick for this administration).

Still, it's true that on other, less-trumpeted issues, from air pollution to protecting roadless forests, the administration has been remarkably restrained so far, taking only cautious steps to reverse some of the major Bush-era decisions. And, on issues like mountaintop-removal mining—a particularly destructive practice that's tearing apart Appalachia—many environmentalists have deemed the Obama EPA an outright disappointment:

In March, the administration said it would reexamine dozens of pending permits for this type of mine, in which Appalachian peaks are blasted off to reach coal underneath. Environmentalists, who said the Bush administration was too lenient with the mines, rejoiced. But weeks later, the federal government reported that 42 of the 48 permits it had examined were within the limits of environmental laws.

"We got cold-cocked," said Rob Perks of the Natural Resources Defense Council. He and other environmentalists are expecting another announcement this week, about the fate of dozens more permits. "That is really a bellwether. What happens with these . . . permits is what's going to tell if the administration is going to really change."

To be sure, the EPA hasn't been totally permissive: Over the weekend, lost amid the Van Jones frenzy, news broke that the agency was **blocking**, at least temporarily, the largest strip-mining permit ever granted in West Virginia, on the grounds that the project was fouling up streams in

the area and needed better protections in place. But more broadly, the administration has so far taken the view that the damage from mountaintop-removal can be contained and mitigated.

There's growing evidence that that view's off-base—read John McQuaid's excellent piece in *Environment 360* on why the federal government's regulatory authority is way too fragmented to properly oversee this sort of mining, and on why many ecologists think the damage being done to Appalachia may be irreparable (with cruel consequences for the people in the area). You can see why Obama doesn't want to provoke a brawl with the coal industry, but if there's one place where tensions between green groups and the White House are likely to ignite in the coming years, this is it.

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MINING

EPA Starts Cracking Down On Mountaintop Removal, After All (*The New Republic*)

Lydia DePillis

September 12, 2009 | 2:58 pm

Back in May, the EPA surprised a lot of people when they gave the greenlight to 42 out of the 48 permits for mountaintop-removal mining that were under review, saying that none of the approved projects "would permanently impact high-value streams that flow year-round." Many environmentalists have grumbled that the practice of blowing up mountains to get at the minerals underneath should be stopped altogether, and the move was a warning that the Obama administration might chicken out of its green agenda.

But yesterday's announcement was a sign that a permanent change might well be in the works: The EPA just placed holds on 79 additional surface-mining permits under review—every single permit that had been submitted by March 31 of this year—for violating the Clean Water Act. Why the sudden about-face? As Joe Lovett of the Appalachian Center for the Economy and the Environment told me, this latest batch of proposals were far more ecologically destructive than the projects approved in May. "It's really the first time in the last many years that the EPA has followed the law and the science on this issue," says Lovett.

Though other permits for mountaintop-removal mining have been submitted in the intervening months—a spokesman for the National Mining Association put the number at about 250 pending—the fact that the EPA put the entire batch of permits under enhanced review is a sign they're not letting anything slip through the cracks any longer. A few mining projects might still get approval, but only with environmental safeguards tacked on.

Not surprisingly, environmental groups cheered the decision, although many still insist on nothing less than a full repeal of the Bush-era regulations that allowed surface mining in the first place. That would be a bold step, but one with little political repercussions elsewhere—the mining industry and coal-friendly politicians were already dead-set against cap-and-trade, for example. While the EPA has thus far been moving a little sluggishly as a number of officials have been waiting for confirmation, a real regulatory shift does appear to be on the horizon.

WATER

In Chesapeake Bay, It's The EPA Vs. Federalism (*The New Republic*)

Jesse Zwick

• September 11, 2009 | 7:04 pm

The Chesapeake Bay is a mess. For decades now, fertilizer run-off from nearby suburbs and farms has been spilling into the water, triggering immense algae blooms that have been depleting underwater oxygen and creating giant "dead zones" that kill off marine life en masse. And it's not getting any better: The EPA has launched a number of cleanup initiatives over the years—the first one as far back as 1983—and all have failed.

So, on Thursday, when the EPA issued yet another series of reports on a plan to clean up the bay, observers could be forgiven for being skeptical. Still, EPA head Lisa Jackson insists that this time the agency really means it—she's staked out the Chesapeake as a proving ground to show that the agency under her watch can be genuinely effective. "We want to make this a laboratory to show that it can be done," she told reporters. So how likely is it that she'll succeed?

That's where things get tricky. According to Michelle Perez, a senior analyst at the Environmental Working Group and author of *Facing Facts in the Chesapeake Bay*, the EPA's heart may be in the right place, but its authority to clean up the bay is weak. The largest polluter in the Chesapeake, after all, is agriculture and, under the Clean Water Act, the EPA is only allowed to directly regulate the large Concentrated Animal Feeding Operations (CAFOs)—which, while noxious, make up only a small percentage of farms in the area. Most farms, meanwhile, are overseen by the six bay states—Maryland, Delaware, Pennsylvania, Virginia, West Virginia, and New York. Over the years, those states have tried, gently, to coax farmers into doing things like planting cover crops to avoid run-off, but even with cash incentives only about half of farmers have taken the states up on their offer.

Perez argues that these voluntary, cost-sharing approaches haven't worked, but it's unclear if the federal government can actually make the states change their ways. The EPA reports released

yesterday mentioned that it might be possible to deny federal grants to the states as a form of leverage, but these grants only amount to \$50 million per year total—not necessarily an overwhelming threat (plus, the money at issue is used for clean-up and environmental regulation, so withholding the grants would be counterproductive). Another idea mentioned was that the EPA could start denying permits for new developments, factories, or shopping malls in the Chesapeake states unless those developers buy offsets to reduce pollution in the agricultural sector. If implemented, measures like these could put real oomph behind the EPA’s efforts, but they might just as likely trigger a backlash among farmers and suburbanites. After a quarter century of failed initiatives, however, the bay can hardly afford another weak wristed attempt.



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CLIMATE CHANGE/GLOBAL WARMING

United Nations Admits Cap And Trade Is A Fraud (*The Heritage Foundation*)

Posted September 14th, 2009 at 1.05pm in [Energy and Environment](#).

[The Sunday Times](#) reports:

The legitimacy of the \$100 billion (£60 billion) carbon-trading market has been called into question after the world's largest auditor of clean-energy projects was suspended by United Nations inspectors.

SGS UK had its accreditation suspended last week after it was unable to prove its staff had properly vetted projects that were then approved for the carbon-trading scheme, or even that they were qualified to do so.

As we have [noted before](#), among the many reasons carbon cap and trading is destined to fail is because auditing carbon emissions reductions accurately enough to support a carbon credit "market" is simply impossible. New Zealand Climate Science Coalition chairman Bryan Leyland [explains](#):

So, to my knowledge, carbon trading is the only commodity trading where it is impossible to establish with reasonable accuracy how much is being bought and sold, where the commodity that is traded is invisible and can perform no useful purpose for the purchaser, and where both parties benefit if the quantities traded have been exaggerated. ... It is, therefore, an open invitation to fraud and that is exactly what is happening all over the world.

In fact this is the exact same reason the economists who originally came up with the idea of cap and trade as a way to combat pollution believe that [cap and trade is a terrible fit for carbon](#):

The first is that carbon emissions are a global problem with myriad sources. Cap-and-trade, he says, is better suited for discrete, local pollution problems. "It is not clear to me how you would enforce a permit system internationally," he says. "There are no institutions right now that have that power."

- Author: [Conn Carroll](#)

Climate Change's Perfect Storm (*The Heritage Foundation*)

Posted September 14th, 2009 at 12.13pm in [Energy and Environment](#), [Protect America](#).

The Los Angeles Times did something [The New York Times shamelessly did not](#). The “times” on the left-leaning West Coast at least admitted that all the recent hub-hub linking national security to global warming is all about politics as usual in Washington, DC. “It’s a deliberate, anxiety-themed effort,” [the paper reported](#), “to press a handful of fence-sitting moderates to support a [Waxman-Markey] bill that will probably be the administration’s next great legislative push after health care.” That admission is certainly more than the Big Apple paper acknowledged when it shamelessly ran [a similar story on the impact of climate change on national security](#) a few weeks ago. At least the LA Times gave some inches to both sides of the story, even citing research from The Heritage Foundation.

The truth is regardless of which side of the argument you come down on regarding how shifting weather will affect us, the Waxman-Markey “Cap and Trade” Bill is a really bad idea....because it will completely undermine our ability to deal with future national security threats.

A study by our Center for Data Analysis finds that [the Waxman-Markey energy tax bill would make the United States about \\$9.4 trillion poorer by 2035](#). Much of this decline would be from reduced economic productivity and job loss.

A collapse in U.S. economic growth would result in even more draconian cuts to the defense budget, leaving America with a military much less prepared to deal with future threats. Indeed, if America’s military power declines, there would probably be more wars, not fewer. Likewise, a steep drop in American economic growth would lengthen and deepen the global recession. That in turn will make other states poorer, undermining their ability to protect themselves and recover from natural disasters.

Waxman-Markey is the precursor to a real doomsday scenario.

- Author: [James Carafano](#)

ENERGY

Wind Power: An Expensive and Inefficient Way to Reduce CO2 (*The Heritage Foundation*)

Posted September 14th, 2009 at 3.02pm in [Energy and Environment](#).

In a speech in May, President Obama pushed for our nation to transition to renewable energy and pointed to Denmark as an example of [proof it can be done](#):

[U]nfortunately. America produces less than 3 percent of our electricity through renewable sources of energy like wind and solar — less than 3 percent. In contrast, Denmark produces 20 percent of their electricity through wind.”

But according to a [new study](#) from the Danish Centre for Political Studies (CEPOS), commissioned by the [Institute for Energy Research](#), the road to increased wind power is less traveled for a reason. The study refutes the claim that Denmark generates 20 percent of its power from wind stating that its high intermittency not only leads to new challenges to balance the supply and demand of electricity, but also provides less electricity consumption than assumed. The new study says, “wind power has recently (2006) met as little as 5% of Denmark’s annual electricity consumption with an average over the last five years of 9.7%.” Furthermore, the wind energy Denmark exports to its northern neighbors, Sweden and Norway, does little to reduce carbon dioxide emissions because the energy it replaces is carbon neutral.

The study goes on to say that the only reason wind power exists in Denmark is “through substantial subsidies supporting the wind turbine owners. Exactly how the subsidies have been shared between land, wind turbine owners, labor, capital and its shareholders is opaque, but it is fair to assess that no Danish wind industry to speak of would exist if it had to compete on market terms.”

But there’s a cost involved. When government spends more money, it necessarily diverts labor, capital and materials from the private sector. Just like promises are made in the United States about green jobs creation, the heavily subsidized Danish program created 28,400 jobs. But “this does not, however, constitute the net employment effect of the wind mill subsidy. In the long run, creating additional employment in one sector through subsidies will detract labor from other sectors, resulting in no increase in net employment but only in a shift from the non-subsidized sectors to the subsidized sector.”

And because these resources are being diverted away from more productive uses (in terms of value added, the energy technology underperforms compared to industrial average), “Danish GDP is approximately \$270 million lower than it would have been if the wind sector work force was employed elsewhere.”

The entire study is available [here](#).

This is very similar to what we’ve seen in Spain. Research directed by economist Gabriel Calzada, at King Juan Carlos University, analyzed the subsidized expenditure necessary to create the green jobs in Spain. It compared those funds to the private expenditure needed to support the average conventional job. Supported by other data as well, they conclude that each subsidized green job in Spain [eliminated over two conventional jobs](#).

And it will be very similar to what we see in the United States if we move forward with cap and trade and a renewable electricity standard that mandates a certain percentage of electricity come from wind and solar. The intent of a subsidy is to increase the production of a good or service if it is underprovided by the market for some reason. This is not the case with energy. The market, not the government-funded industries, can provide the most affordable energy for consumers. Mandates, subsidies and other preferential treatment simply benefit few at the expense of many. Denmark and Spain are learning the hard way.

- Author: [Nick Loris](#)



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AIR

Could The EPA Regulate Carbon On Its Own? (*The New Republic*)

Bradford Plumer

- September 15, 2009 | 6:32 pm

As we've discussed before, the EPA does have the authority to regulate carbon-dioxide under the Clean Air Act. Actually, it's required by law to do so. Details are still being hashed out, but if the Senate fails to pass a climate bill either this year or next, that's a possible Plan B for dealing with U.S. greenhouse gases. But what, exactly, would EPA regulation look like? Dave Roberts has a good, clear piece walking through the specifics. Much recommended.

Quick version: EPA rules *might* be a workable way to put the kibosh on new coal-fired plants, but it's a convoluted process that could easily get ensnarled by litigation. Plus, the potential for political backlash is high. Oh yeah, and having the EPA tackle carbon (as opposed to Congress) doesn't make for sustainable policy in the long-term—if a Republican enters the White House and decides global warming isn't worth fretting about, it wouldn't be too hard to overturn everything Obama's done. The looming threat of regulations may put pressure on wavering senators to pass their own bill this year, but relying on the EPA to act could be a suboptimal outcome for pretty much everyone.

Update: Hm, interesting. Roberts also interviewed Jason Burnett, who worked on greenhouse-gas rules in the Bush administration. Burnett says it's quite possible for the EPA to set up a carbon cap-and-trade system under the Clean Air Act, without Congress's say-so, by using the legal arguments the Bush EPA made for its industry-friendly trading program for mercury emissions:

It would be, in some ways, a more cumbersome cap-and-trade system than what Congress, at least in theory, could do. [The relevant section of the Clean Air Act, section] 111d is fundamentally a partnership between EPA and the states; EPA can't set a national program, period, whether it's cap-and-trade or some other program. Rather, EPA sets out the overall goals and tells the states to figure out how to regulate to meet those goals. The way it would

presumably work is, EPA would strongly encourage states to opt in to the national cap-and-trade system—or whatever it develops. But there's no requirement for states to do that.

New Vehicle Standards Mean High Priced and Unsafe Cars Americans Don't Want (*The Heritage Foundation*)

Posted September 15th, 2009 at 5.11pm in Energy and Environment.

Take good care of your current car. Given what the proposed Environmental Protection Agency/Department of Transportation regulations are going to do to new vehicles, you may want to hang on to it for as long as possible.

Pursuant to federal law as well as a 2007 Supreme Court case, these two agencies have proposed a sharp increase in vehicle fuel economy. The proposal requires a 5 percent annual increase in fuel economy starting with the 2012 model year, reaching 35.5 miles per gallon by 2016. Note that this would be the vehicle fleet average, a figure that only a handful of models now meet.

Technological improvements can and have led to annual improvements in vehicle efficiency without sacrificing size, performance, safety, or affordability. But past Corporate Average Fuel Economy (CAFE) standards pushed too far. This has raised sticker prices, but the real cost comes from the fact that the standards necessitated a downsizing of cars that has adversely affected safety. According to a 2002 National Research Council study, the highway death may have been increased by 2,000 annually thanks to these standards.

This new round of regulations is the most aggressive ever, forcing vehicle mileage increases very quickly. It may well prove to be a backlash in the making in the years ahead, as new car buyers learn that the vehicles they want at the prices they are willing to pay are no longer available, thanks to Uncle Sam. And the required downsizing could further add to the government-caused highway death toll from too-small vehicles.

- Author: Ben Lieberman

CLIMATE CHANGE/GLOBAL WARMING

Need for holistic approach to climate change negotiations (*Treehugger*)

Copenhagen is clearly important to us all: a significant milestone in climate change negotiations. We all want a win-win outcome, and with this in mind, it is essential that we do not forget the core issues as we approach the December meeting.

Abdalla Salem El-Badri, OPEC Secretary General 16/09/2009 11:35

First, we all want to see a reduction in overall global greenhouse gas emissions. Second, we must do all we can to deliver a sustainable energy future that enables both developed and developing countries to reap the benefits of economic development and social progress. And third, we must ensure mitigation response measures and emission reduction commitments are fair and just, taking into account historical responsibility of Annex I countries, the huge developmental needs of developing countries as well as the adverse impacts of climate change and of response measures, including the adverse impacts on fossil fuel exporting countries.

Today's Calamity: Whose Bright Idea Was This? (*The Heritage Foundation*)

Posted September 15th, 2009 at 2.32pm in Energy and Environment.

In today's Cap- and-Trade Calamity, we continue on with our critique of government-mandated energy efficiency standards. The newest target is national lighting efficiency standards – detailed in Section 211 of the Waxman-Markey cap-and-trade bill.

Waxman-Markey dictates specific efficiency standards and specifications for specific light bulbs (Sec. 211, g); Sets regulations for several kinds of “luminaires,” “outdoor luminaires,” “portable lighting,” “portable light fixtures,” “light fixtures,” “GU-24 base lamps,” “art worth light fixture,” LED light engines – most of which can be found walking through your home (Sec. 211).

The bill also grants the Secretary of Energy tremendous leeway to essentially micromanage the profitability of private enterprise by determining what standards are “technologically feasible and economically justified” (Sec. 211, g4A). It includes details as specific as whether “portable

luminaries that have internal power supplies” must have “zero standby power when the luminaire is turned off” (Sec. 211, 71 (20) ii1Cvii).

Dani Doane, Director of Government Relations at The Heritage Foundation details some of the unintended consequences of light bulb micromanagement. Dani’s story is just one example behind the larger energy efficiency message that has been stated several times, but is worth repeating. If consumers believe a product will save them money, they’ll buy it. They don’t need the government telling them to do so and businesses do not need the government prematurely rushing products that may not be safe or may not work well into the marketplace.

Lights and power supply aren’t the only items up for new mandates. New water regulations may not be very far away. Waxman-Markey also sets forth new regulations for “portable electric spas,” “bottle type water dispensers,” “commercial hot food holding cabinets,” and “warm air furnaces” (Sec. 212). It also sets water efficiency standards for “showerheads, faucets, water closets, and urinals” as well as “clothes washers and dishwashers” (Sec. 213, a). It will be like the episode of Seinfeld when Jerry and Kramer’s building installs new low-flow showerheads and they have to buy high-powered ones on the black market.

Heritage Senior Policy Analyst Ben Lieberman provides an example of effective energy efficiency in the pre-Waxman-Markey days, when the government mandated auto low-flush toilets: “These water-stingy models were mandated under the 1992 Energy Policy Act. After the provisions took effect in 1994, millions of Americans remodeling their bathrooms came in for an unpleasant surprise. Many of the new water-saving toilets cost more and performed worse than the ones they replaced. Homeowners complained that they had to flush more than once, which, in addition to being annoying, cut into the water conservation purpose behind the law. It took many years before the bugs were worked out of the new toilet models and there are plenty of unhappy flushers out there.”

On Thursday, we’ll talk about the government’s plan for a carbon labeling program. [Click here](#) to sign up for our Energy & Environment Update e-newsletter. Twice a week we’ll send you the latest Cap and Trade Calamity.

- Author: Nick Loris



U. S. Environmental Protection Agency

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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September 17, 2009**

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AIR

EPA Applauded for Move to Restore Science in Protecting Americans from Ozone "Smog" (*Env. Defense Fund*)

Agency's action to reexamine flawed standard adopted by Bush administration

Posted: 16-Sep-2009

Texas

Contact: Elena Craft, Environmental Defense Fund, (512) 691-3452-c

Media Contact: Chris Smith, Environmental Defense, 512.691.3451-w or 512.659.9264-c or csmith@environmentaldefense.org

(Austin, TX – September 16, 2009) Environmental Defense Fund applauded the U.S. Environmental Protection Agency's (EPA's) decision to review the adequacy of the controversial ozone national air quality standard issued under the Bush administration in 2008. Today, EPA committed to issue a new proposal by December 21, 2009 and to complete its review by August 2010.

In March 2008, the Bush EPA established an ozone health standard of 75 parts per billion (ppb), at a level substantially less protective than unanimously recommended by EPA's panel of expert science advisors on the Clean Air Scientific Advisory Committee (CASAC). CASAC recommended the standard be set between 60-70 ppb. Further, in an unprecedented move, the Bush Administration's regulatory czar ordered EPA scientists to scrap a separate science-based ozone standard to protect crops, forests, and other plants hard hit by ground-level ozone.

"EPA's commitment to protect human health from dangerous smog is a breath of fresh air," said Elena Craft, a PhD scientist with Environmental Defense Fund. "For kids in large Texas cities, smog can make it difficult to attend school, to play outside and to breathe on polluted days."

The Clean Air Act requires that the EPA protect public health "with an adequate margin of safety" in establishing the nation's air quality standards. In 2001, the Supreme Court unanimously ruled that EPA was required to establish these standards based exclusively on the protection of public health.

"With the health of our communities and our kids at stake, Texans should be calling for EPA to restore scientific integrity," concluded Craft. "The science is clear that stronger standards will save lives and prevent illness, especially for children and the elderly."

EPA estimates that the suite of innovative technologies, processes and products that have been developed to meet the nation's air quality standards and other Clean Air Act programs have not only delivered extraordinary results, but that the nation's pollution control industry has thrived, generating over \$200 billion in revenues and supporting more than 3 million jobs. The monetary benefits to society have outweighed the costs by a factor of more than 40 to 1.

Southern Air Still Suffering from Smog (*Southern Env. Law Center*)

With the summer months comes ozone season—the time of year when emissions from our tailpipes and smokestacks react with other chemicals in the presence of heat and sunlight to form ground-level ozone, a powerful lung irritant.

Ozone pollution, better known as smog, can trigger asthma attacks, reduce lung capacity, and increase risk of heart disease and even premature death. Children and the elderly are especially vulnerable and are often warned to stay indoors on "bad air days." While their respiratory systems are still developing, children risk permanent loss of lung capacity if exposed to pollution for long periods. For senior citizens, high ozone levels exacerbate the natural decline in lung function that occurs with age.

More Cities Fail to Meet Health-Based Standards

The current federal health-based standard for ozone pollution, which the U.S. Environmental Protection Agency released in March 2008, falls short of the recommendations of public health professionals and EPA's own scientists. Nevertheless, the updated benchmark goes farther to protect our lungs and shows that more southern cities than ever are suffering from air that's unhealthy to breathe.

Metro areas such as Atlanta, Raleigh, Charlotte, Knoxville and Birmingham are expected to remain in violation of the federal ozone standard, and they are likely to be joined by other cities in our region, such as Winston-Salem, Macon, Richmond, Virginia Beach, Williamsburg, Kingsport, and Chattanooga. If found to

be in "nonattainment," they will face deadlines to reach the new standard or risk federal sanctions, including tighter smokestack controls and the loss of federal highway funding.

Battling Pollution at Its Source

Our high concentration of coal-burning power plants and overdependence on cars and trucks are keeping us from bringing ozone pollution down to healthy levels in the South. To lead our region toward a clean energy future, SELC is spurring the cleanup of old, dirty power plants that continue to operate without modern pollution controls, and we are taking action to prevent utilities from saddling us with more coal-fired facilities.

SELC is also the leading voice for transportation reform in the South and is pursuing effective strategies to reduce how much and how far we drive. We are working at the federal and state levels to increase investment in rail, public transit, and other alternatives to driving, and we are promoting better coordination of transportation and land use planning to curb sprawling development patterns that make our per capita driving distances some of the longest in the nation.

EPA Sets Stricter Limits for Smog (*Clean Skies*)

By: Clean Skies News, Published: 09/16/09 5:05pm

The Environmental Protection Agency is scrapping a controversial Bush-era rule, setting stricter limits for smog - though it did not come up with any scientific recommendations.

In a brief filed in a federal appeals court, the Justice Department says the EPA believes the revision made by the Bush administration does not adhere to federal air pollution law.

The agency will propose new standards for smog - a respiratory irritant that can aggravate asthma and has been linked to heart attacks - to protect health and the environment by December.

The Bush regulation, announced in March 2008, was stronger than the previous rule but was not as tough as the government's scientific advisers had recommended.

EPA to revisit Bush smog rules (*The Charleston Gazette*)

By [Ken Ward Jr.](#)

Staff writer

September 16, 2009

CHARLESTON, W.Va. -- The Obama administration said Wednesday that it plans to reconsider Bush-era improvements to the nation's smog regulations, which U.S. Environmental Protection Agency science advisers had said were not protective enough.

The EPA said it would re-examine the 2008 changes in the nation's air quality standard for ground-level ozone, a prime ingredient in smog, to "ensure they are scientifically sound and protective of human health."

"This is one of the most important protection measures we can take to safeguard our health and our environment," said EPA Administrator Lisa P. Jackson. "Reconsidering these standards and ensuring acceptable levels of ground-level ozone could cut health-care costs and make our cities healthier, safer places to live, work and play."

Environmental groups were challenging the Bush administration changes, finalized in March 2008, in federal court. Justice Department lawyers filed a notice Wednesday indicating concerns that the revisions do not adhere to federal air pollution laws.

In West Virginia, air monitoring data for 2007 had shown that seven counties exceeded the new Bush ozone standard of 75 parts per billion. Those counties, with a population of 623,000, were Berkeley, Cabell, Hancock, Kanawha, Monongalia, Ohio and Wood.

Ground-level ozone is not emitted directly into the air, but forms when emissions of nitrogen oxides and volatile organic compounds cook in the sun. Power plants, vehicle exhaust and many kinds of factories are major sources of ozone-causing emissions.

Exposure to smog causes respiratory problems ranging from decreased lung function and aggravated asthma to increased emergency department visits, hospital admissions and premature deaths.

A decade ago, amid growing evidence of smog's damaging effects on human health, EPA tightened the smog standard to 80 parts per billion. But implementation of that standard was delayed for years by litigation, including a suit joined in by West Virginia to block tougher pollution limits on power plants and other industry.

Stephen Johnson, the Bush administration EPA chief, rejected recommendations from an agency clean air advisory panel to tighten the smog standard to somewhere between 60 and 70 parts per billion. Johnson opted for a weaker standard of 75 parts per billion, prompting lawsuits and petitions for reconsideration.

The EPA said Wednesday it would conduct a "thorough review" of the science that guided Johnson's decision, including more than 1,700 scientific studies and any public comments from the previous rulemaking.

The EPA also said it would take another look at the findings of its independent Clean Air Scientific Advisory Committee, which had recommended a tougher standard.

Under a schedule announced Wednesday, the EPA will propose new standards by Dec. 21 and take final action by Aug. 31, 2010. The EPA said it would identify areas violating the new standards within a year after that, and require completion of cleanup plans by 2013.

"It's crucial there be no delay in these schedules," said David Baron, an attorney with Earthjustice, which had filed a court challenge to the Bush rules. "Stronger standards could save thousands of lives and prevent severe damage to forests."

Reach Ken Ward Jr. at kw...@wvgazette.com or 304-348-1702.

US EPA to Reconsider National Ozone Standards (*Green Car Congress*)

16 September 2009

The US Environmental Protection Agency (EPA) will [reconsider](#) the 2008 primary and secondary ozone standards.

In 2008, EPA established a new primary 8-hour standard for ozone of 0.075 parts per million (ppm), and a new secondary standard set at a form and level identical to the new primary standard. The previous primary and secondary standards were identical 8-hour standards, set at 0.08 ppm. Because ozone is measured out to three decimal places, the standard effectively became 0.084 ppm; therefore, areas with ozone levels as high as 0.084 ppm were considered to have met the 0.08 ppm standard, due to rounding. ([Earlier post.](#))

The 2008 standard was at the higher end of options proposed by EPA staff scientists in a paper submitted in 2007, and falls above the standard recommended by scientific and medical groups, including the Clean Air Scientific Advisory Committee (CASAC) which assists the Administrator of the EPA.

EPA will conduct a thorough review of the science that guided the 2008 decision, including more than 1,700 scientific studies and any public comments from that rulemaking process. The agency will also review the

findings of EPA's independent Clean Air Scientific Advisory Committee, which recommended stronger smog standards.

EPA will move quickly to implement any new standards that might result from the reconsideration. To reduce the workload for states during the interim period of reconsideration, the agency will propose to stay the 2008 standards for the purpose of attainment and nonattainment area designations. EPA will work with states, local governments and tribes to ensure that air quality is protected during that time. The agency will propose any revisions to the ozone standards by December 2009 and will issue a final decision by August 2010.

EPA sets primary air quality standards to protect public health, including the health of sensitive groups, such as children and people with asthma. The secondary standard is set to protect public welfare and the environment, including protection against visibility impairment, damage to animals, crops, vegetation, and buildings.

Earlier this year, EPA Administrator Lisa Jackson reinstated the role of a key policy document created by agency scientists (the Staff Paper) that contains staff analyses of options for the administrator to consider when setting National Ambient Air Quality Standards (NAAQS) to protect human health and the environment. ([Earlier post.](#))

Ground-level ozone forms when emissions from industrial facilities, power plants, landfills and motor vehicles react in the presence of sunlight. Scientific studies have linked ozone exposure to respiratory health problems ranging from decreased lung function and aggravated asthma to increased emergency department visits, hospital admissions, and even premature death. Seasonal ozone exposure has also been linked to adverse effects on sensitive vegetation, forests and ecosystems.

EPA to scrap bad Bush smog standard (*Clean Air Watch*)

This is terrific news for clean air.

Wednesday, September 16, 2009

It means that the EPA will take a fresh look at the science of smog as well as the recommendations of EPA's science advisers. They unanimously urged tougher standards than those issued by the Bush administration.

We commend the EPA's decision here and urge the agency to follow the science and the law. That will inevitably mean tougher smog standards than those issued by the Bush administration.

From the Justice Department filing today with the US Court of Appeals for the DC Circuit:

EPA has determined that it will administratively reconsider this rule.

Specifically, EPA has concerns regarding whether the revisions to the primary and secondary NAAQS adopted in the Ozone NAAQS Rule satisfy the requirements of the Clean Air Act, and thus EPA will reconsider the Ozone NAAQS Rule through notice and comment rulemaking. EPA's schedule for this rulemaking is to sign the Notice of Proposed Rulemaking by December 21, 2009, and to sign the Final Action by August 31, 2010.

posted by Frank O'Donnell, Clean Air Watch at [10:38 AM](#)

CLIMATE CHANGE/GLOBAL WARMING

Treasury Admits Cap and Trade is a Massive Tax (*The Heritage Foundation*)

Posted September 16th, 2009 at 12:04pm in [Energy and Environment](#).

Thanks to the relentless work of Christopher Horner at the [Competitive Enterprise Institute](#), U.S. Department of Treasury admitted cap and trade would be a tax that could generate revenue between \$100 billion to \$200 billion a year. Horner obtained the information from the Treasury by using the Freedom of Information Act. Horner [says](#),

These are candid, internal discussions of what they are telling each other and what they won't tell you. The words cap and trade were chosen for a reason, and that is to avoid a vote on tax. This memo tells you it's a tax. Why else are they discussing hundreds of billions of revenue to be taken from the taxpayer?"

The energy tax amounts to \$1,761 a year for families – “the equivalent of hiking personal income taxes by about 15 percent” [as stated by](#) Declan McCullagh of CBSNews. Horner writes that the Treasury memo offers much more, [including](#):

the admission that cap-and-trade would cause the loss of steel, paper, aluminum, chemical, and cement manufacturing jobs which, as happened under Europe's scheme, tend to export themselves to saner environments. Windfall profits under the scheme of allocating the ration coupons, the Waxman-Markey approach, are also admitted to.”

These admissions are akin to [our economic analysis of the Waxman-Markey cap and trade bill](#) where we found:

- Higher energy and other costs for a household of four averaging nearly \$3,000 per year between 2012 and 2035.
- Cumulative gross domestic product (GDP) losses are \$9.4 trillion for the same time period;
- Single-year GDP losses reach \$400 billion by 2025 and will ultimately exceed \$700 billion;
- Net job losses approach 1.9 million in 2012 and could approach 2.5 million by 2035. Manufacturing loses 1.4 million jobs in 2035;
- A typical family of four will pay, on average, an additional \$829 each year for energy-based utility costs; and
- Gasoline prices will rise by 58 percent (\$1.38 more per gallon) and average household electric rates will increase by 90 percent.

And according to climatologists, all of these costs will be paid for no more than a 0.2 degree (Celsius) moderation in world temperature increases by 2100, and no more than a 0.05 degree reduction by 2050.

“Heritage is saying publicly what the administration is saying to itself privately,” [says](#) Horner.

- Author: [Nick Loris](#)

ENERGY

The Evergreen Project (*Green in KC.com*)

by Luca on September 16, 2009

Last Saturday I attended the *Evergreen Project: Guidance for Women on Going Green*, presented by The University of Central Missouri. The event was held at the YWCA of Greater Kansas City, an organization dedicated to eliminating racism and empowering women. Check out their website at: <http://www.ywca.org/site/pp.asp?c=hvKVLbMVIuG&b=420859>

Althea Moses, the Environmental Justice Program Manager for the Environmental Protection Agency (EPA), discussed “Going Green 101”. Moses cited several startling statistics in her talk and I’ve collected some of them here:

“Black children are 5 times more likely than white children to have lead poisoning”.

“1 in 7 black children living in older housing has elevated blood lead levels”.

“About 22% of African American children living in pre-1946 housing are lead poisoned, compared to only 6% of white children living in comparable housing”.

“Why is lead poisoning important to us?” asks Moses, “recent studies let us know that lead poisoning may be linked to lower IQ’s, lower high school graduation rates, and other delinquencies”. She explains that lead poisoning is completely preventable.

To give these statistics some historical context, I want to share something now that I read after attending this event. It turns out that Benjamin Franklin was one of the first people to notice the link between laborers who worked with lead and their deteriorating health. In a 1786 letter to Benjamin Vaughan, Franklin writes ““You will see by it, that the Opinion of this mischievous

Effect from Lead, is at least above Sixty Years old; and you will observe with Concern how long a useful Truth may be known, and exist, before it is generally receiv'd and practis'd on.” Franklin wrote that letter 223 years ago...

The led-based statistics were a wake up call for me, but Moses was not done yet. Next she talked about toxic waste nationwide and its disproportionate impact on under-privileged communities:

“Nationally 3 out of 5 African American or Latino Americans live in communities with abandoned toxic waste sites”.

“The United States government accounting office estimates that we have between 130,000 and 450,000 ground spills scattered across the urban landscape from California to the East coast”.

Moses then made the connection between these contaminated living conditions and how asthma is becoming an epidemic. Asthma, she explains, is on the rise for all populations, regardless of race and income, but among asthmatics African Americans are more likely to die from asthma attacks. Moses later suggests that part of the reason for the ‘environmental discrimination’ faced by these communities of color is that they were not at the table when decisions about their communities were being made. Her goal is to invite all stakeholders to the table, because “ it’s one thing for someone like me to be pushing from inside the agency, it’s a whole different thing when I have a partner like any one of you to work with me to say: here is what we want for our communities, we want jobs, we want a strong economy, but we want to protect our environment. So we need you”. With that, Moses suggested some related websites:

www.greenbiz.com, www.americanprogress.org and www.usajobs.gov

So what can we do? How can we clean up our communities and our homes? Moses offers several practical recommendations. The EPA is responsible for “the big environment”, but Moses tells us that what the EPA has learned is that the things that make us sick are often found inside our own homes. Here is a link to what Moses referred to as a recipe book for green cleaning. She explains that “we are poisoning ourselves” and this book can help us reduce household hazardous waste:

<http://ktik-nsn.gov/documents/safercleaning.pdf>

Moses also mentioned the importance of ‘urban farmers’ in bringing our food source closer to our table. By reducing transportation costs, we are reducing our carbon footprint, and by decreasing the size of our farms from 1000 acres to organic backyard gardens we are reducing the need for harmful pesticides that pollute our air and water. Moses encourages us to grow our own gardens or at least support our local urban farmers. If you have always wanted to grow your own garden but have no idea where to start, Moses offers the following resources:

KC Master Gardeners offer courses (free with commitment to volunteer as teacher to others):

<http://extension.missouri.edu/gkcmg/NewMG.html>

Mid-America Regional Council is teaching classes on rain gardens:

<http://www.marc.org/>

Moses continued with a discussion on employment opportunities in green jobs, as well as the need to educate doctors on the living conditions of their patients in diagnosing the cause and not just the symptom of what ails them. More generally, Moses emphasized the importance of training the public on how to get involved in green jobs and renovations. For a good example of how this is already being done in our community, Moses points to the presenters of Project Evergreen, the University of Central Missouri and their President's Commission on Sustainability. Check out their cite at: <http://www.ucmo.edu/progress/sustain/>

She also mentioned the Metropolitan Energy Center and their weatherization courses. Their goal is to employ those who live in the communities that are being cleaned up. Take a look at the MEC website: <http://www.kcenergy.org/>

Additional training programs and grants are coming up and if you are interested in getting updates on these from the EPA, ask Althea Moses to be added to the mailing list at: moses.althea@epa.gov

She concludes with three basic principles for a healthy home:

- 1) Keep it dry. Moisture brings on mold.
- 2) Keep it clean. Crumbs bring on pests.
- 3) Keep it ventilated. Insulation is good for energy efficiency, but too much insulation does not allow air exchange.

Mold, pests and toxic cleaning products are triggers for asthma and allergies. If you eliminate food sources, moisture accumulation and empty spaces from your home pests will not be interested in moving in with you and toxic sprays will not be needed.

Finally Althea Moses invited all of us to "Get involved, get involved, get involved!"

So let's get involved!

The event concluded with the giveaway of evergreen plants, t-shirts and a rain barrel made of recycled materials provided by Bill Arnold and Tom Coleman (<http://www.kcrainbarrel.com/>) seen below congratulating the winner.

WATER

EPA Announces New Effort to Stop Coal Plants from Polluting America's Lakes, Rivers and Streams (*Earthjustice*)

Heavy metal cleanup targeted following Earthjustice request

September 16, 2009

Washington, DC -- The Environmental Protection Agency announced it will write rules to limit the release of pollutants including toxic metals into America's rivers, lakes and streams from coal-fired power plants. The announcement comes two months after Earthjustice pressed the agency to take action in **a letter signed by over 40 conservation groups**.

The EPA agreed that equipment required to reduce air pollution from coal plants is creating a liquid waste stream that is laden with harmful contaminants, particularly heavy metals such as selenium, cadmium, mercury and lead. After leaving this pollution unregulated for decades, the agency has acknowledged that rules are needed to protect drinking water, fish, and wildlife.

"We are relieved that EPA is ready to do something about this national pollution problem that has gone on way too long," said Earthjustice attorney Abigail Dillen. "The agency has already done the groundwork to make responsible rules, and so we are going to be urging them to move quickly. The amount of mercury, selenium and other metals that is being dumped into waters across the country is just too harmful to ignore any longer."

The toxic byproducts of coal burning that would otherwise be released out of the power plants' smokestacks and into the air but are now captured by "scrubbing" systems and end up in a liquid slurry. Once the solids settle out of the slurry, the polluted wastewater is discharged into rivers, lakes and streams.

Water pollution is also coming from landfills and storage ponds where the ash left over from coal burning is dumped.

All of this pollution is avoidable. Previous EPA studies have found that many coal plants around the country have installed pollution control systems to eliminate all discharges of scrubber wastewater, and the same technology could be used to limit or eliminate other discharges as well.

However, current regulations do not set any limits at all on the discharge of most toxic metals that are present in coal combustion wastes,

EPA says it will have new rules by 2012, but Earthjustice will push the agency to speed that timeline up.

Last March, Earthjustice attorney Abigail Dillen challenged a permit that would allow a coal-fired power plant in Pennsylvania to discharge mercury, cadmium, selenium, lead and other toxic

metals into the Monongahela River. The Monongahela is a drinking water source for more than 350,000 people living south of Pittsburgh. This case highlights the need for prompt action by EPA. Appropriate rules would make it clear that industry is required not only to clean up air pollution but to protect water quality as well.

Contact:

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ADMINISTRATOR JACKSON

EPA + YOU = A Greener Future 9/29 (*climateone*)

Thursday, September 17, 2009

Shortly after becoming the head of the U.S. Environmental Protection Agency, Lisa Jackson stood shoulder to shoulder with the CEOs of U.S. and European automakers in the White House Rose Garden. On a glistening spring day they all listened as President Obama announced a new agreement to increase auto fuel efficiency to an average of 35.5 miles per gallon by 2016. This week Jackson and Transportation Secretary Ray LaHood **announced details** on how auto and truck makers will be required to meet those goals. That plan allows for the integration of national standards as well as tougher standards advanced by California and roughly a dozen other states.

The historic **gathering of industry chiefs**, humbled by the financial crisis, and regulators marked a sharp reversal. For years, auto makers had sued the EPA , and California, saying they couldn't raise the fuel mileage and reduce emissions from their cars. In a dramatic about face, they suddenly agreed to the very terms they had aggressively fought and said were impossible. In her first California appearance as the country's top environmental cop, Lisa Jackson will discuss auto emissions and efficiency and a range of other issues on September 29th at the San Francisco Fairmont Hotel. 6pm. Join us for a conversation about creating a **greener future**. **Tickets**.

AIR

EPA to Reconsider Bush-Era Smog Rules (*Wall Street Journal*)

SEPTEMBER 16, 2009, 1:27 P.M. ET

By **BRENT KENDALL**

WASHINGTON -- The Environmental Protection Agency said Wednesday that it will reconsider controversial Bush-era environmental regulations that placed new pollution limits on smog.

The EPA said in a court filing that it has concerns about whether the Bush rules, offered in March 2008, "satisfy the requirements of the Clean Air Act."

The agency said it would begin a new rulemaking process by December for reconsideration of the smog rules.

Environmentalists and a coalition of states have attacked the Bush regulations as too weak, arguing that the EPA under former President George W. Bush unlawfully ignored the advice of its own scientists who said that tighter smog limits were needed to protect public health.

Business groups, meanwhile, attacked the regulations as too stringent and warned that compliance with them could be costly.

Several lawsuits against the EPA have been pending in a Washington appeals court. In March, the Obama administration asked the court for a six-month delay to decide whether to defend the Bush rules.

That answer came Wednesday in a six-page legal document, in which lawyers at the Justice Department said the EPA would re-think the Bush rules instead of defending them.

The regulations involve ground-level ozone -- the primary component of smog -- which is associated with respiratory problems such as wheezing and coughing, and is thought to increase susceptibility to pneumonia and bronchitis. Ozone forms when nitrogen oxides, pollutants emitted by factories, utilities and motor vehicles, interact in the sun with other compounds.

The Bush rules reduced the acceptable ozone limit in the air to 75 parts per billion, down from the previous limit of 84 ppb. A scientific advisory committee to the EPA had recommended that the agency adopt limits no higher than 70 ppb, and urged the consideration of even lower limits.

Write to Brent Kendall at brent.kendall@dowjones.com

EPA is proposing tighter limits on ozone pollution.
(Environment Texas)

This is great news for all Texans, particularly for those who live in heavily-polluted areas! <http://tiny.cc/Er6GL>

Yesterday at 12:59pm

Jonathan, Salil and 2 others like this.

CLIMATE CHANGE/GLOBAL WARMING

With Climate Science Deniers Quieting, What's Next? (*treehugger*)

by John Laumer, Philadelphia on 09.17.09

Edward Abbey's 1975 novel, The Monkey Wrench Gang. Image credit:Answers.com

Abbey's work, pictured here, was a fictional novel

about four nature lovers who decide to wage relentless war against America's manic desire to spread the industrial system into every corner of the country.

[Answers.com](#) offers that, because of the novel, "the term "monkey-wrenching" came to mean "...sabotage, activism, law-making, or law-breaking to preserve wilderness, wild spaces and ecosystems."

Through the looking glass - in 2009.

Although the standard tactics of climate science deniers have dissipated of late, by the end of 2008, their efforts had come to mirror, though poorly-masked manipulations, the comic-book qualities of Abbey's *Monkey Wrench Gang*. (see links below)

When one enemy sees the other 'through the looking glass', it's a sign that rationalism and democratic processes have a chance to prevail. There seems at last to be some hope for a more objective, constructive approach. Or is there?

A sampling of new tactics by opponents of renewable energy are on plain view at [this site](#), which, according to [SourceWatch](#) is led by Thomas J. Pyle, "a former energy policy aide for former House Majority Leader Thomas D. DeLay, and director of federal affairs for Koch Industries."

Today's Calamity: Do We Want a Carbon Footprint Label on Everything We Buy? (*The Heritage Foundation*)

Posted September 17th, 2009 at 4.05pm in [Energy and Environment](#).

If cap and trade passes, businesses could soon face “*The Scarlet Letter*” treatment. Businesses may have to include a carbon label on their products that tells consumers how much carbon dioxide used in the production process. Cap and trade [would raise production costs](#) for businesses—forcing them to include a carbon label on their products is salt in the wound.

[Section 274 of the Waxman-Markey](#) cap-and-trade bill calls for an Environmental Protection Agency study “to determine the feasibility of establishing a national program for measuring, reporting, publicly disclosing, and labeling products or materials sold in the United States for their carbon content.” The purpose of the study would be to determine “whether a national product carbon disclosure program and labeling program would be effective in achieving the intended goals of achieving greenhouse gas reductions.”

That’s right. Next to your nutrition label, you could see a carbon footprint telling you how much carbon dioxide businesses emitted to make that product. Sounds harmless. Silly, but harmless. But it may be more harmful than imagined—think of the additional costs this would place on businesses.

This could particularly hit small businesses the hardest and put those businesses at a competitive disadvantage with larger firms within the United States who can absorb the costs more easily. We can look to the food nutritional label and a [study by the Fuqua School of Business at Duke University](#) as an example. The Nutrition Labeling and Education Act (NLEA) went into effect in 1994 and was the beginning of the nutritional facts label. The intent was to provide consumers with the information to make healthier choices and provide producers the incentive to make healthier products. These are certainly commendable goals but [according to one study](#), “considering the relatively small magnitude of diet quality improvements from label use, it appears possible that even when consumers read labels, they do not always understand them.”

And these labels do not come without cost. The Food and Drug Administration estimated that the [NLEA would cost industry](#) \$1.4 billion to \$2.3 billion over a 20-year period. These increased costs led to an increased market share for large food distributors.

Christine Moorman, an author of the study [said](#), “We expected that label information would allow firms to compete more honestly for consumers’ purchases, but instead we find an unintended loss of small firms in food categories.”

A carbon label would likely do the same but instead it affects every industry. Will consumers feel guilty about buying a product with a carbon footprint on it? Will producers feel guilty enough to produce more carbon-friendly products?

The real question is: Does it make sense to increase the costs of products like [orange juice](#) when Al Gore lives in a 20-room, eight-bathroom carbon-spitting mansion? (According to a *BusinessWeek* [article](#), “The average household in America consumes 10,656 kilowatt-hours (kWh) per year, according to the Department of Energy. In 2006, Gore devoured nearly 221,000 kWh—more than 20 times the national average.”)

Bottom line—a carbon labeling program is more government micromanagement that spells higher prices for consumers.

Click [here](#) to sign up for our Energy & Environment Update e-newsletter. Twice a week we’ll send you the latest Cap and Trade Calamity.

- Author: [Nick Loris](#)

GENERAL

Michelle Obama Shops At White House Farmers Market, Talks Healthy Eating (*Huffington Post*)

[NATASHA T. METZLER](#) | 09/17/09 05:35 PM |

WASHINGTON — First lady Michelle Obama bought cheese, fingerling potatoes, eggs, black kale and other items Thursday at the launch of a new farmers market blocks from the White House.

Before shopping, Mrs. Obama spoke about the importance of healthy eating to about 300 shoppers gathered in the drizzling rain.

"I have never seen so many people so excited about fruits and vegetables," she told the cheering crowd.

The first lady said she wasn't always so invested in healthy foods.

"I was a working mother trying to put it all together," she said. "Takeout food was a primary part of our diet."

But Mrs. Obama explained that she gradually saw the effect eating better had on the health and habits of her children.

"The kind of food that we put into our body gives us the energy to get through the day," she said.

Mrs. Obama praised farmers markets as places where Americans can learn more about how their food is produced.

"You get to know the people who grow your food, how they do it, you know, who they are as people," she said.

These markets play an especially important in neighborhoods where access to healthy options are limited, she added.

The first lady has been promoting locally grown food and healthy eating with a popular vegetable garden at the White House.

Read more at: http://www.huffingtonpost.com/2009/09/17/michelle-obama-buys-groce_n_290522.html

The Valley Hope Forgot (*foxnews.com*)

Thursday, September 17, 2009

Tonight, 'Hannity' is live from the San Joaquin Valley of California with a special broadcast. This land was once considered the bread basket of America, roughly 12 percent of our nation's agricultural output came from this valley between Bakersfield and Sacramento.

But everything has now changed. Today the water is gone — shut off by the government — and the farms are going with it.

Tune in tonight at 9 p.m. ET as thousands of farmers and their families join Sean for this special broadcast

Tonight, 'Hannity' is live from the San Joaquin Valley of California with a special broadcast. This land was once considered the bread basket of America, roughly 12 percent of our nation's agricultural output came from this valley between Bakersfield and Sacramento.

HAZARDOUS WASTES

Culver: Safe disposal of toxic coal ash must be addressed (*The Iowa Independent*)

Says it wouldn't be prudent for state to act before feds

By [Jason Hancock](#) 9/17/09 11:53 AM

The U.S. Environmental Protection Agency under President Obama understands the danger of coal ash and will act to protect the public health when it issues new regulations on the toxic waste by year's end, Gov. Chet Culver said Thursday.

In an interview with the Iowa Independent, Culver said a consensus has formed around the idea that the way coal ash is currently being regulated is not adequate. But it would not be prudent for the state to act until it is sure what the federal government is going to do.

"I know [Iowa Department of Natural Resources], in particular, they have raised concerns about whether the current rules go far enough," Culver said. "But we are waiting on the feds to get a little more clear guidance. Before we moved out on our own rule process we felt we should coordinate with the feds so we don't step on each other. But I do think there will be some changes."

Carrie Le Seur, president of Cedar Rapids environmental law center Plains Justice, said earlier this summer that the fight for tougher rules at the federal level is not over. Coal ash producers, and even a few U.S. senators, have asked the EPA to forego its rulemaking process in favor of voluntary guidelines.

If the federal government follows a [more than 30-year track record](#) and declines to federally regulate ash, the problem will be back in the state's lap, Le Seur said.

Culver said he is confident the EPA takes the risk seriously, and to make sure, he will be discussing coal ash with with EPA Administrator Lisa Jackson in Dubuque on Thursday.

In addition, Culver said he is open to the idea of the legislature establishing an interim committee to do further study of how Iowa can best address coal ash disposal policy.

The DNR worked for [more than a year on draft rules to better regulate coal ash disposal](#), specifically disposal in unlined, unmonitored former quarries that received waivers from the state allowing them to use coal ash as fill. But pressure from site owners and coal-burning businesses, along with uncertainty about what regulations the federal government may eventually impose, caused the effort to stall.

Coal ash, the waste produced by burning coal, contains much greater concentrations of elements such as mercury, zinc, lead, arsenic and selenium than the coal itself. [The by-product is also believed to be radioactive](#). Exposure to these toxins can lead to cancer, birth defects and reproductive problems. An EPA report released earlier this year found those living near unlined coal ash dumps have [cancers risks 500 times the level usually regarded as safe](#) by current federal regulations.

Advocates for tougher regulations say that allowing sites to accept ash with little to no government oversight and without proper environmental protections creates a huge risk to public health. Because there is no liner, toxins could leach off the site and into groundwater, and because there is no monitoring, there is no way of knowing if that is already taking place.

Peter Taglia, a hydrogeologist who worked for five years as a consultant for utilities in Wisconsin, said last month that even the most [state-of-the-art facility runs the risk of toxins leaching out](#).

Even DNR officials admit contamination could already be occurring, but there is no way to know for sure.

Culver said it makes sense to tighten regulations on these sites in order to ensure the environment and public health are being protected.

“I think it would be helpful and it makes sense to tighten up the rules, because it has been pretty clear that there are consequences that are not positive with the current rules,” he said.

But like the DNR, Culver believes tougher rules must wait for the federal government. There is an argument to be made that the state should take some steps while the EPA drafts its new rules, such as mandating groundwater monitoring, he said, and officials at the DNR are currently discussing those options.

“I think that’s been part of the discussion in terms of waiting on the EPA and so I think it makes sense,” he said. “[DNR Director Richard] Leopold is the person in charge of this initiative overall. I feel like he’s been a great leader there and will continue to do everything he can, in his power, to address these issues. I know he has considered precisely these suggestions.”

The majority of Iowa’s coal ash goes to dump sites that are mandated to follow strict landfill standards. But four sites — three quarries in Cedar Rapids, Goose Lake and Waterloo and one mine in Buffalo — received the state waiver exempting them from most regulations. The Waterloo site, owned by BMC Aggregates, gets the [vast majority of its ash from the state’s largest public universities](#): Iowa, Iowa State and Northern Iowa.

Culver said the leadership at all three public schools care deeply about the environment and have taken numerous steps in recent years to curtail their energy use. The problem, he said, is it is still not clear what alternative the schools have to dispose of the coal ash they produce.

“I have continued concerns about coal ash, as I think everyone does,” the governor said. “The question is how do we mitigate or limit the impact it has on the environment. Is there an alternative to that type of practice? How do you make the adjustment? If we don’t want the regent [universities] to do that, what do we do instead, and how are we going to fund that or make that a viable option?”

A recent study by the Institute for Policy Integrity, a non-partisan think tank based in New York City, found the [benefits of upgrading disposal sites would exceed the costs of tougher regulations by almost 10 to 1](#). The reason is that the costs associated with contamination and cleanup would be astronomical, totaling in the millions of dollars.

Culver said one obvious way the state can improve the situation is by lowering its dependence on coal.

“Sixty-five percent of our power, roughly, comes from coal in Iowa,” Culver said. “I’ve been trying to do everything I can to make Iowa the renewable energy capitol of the United States. So I think what you’ll see over time is an adjustment away from the conventional practices.”

Iowans should know that the state government is taking the risks associated with coal ash disposal very seriously, Culver said, and tougher rules are just around the corner.

“I know people like Richard Leopold and [Environmental Protection Commission Chairwoman] Charlotte Hubbell at the state level are very committed to making sure we take all the steps we can related to coal ash to protect the environment and limit the environmental impact,” he said.

MINING

The EPA Permit List (iLoveMountains.org)

On September 11th, EPA headquarters announced recommendations on 79 mountaintop removal valley fill permits that have been under review.

The EPA recommended that none of these permits be passed through for approval as they are written. The decision is not final, but is part of a coordination procedure outlined between the EPA, the Army Corps of Engineers and the Department of Interior. To understand the timeline and next steps, read our [Background Info](#).

While this stay-of-execution is exciting news, the permits could still be approved at a later date. To better demonstrate what's at stake, we used available government data to map the pending valley fill permits listed on the administration's [coordination procedure](#). We also added videos and stories of communities that have been and will be affected by by mountaintop removal coal mining.

For a more detailed view, use the search options below the map to narrow your focus. You can also learn more about each permit by clicking the icons on the map.



U. S. Environmental Protection Agency

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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September 21, 2009**

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CLIMATE CHANGE/GLOBAL WARMING

Murkowski Seeks to Thwart EPA Regulation of Greenhouse Gases (*The Washington Independent*)

By Kate Sheppard 9/18/09 1:00 PM

Sen. Lisa Murkowski (R-Alaska) wants to put the brakes on the Environmental Protection Agency's efforts to curb climate change by barring the agency from spending any funds on regulating carbon dioxide pollution from power plants, manufacturers, and other major emissions sources. She's asking for a one-year "timeout" so Congress can pass new legislation, despite the fact that they've known since April 2007 that EPA regulations were coming down the pike.

Murkowski's proposed amendment (PDF) would allow the EPA to continue work on regulating emissions from automobiles, but would block them from using funds from "this or any other Act" to create rules governing stationary sources until after Sept. 30, 2010.

She hopes to attach it to the \$32.1 billion spending bill that the Senate took up debate on yesterday, which covers the appropriations for the EPA as well as the Department of Interior and the U.S. Forest Service.

This comes as the EPA continues work on regulating carbon dioxide under the Clean Air Act, in response to the 2007 Supreme Court Decision directing them to do so.

A Murkowski spokesperson told ClimateWire that the senator wants to respect the court's decision, but that a one-year timeout is needed to give Congress enough time to come up with a legislative solution.

Update: Murkowski's office informed TWI that this is not the most recent version of the proposed amendment. Her spokesperson said the senator is seeking bipartisan support for the amendment and does not yet have a final version ready to be introduced.

Update: Murkowski's office just sent the text of the latest version of the amendment, which states:

Effective during the 1-year period beginning on the date of enactment of this Act, none of the funds made available for the Environmental Protection Agency under this Act may be expended to regulate or control carbon dioxide from any sources other than a mobile source as described in

section 202(a) of the Clean Air Act or to treat carbon dioxide as a pollutant subject to regulation under the Clean Air Act except for purposes of section 10 202(a) of that Act.

Update: Here is the latest version of the amendment. Murkowski's office said the senator is seeking bipartisan support for the amendment, and the language may still change. The spokesman said the senator has not made a final decision as to whether she will introduce the amendment, but will decide by mid-week.

The spokesperson also said that Murkowski does not want to thwart action on climate change entirely — just put it off for a bit longer. “Sen. Murkowski is not seeking to derail or delay congressional action on climate change,” said the spokesman. “She simply wants adequate time for the legislative process to work in order to avoid enacting a law that could have devastating unintended consequences on the economy.”

Obstructing Action from Global Warming's Ground Zero (*National Wildlife Federation*)

Alaska has been called the poster state for global warming. Winter temperatures have *already* risen 6 degrees. Sea ice that protects coastal villages from winter storms forms a week later than it used to. Forests are under siege from wildfires and insects. Melting permafrost is shifting foundations of homes and drying up lakes. And the state's symbol, the polar bear, is seeing its habitat literally vanish from under its feet.

Which is why it's so unbelievable that Sen. Lisa Murkowski (R-AK) would be leading an effort to block limits on global warming pollution:

Murkowski, ranking member of the Energy and Natural Resources Committee, may introduce an amendment to the fiscal 2010 Interior and environment appropriations bill that would allow EPA to regulate greenhouse gas emissions only from mobile sources, and prohibit the agency from regulating heat-trapping emissions from stationary sources like power plants and industrial facilities. [...]

Environmentalists assailed the amendment, saying it would basically instruct EPA to ignore the law.

"This amendment suggests that if global warming pollution comes from a power plant, it is safe, but if it comes from a car, it is harmful," said David Moulton, director of climate policy and conservation funding at the Wilderness Society. "That is a preposterous distinction that cannot be supported in either law or fact."

If you're an Alaska resident, please call Sen. Murkowski's office at 202-224-6665 and ask why she's trying to put up a roadblock to climate action. Let us know what you hear in comments below.

Posted by Miles on September 18, 2009 at 09:32 AM

EPA Study: Up to 62% of Greenhouse Gas Emissions Are Influenced by Materials Management and Land Management (*Treehugger*)

by Sara Novak, Columbia, SC on 09.20.09

It wasn't until very recently that [the EPA declared](#) that carbon dioxide poses a threat to human health. With the government's stated goal of reducing greenhouse gas emissions by 83 percent by 2050, a recent EPA study examines the actual impact of carbon dioxide emissions. While the study considers the impact of carbon dioxide emissions in broad terms, it provides a general idea of which areas control the largest pieces of the impact pie.

According to a recent [EPA study](#), 42 percent of U.S. greenhouse gas emissions are influenced by materials management policies while another 16 to 20 percent of [emissions](#) are influenced by land management policies. Materials management includes the process of turning raw materials into a manufacturing end-product. For example, the extracting, manufacturing, transporting, and disposing of raw materials.

Another huge piece of the greenhouse gas emissions pie is influenced by decisions regarding [land use](#). For example, the manner in which we plan our cities and suburbs influences a broad range of practices, including passenger transportation and infrastructure construction. Those practices, in turn, can influence the efforts made to mitigate vegetation loss when fields are cleared for development. That's important because approximately 13 percent of carbon emissions are absorbed by the soil. Informed development planning can help prevent the deterioration of a particular area's ability to absorb these emissions.

Cultivating A New Generation Of American Family Farmers (*Wonk Room*)

By Guest Blogger on Sep 20th, 2009 at 10:49 am

Our guest blogger is Sheilah Goodman, co-founder of Cedarbrook Farms, a diversified organic farm located near Harper's Ferry, West Virginia. Sheilah can be found every Thursday until the end of October 2009 at the Cedarbrook Farm stall at the FreshFarm Market near the White House, and on Sundays throughout the year in Dupont Circle.

Michael Pollan wrote “An Open Letter to the Next Farmer in Chief” in October 2008 arguing that food policy will and must play a central role because it affects so many other national priorities: energy, health care, climate change, and even national security. Pollan advised the yet-to-be-elected president that one way to bring about the needed changes — local sustainable farming instead of subsidized agribusiness — would be to use the power of the White House as example. Pollan said the president would be wise to choose a White House chef who was “committed to cooking simply from fresh local ingredients”:

Besides feeding you and your family exceptionally well, such a chef would demonstrate **how it is possible even in Washington to eat locally for much of the year**, and that good food needn't be fussy or complicated but does depend on good farming.

This week a new FreshFarm Market opened by the White House. Every Thursday afternoon through the end of October there will be 18 vendors just steps from the White House offering milk, cheese, flowers, meats, baked goods, and even yarn. As with all FreshFarm Markets, the vendors must produce what they are selling from the land that they farm and they must be local—no more than 150 miles from downtown Washington, D.C.

Our farm, Cedarbrook, is one of the vendors at the new market. Starting any new market is exciting, but this one is even more so. This market has a high profile, and it can help hasten the demise of the old model of conventional, subsidized industrialized food production by showcasing local, sustainable agriculture. Hopefully the market's visibility will help create a new generation farmers. The challenges of operating a small sustainable farm are numerous, but a little creativity and perseverance will take them a long way. Here's a primer to help them get started:

Choosing what to raise

Assume you want to begin farming — what will you raise and how will you know what the best breeds or varieties are? Do you want to grow crops that will produce seeds you can save and use year after year? Or animals that can frolic in the sun and birth their own young all by themselves?

Thankfully, there is an ever-growing independent online community where you can get information on sustainable agriculture. Better yet, if you can stand the bitter cold of State College, Pennsylvania in February, you can spend time with nearly 1000 other like-minded farmers at the Pennsylvania Association of Sustainable Agriculture annual conference. PASA has earned itself the much-deserved reputation as being the pre-eminent organization for

sustainable farmers, and its membership has gone beyond the United States to international shores.

When we decided to start farming, my husband knew right from the start that he wanted to raise heritage breed pigs and chickens that would be naturally disease resistant, hardy, and tasty. He found all the online sources, joined PASA, and ultimately decided on which breeds to raise. Today, we have approximately 60 Tamworth pigs and 70 Dominique and Buff Orpington chickens on our 40 acres.

Harvesting what you raise

It's all about timing for sustainable vegetable and flower farmers when it comes to harvesting issues. You need to harvest at just the right time so that the flavor or color is close to its peak, but not so close that your heirloom tomato or sunflower doesn't survive even the relatively short ride to market.

The question for sustainable meat farmers isn't so much when as where — where to get your animals slaughtered and butchered, or “processed.” Conventional farmers don't have this worry. They are either selling their animals at auction for pennies on the pound or they raise them under contract for big industrial producers who take care of the processing. Even if they wanted to — and they don't — small sustainable farmers do not have access to these industrial slaughterhouses.

In order to sell meat across state lines, the animals must be processed in a USDA inspected facility. So, when we needed to find a processor for our pigs, my husband wrote to the USDA requesting a list of certified processors in our region. The response he received was simply that the list couldn't be provided because it was classified information. After much frustration and a Freedom of Information Act request, he finally got the list — only two or three processors within a 200-mile radius. Today, we work with a wonderful family run operation that is so busy we have to set slaughter dates six months in advance. They aren't taking on any additional customers, so any new farmers in our area will have even fewer processing options than we did.

Marketing what you raise

You've produced this wonderful food, now how do you market it? That's a question most conventional farmers don't need to wrestle with too much either, because they'll sell it to a wholesaler who will in turn sell it to a processed “food” manufacturer or a retail operation like a supermarket. There's no need to explain why the feed has antibiotics or why pesticides were applied. It just doesn't come up in conversation between a conventional farmer and the eater because there is no conversation.

Marketing for the sustainable farmer is all about finding and creating local customers who will go home and cook-up what you've grown (if they can wait that long). Frustration can reign if you end up in a market that's not producer only. You may find yourself competing with “farmers” who are buying their tomatoes from Florida in April when yours won't be ready until

July. Or you may have hens that start molting and stop laying just after you'd built up a cult-like following for your eggs. Those days can start to make conventional agriculture sound attractive, but never really and not for long.

Direct marketing gives you the highest profit margin and the opportunity to explain to people why you do what you do. And it allows you to hear how much they appreciate it. You get to explain that, while the pork chops from your local sustainably raised heirloom pigs costs more cash than the chops in the Styrofoam packaging at the grocery store, the styro-chops have huge hidden energy, health, environmental, and biodiversity costs. And nine times out of ten you'll sell the chops, the customer will love them, and come back for more conversation and food. Nothing can make you feel better than to hear someone rave about the food you've put on their plate or to see a child raised on your food scampering through the market. When you get the e-mail from a market customer saying "thank you for doing what you do," you'll know that even on that bad day you knew that conventional agriculture was never really an option.

It's wonderful to see the first family use the power of the White House as an example. Michael Pollan did, however, get one thing wrong when he informed the president that it was possible "even in Washington to eat locally for much of the year." In Washington you can eat locally all year round. So, when the market by the White House closes at the end of October, we expect food policy to continue moving up on the national agenda as evidenced by the occasional first family visit to the year-round Dupont Circle market. I've got some chops in the freezer waiting for them.

Does Biochar Live Up To The Hype? (*The New Republic*)

Bradford Plumer

- September 18, 2009 | 3:59 pm

Is it really possible to suck out thousands of tons of carbon-dioxide from the air simply by stirring some charcoal into the soil? Or is so-called "biochar" just a crazy idea that's too good to be true? *The Economist* recently reported from the North American Biochar Conference in Boulder, Colorado, and the research sounded pretty promising, though there were some heavy caveats thrown in.

The basic concept behind biochar is pretty simple. Plants, as every eighth-grader knows, absorb carbon-dioxide as they grow and then release it back into the air when they die and decompose. All part of the natural carbon cycle. But what if there was a way to block that second part? Well,

as it turns out, if dead plants are burned in a controlled, low-oxygen atmosphere—a process known as pyrolysis—you get charcoal, which holds its carbon for thousands of years. And this doesn't take any advanced technology, since the stoves are pretty easy to make.

But it gets even better. When you mix biochar in with certain soils, the soils sometimes end up releasing less methane and nitrous oxide—two potent greenhouse gases—than they otherwise would. What's more, infusing select types of soil with biochar can make the soil more fertile and cause crops to grow faster, since the charcoal seems to prevent nutrient leaching and increase water retention. (In the Amazon, much of the soil on the forest floor is poor quality except for patches of "terra preta"—black soil that appears to have been deliberately mixed with charcoal centuries ago.) Oh yes, and there's a third benefit—the pyrolysis process itself creates a few useful by-products, like syngas that can be burned as fuel.

So what's the hold-up? Shouldn't we be doing this everywhere? After all, according to Cornell's Johannes Lehmann and PNNL's Jim Amonette, if we both buried the biochar *and* displaced some of our fossil-fuel use with syngas, we could potentially decrease manmade carbon emission by about one or two gigatons per year—out of about 9.7 gigatons we're currently adding to the air each year. That's enormous. But, as *The Economist* reports, those projections are still very tentative, there's still a lot of research to be done on how biochar interacts with different soil types, and there's the possibility that biochar could be handled as badly as biofuels have been:

Biofuels Watch, a British lobby group, worries that a craze for the stuff could see virgin land tilled specifically to grow crops such as switchgrass, whose only purpose was to be pyrolysed and buried. That tillage would release carbon dioxide and methane. But the alternative, growing those crops on existing farmland, would encourage the clearance of more land to grow the food crops that had been displaced.

Indeed, Kelli Roberts, another researcher at Cornell, told the meeting that, taking all factors into account, growing switchgrass for biochar may do more harm than good. Corn stover, garden waste such as grass clippings, and offcuts from forestry and timber production are better bets, she reckons.

There's also the big question of how to finance a massive biochar push. In theory, this is one thing international carbon offsets could help with: Emitters in industrialized countries could pay for pyrolyzing stoves in developing countries—stoves that, as yet *another* bonus, don't emit the Arctic-melting, disease-causing black carbon soot that many wood-burning stoves in the Third World do—as well as paying farmers to bury the charcoal. Still, the concerns from Biofuels Watch are well taken, and while the potential for biochar is too huge to ignore, doing it the wrong way could potentially make the climate problem worse, not better.

The Cloakroom: Sept. 21 – 25 (*The Heritage Foundation*)

Posted September 21st, 2009 at 9.12am in Energy and Environment, Health Care, Protect America.

Senate Analysis –

All eyes will be focused on the Senate Finance Committee, as they begin their markup of Senator Baucus' health care reform proposal. As the media and American people focus on health care, the Senate will also tackle several additional appropriations measures, which further expand our national debt. Several issues could flare up during those debates, including EPA regulation of greenhouse gases, the investigation into CIA activities and missile defense funding.

Major Senate Floor Action –

Senators are likely to find themselves in a pitched global warming debate when they continue debate on the Interior-Environment appropriations bill. Press reports indicate several Senators may try to prevent the EPA from moving forward with regulations intended to limit greenhouse gases.

The Senate may take up the Commerce-Justice-Science appropriations bill, which could turn into a debate over the Obama Administration's investigation into the CIA.

Major Senate Committee Action –

The Senate Finance Committee will hold a marathon markup of Senator Baucus' health reform proposal. Hundreds of amendments are expected as serious problems remain with the proposal. The Judiciary Committee will hold a hearing on the Patriot Act Reauthorization, which is threatening to highlight a growing disagreement between the President and two powerful Senate Democrats, Russ Feingold (WI) and Patrick Leahy (VT).

The Homeland Security Committee will be busy this week, holding several key hearings on the H1N1 Flu and Preparation for Attacks Using Weapons of Mass Destruction.

- Author: Dan Holler

EPA to Impose Global Warming Regulations: Will Congress Intervene? (*The Heritage Foundation*)

Posted September 18th, 2009 at 3.23pm in Energy and Environment.

President Obama doesn't want to run the auto industry, but he had to, temporarily of course, to save the economy. And Administrator of the Environmental Protection Agency Lisa Jackson doesn't want to regulate carbon dioxide, but the EPA seems intent on moving forward regardless. Fortunately, Congress could shorten the EPA's long, regulatory leash by amending the Interior-Environment appropriations spending bill early next week.

The Environmental Protection Agency issued a proposed endangerment finding in April, saying that global warming and climate change pose a serious threat to public health and safety and thus almost anything that emits carbon dioxide and other greenhouse gases could be regulated under the Clean Air Act. The agency is already targeting the ailing auto industry. New regulations are proposing that the fleet average must reach 35.5 miles per gallon by 2016, which will increase the price and decrease the safety of the vehicle.

Earlier in September, Jackson said prefers cap and trade to regulating greenhouse gas emissions under the Clean Air Act:

Legislation is so important, because it will combine the most efficient, most economy-wide, least costly (and) least disruptive way to deal with carbon dioxide pollution. We get further faster without top-down regulation.”

The amendment planning to be offered would prevent those top down regulations that could include new standards for hotels, retail stores, apartment complexes, restaurants, airplanes, ocean-going freighters and tankers and even lawnmowers. And the regulations would be costly. Heritage economists modeled the effects of proposed EPA regulations and found:

- Cumulative gross domestic product (GDP) losses are nearly \$7 trillion by 2029 (in inflation-adjusted 2008 dollars), according to The Heritage Foundation/Global Insight model (described in Appendix A).
- Single-year GDP losses exceed \$600 billion (in inflation-adjusted 2008 dollars).
- Annual job losses exceed 800,000 for several years.
- Some industries will see job losses that exceed 50 percent.

The full report is available [here](#). It's safe to say these cost estimates are low since the model does not consider the substantial administrative costs of complying with the new regulations. And keep in mind, the job losses are after accounting for “green” job creation.

Congressman Collin Peterson (D-MN) weighed in, arguing the EPA would gain tremendous power and micromanage the economy:

With or without Congressional action, EPA will be free to regulate greenhouse gases, resulting in one of the largest and most bureaucratic nightmares that the U.S. economy and Americans have ever seen. And, with EPA in the lead, the U.S. Department of Agriculture, arguably the voice of agriculture and rural America, would be left out of the process. Let me be clear, this is not a responsibility we want to leave in the hands of EPA.”

Whether it's cap-and-trade legislation or EPA's proposed regulations, attempting to restrict energy use by cutting carbon dioxide would be toxic to an ill economy. Even in the best of economic times, this policy would likely end them.

- Author: Nick Loris

ENERGY

Quote of the Day: Witold Rybczynski on The Green Case for Cities (*Treehugger*)

by Lloyd Alter, Toronto  on 09.21.09

Witold Rybczynski is a terrific writer, and puts together the green case for cities in a short essay in the [Atlantic](#), with a few digs at the green gizmo approach to sustainable design:

The problem in the sustainability campaign is that a basic truth has been lost, or at least concealed. Rather than trying to change behavior to actually reduce carbon emissions, politicians and entrepreneurs have sold greening to the public as a kind of accessorizing. Keep doing what you're doing, goes the message. Just add a solar panel, a wind turbine, a hybrid engine, whatever. But a solar-heated house in the burbs is still a house in the burbs, and if you have to drive to it, even in a Prius, it's hardly green.

He continues with a demolition job on just about have the posts we have done on building materials and technologies:

Architectural journals and the Sunday supplements tout newfangled houses tricked out with rainwater-collection systems, solar arrays, and bamboo flooring. Yet any detached single-family house has more external walls and roof--and hence more heating loads in winter and cooling loads in summer--than a comparable attached townhouse, and each consumes more energy than an apartment in a multifamily building. Again, it doesn't really matter how many green features are present. A reasonably well-built and well-insulated multifamily building is inherently more

sustainable than a detached house. Similarly, an old building on an urban site, adapted and reused, is greener than any new building on a newly developed site.

He is not saying that we all have to live in Manhattan, noting that the garden suburbs of the early 20th century, the streetcar suburbs built around transit, were of sufficient density to support shopping, walkability and a denser fabric of urban life. Worth reading in the [Atlantic](#).

US Green Building Council Wants Structures Labeled for Air Quality & Energy Efficiency (*Treehugger*)

by John Laumer, Philadelphia  on 09.20.09

Measuring a building's environmental performance is sensible, assuming stakeholders, including tenants and owners, can agree with and understand metrics and measurement protocols. Among the many obstacles to understanding: there are multiple building types, in widely varying solar gain and weather extremes to be represented. Another is that no building owner wants a data billboard or clashing color swatch on the wall. Houston doesn't even have a zoning code, for heavens sake. Those sorts of obstacles aside, the [USGBC is pushing for whole-building performance metrics](#) (pdf file), and for taking it to the next level - [every building gets a label](#) that indicates environmental performance. I won't discuss proposed metrics or label protocols, as they don't yet exist; but, I will outline the US political context as affects prospective acceptance.

People will make unconscious comparisons.

Remember the long-ago EPA proposal to have states force people to ride share where ambient air quality standards were not being met? While the Feds were beating a hasty retreat on that one, states came up with voluntary ride-share lots, and express lanes for multi-rider vehicles and hybrids.

Who can forget the Dept. of Homeland Security's color-coded terror warning system? It became and remains a joke due to the condescending and non-specific nature of the symbolism. Varying shades of green indicating overall environmental performance has the same communication vulnerability as "yellow alert."

No one pays attention to a label unless trusted third parties certify results and there is an easy, fast way to get at the underlying information. The nutrition label simile doesn't quite make it - no third party certs, and no link to details and methodology.

The more attributes represented by a simple index or label, the faster it loses value over time, and the greater the need for access to updated information. Regular updates add cost; and, there would be fights over who should do the certifications (a huge job), who should host the publicly

accessible data, who updates the labels and how often, whether results are applicable for tax assessment, and so on.

Who pays?

Let's assume USGBC works it's way through the above mentioned obstacles. Maybe they can recommend a bar code above the door bell that can be shot with cell phone camera, linking the owner of the phone over to website(s) that provide detailed information and market context. And arrange for a GPS display of green-rated building location by rate class.

If the scheme is intended to effectively mitigate against climate change, which means **it must include all existing buildings and not just focus on newly built super-LEEDs**, there will be short term winners (high LEED rated buildings perhaps); and there will be losers; and, then, there will be *big* losers.

Unintended social consequences are possible.

Assuming there will be above-average performing buildings available, property values of the most *energy inefficient* comparables will plummet, once the most efficient buildings are labeled; while those with the poorest air quality ratings will theoretically lose tenant interest, slowly driving down rent and perhaps property value. Such trends could potentially retard redevelopment of decaying inner city neighborhoods. Red lining becomes "green lining?"

Over the long-term, cities with the lowest average performance ratings on office buildings might lose private investment dollars and jobs to those metro areas with higher rated buildings. Astute owners, developers, and politicians will see this coming - then begins the push back.

Optimistically speaking.

How can the goal of measuring and communicating environmental performance become politically acceptable and fair to all stakeholders? Here are my ideas.

Unfunded mandates won't fly. To make this happen, a building's "mark" must offer real benefits and the underlying information regime should be designed with the help of economic development pros. Ideally with political accountability.

It doesn't have to be a physical building label. A virtual one, tied as "data" - to address and tax numbers - would be fine. Let's let the old sticky paper metaphor die. Show it on the Garmin GPS device and building owners would be happier as well.

Beware the tax trap.

Tax increases, if you haven't noticed, are a political kiss of death lately. No Federal politician or NGO leader with common sense would indicate the possibility of an increase being needed.

Incentives, whether by outright tax reduction, or with a tax incremental financial district (TIF), reduce government revenue streams - temporarily in the case of a TIF. Municipalities are all in tough times with budgets.. That leaves the owners or developers and tenants holding the cost-increase bag.

I don't have the answers about the exact tax related incentives needed. But, I do know that these things have to be carefully mapped out, engaging those who would experience the impacts. Economic development planning is not something that green NGO's are well known for their successes at. Certainly not a forte of USGBC. For all these reasons, I can't imagine this moving forward any time soon on the basis of a simple tax break or fee for existing structures. And I'm certain that small business owners who happen to own buildings are going to scream about being told they must label their structures. Scream loudly at Town Meetings, probably.

Resolving such issues is what elected officials are elected for. They have to become engaged.

FUEL

Nelson and Grassley May Force Corn Into EPA Appropriation Bill (*The Washington Independent*)

By Kate Sheppard 9/18/09 12:19 PM

Several farm-state senators are looking to include a provision in a major appropriations bill that would significantly increase the amount of ethanol blended into gasoline, despite concerns about the impacts.

Sens. Ben Nelson (D-Neb.) and Charles Grassley (R-Iowa) are reportedly considering (sub. req'd) offering amendments to force the Environmental Protection Agency to raise the blend level above the current 10 percent maximum as an amendment to the EPA appropriation bill. The corn-state senators would like to see blend limits raised to 15 percent, and E&E reports that it looks likely that the potential amendments would block funding for the EPA if they don't move forward on raising the blend limit.

The EPA is currently considering a petition from more than 50 pro-ethanol groups, and is expected to come to a decision on it by Dec. 1. But that's not soon enough for Nelson. "I have been waiting for EPA to deal with this," he said. "It is something I must admit I am concerned about because they don't seem to ever come to a conclusion."

But the EPA faces opposition to increasing ethanol levels in gasoline from environmentalists, livestock producers, refiners, and other groups. Concerns have been raised about whether most

engines can handle higher blends, and recent studies indicate that the use of ethanol may increase global warming. The general impression among opponents of the higher blend is that it doesn't really benefit anyone other than the corn lobby.

GENERAL

SEJ Annual Conferences (*The Society of Environmental Journalists*)

SEJ's annual conference brings together journalists, scientists, government officials, advocacy leaders and others to explore the many facets of environmental stories in order to improve the quality and accuracy of environmental reporting. Annual conferences are open to both SEJ members and those who are not members.

Each conference presents an opportunity to meet with other journalists, sit in on training writing and computer workshops, attend panel sessions where current issues are debated by experts, policy-makers and experienced reporters from all types of media. The annual conference also takes journalists out into the field, with full-day or half-day tours to environmental hotspots where issues may be explored on site with experts on hand to present sides and answer questions.

Advertise at SEJ's 19th Annual Conference in Madison, WI.

Looking ahead: For our 20th Annual Conference, October 13-17, 2010, our host is the University of Montana-Missoula. In 2011, we'll be hosted by the University of Miami, October 19-23.

SEJ Annual Conferences

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Secretary of Agriculture Tom Vilsack to address SEJ Conference

The Society of Environmental Journalists is pleased to announce that Secretary of Agriculture, and former Iowa Governor, Tom Vilsack will headline our Friday, October 9, afternoon plenary session titled "Meet the New Bosses," moderated by David Brancaccio, host of NOW on PBS.

•

SEJ's 19th Annual Conference: Madison, Wisconsin: October 7-11, 2009

See the draft agenda, access online registration, check out the local attractions. Tours are filling fast — register now for best selection! Early discount registration extended for SEJ members throughout the conference, including walk-ins.

Great Lakes (IL IN MI MN OH WI)

Roanoke, VA 2008

See and hear coverage of SEJ's 18th annual conference, October 15-19, hosted by Virginia Tech. The agenda provides descriptions of the tours and sessions, and lists of speakers with links to biographies.
Mid-Atlantic (DC DE MD PA VA WV)

HAZARDOUS WASTES

E. Coli Can Be Used To Clean Up Nuclear Waste (*Treehugger*)

by Jerry James Stone, San Francisco, CA on 09.20.09

Researchers have found that E. coli can be used to recover uranium from tainted waters and can even be used to clean up nuclear waste.

Using the bacteria along with inositol phosphate, the bacteria breaks down the phosphate--also called phytic acid--to free the phosphate molecules. The phosphate then binds to the uranium forming a uranium-phosphate precipitate on the cells of the bacteria. Those cells can then be harvested to recover the uranium.

The findings were presented at a Society for General Microbiology's meeting by Professor Lynne Macaskie from a research team at Birmingham University. Though, the process was first discovered back in 1995 but at the time was not economical.

In early research a very expensive additive was used and the low cost of uranium just didn't make it feasible. But the discovery of inositol phosphate being six-times more effective--as well as a cheap waste material--made the venture more viable.

Not too shocking. More countries are clearly looking to expand their nuclear technologies and the price of uranium is likely to increase. Another option for bringing down the cost of inositol phosphate is that it can easily be obtained from agriculture waste.

"The UK has no natural uranium reserves, although a significant amount of uranium is produced in nuclear wastes. There is no global shortage of uranium but from the point of view of energy security the EU needs to be able to recover as much uranium as possible from mine run-offs (which in any case pollute the environment) as well as recycling as much uranium as possible from nuclear wastes," commented Professor Macaskie.

And while the cost of uranium concerns me as much as the next guy (actually, I don't really care that much) there is obviously huge environmental and health impacts to this process.

"By using a cheap feedstock easily obtained from plant wastes we have shown that an economic, scalable process for uranium recovery is possible," Macaskie ended.



**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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September 24, 2009**

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7

PEOPLE ARE TALKING



People are Talking

Here's a sampling of what was said on Sept. 23, 2009

NOTE: To read the entire blog entry, click on underlined URL in last line. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

G-20

tcktcktck: Obama to push for elimination of fossil fuel subsidies at G-20 summit in PA <http://bit.ly/fyzQm>
(Note: tcktcktck is a global movement for climate action in Copenhagen - 2,000 followers)

msnbc: Nations at odds on eve of G-20 summit <http://bit.ly/45SLX2>

savemyearth: Protesters hang G-20 banner from Pittsburgh bridge: AP - Pittsburgh police say 14 people from Greenpeace were arrested.. <http://bit.ly/4BdRAg>

thenation: **Climate Change**: Off the G-20 Agenda? <http://bit.ly/mVreZ>

Senate Climate Bill

EnergyNEWS: Awkward: Senators move to rein in EPA as Obama talks tough on climate: As Presi..
<http://bit.ly/X3JEc>

current_green: URGENT:There's a vote before 6pm EST+need Senators to vote 'NO' on Murkowski EPA amdmnt.
Call NOW: www.1sky.org/call
(Note: Current TV and Current.com Planet)

CREDOMobile: Please RT. Hands off the EPA. Reject the Murkowski amendment <http://bit.ly/3U74li>
(Note: over 70 retweets in last two hours)

thehuffpost: Coal Lobby Targets Key Democrats In Senate #Climate Debate. <http://bit.ly/RFFmQ>

[chamberpost](#): "Climate Action - The State of Play". EPA and Clean Air Act will further speed Dark Times on US.2010 - <http://bit.ly/3XR3Za>
(Note: US Chamber of Commerce)

New CCL3 List

[PBSJWater](#): EPA publishes final Drinking Water Contaminant Candidate List 3. See <http://bit.ly/OUCwR>

Farm Regulation

[commondreams](#) Groups Ask EPA to Regulate Air Pollution at Factory Farms. A gr.. <http://bit.ly/11szoo>

[TroyHadrick](#): #HSUS suing the #EPA to force burdensome and expensive regulations on #livestock feeder <http://bit.ly/q1t4r>

(NOTE: Advocates for Agriculture)

CLIMATE CHANGE/GLOBAL WARMING

Since Americans are Teenagers, They Won't Understand Greenhouse Gases (*The Heritage Foundation*)

Posted September 23rd, 2009 at 4.28pm in [Energy and Environment](#).

The American public...just like your teenage kids, aren't acting in a way that they should act. The American public has to really understand in their core how important this issue is."

In case you haven't heard, [that](#) was Secretary of Energy Steven Chu discussing your ability to curb greenhouse gas emissions. As long as we're acting like teenagers, we might as well be treated like them. According to the Obama administration, we can't understand what greenhouse gases are, so we'll use the terms "carbon pollution" or "heat-trapping emissions" instead. From Lauren Morello, *E&E* reporter:

"We know that our planet's future depends on a global commitment to permanently reduce greenhouse gas pollution," President Obama said yesterday at the U.N. Summit on Climate Change in New York, one of several references to "greenhouse gas pollution" and "carbon pollution" sprinkled throughout his speech. The president also referred to "carbon pollution" in April, during a much-publicized speech to the National Academy of Sciences, and again in June, in a press conference just before the House voted to pass a broad climate and energy bill.

And he's not alone. Top Obama administration science officials, including Energy Secretary Steven Chu and U.S. EPA Administrator Lisa Jackson, have also adopted similar vocabulary, a subtle linguistic shift in the ongoing climate debate. In fact, during an hour long June briefing to launch a major government climate change report, a panel that included White House science adviser John Holdren and National Oceanic and Atmospheric Administration chief Jane Lubchenco mentioned greenhouse gases just once — instead warning about the perils of “heat-trapping gases” or “heat-trapping pollutants.”

According to Lubchenco, that's a conscious word choice designed to demystify the science of climate change: “The choice of that term is intended to make what's happening more understandable and more accessible to non-technical audiences,” she told E&E in a recent interview. “You know, scientists so often use a lot of jargon without necessarily appreciating that it's jargon. And ‘heat-trapping pollution’ calls a spade a spade, essentially. It says what it is, but in a way that is less jargony.”

Interestingly enough, the administrations seems perfectly content with using the jargon “cap and trade.” Why not use energy tax? It's such an easily digestible phrase that Americans will truly understand just how ‘important’ cap and trade really is. We'll even help them get started with messaging even a teenager could understand.

We're going to tax your energy so high that you use less of it because energy emits heat-trapping emissions and some scientists say that will lead to global warming and catastrophic consequences for our environment. There's only one slight problem. Because 85 percent of the energy releases carbon pollution into the atmosphere, you'll still have to use energy – you'll just have to pay a lot more for it.

You'll pay more for gasoline and electricity. The products you buy will be more expensive because they take energy to make. The energy tax will slow economic growth and destroy jobs but it's all right because we'll reduce those heat-trapping pollutions enough to reduce temperatures by only five hundredths of a degree in 2050 and two-tenths of a degree Celsius by 2100.

Thanks for understanding!

- Author: [Nick Loris](#)

Obama's UN Climate Speech Lacked Details to Lead World Forward: Bill McKibben (treehugger)

by Matthew McDermott, New York, NY on 09.23.09

President Obama is certainly having a busy week -- addressing the United Nations not once but twice; speaking at the Clinton Global Initiative; the G20 in Pittsburgh. And while yesterday's speech on climate change at the UN Summit on Climate Change certainly was a leap forward compared to what we might have heard from past presidents, it wasn't quite as strong as many in the green movement would've liked. 350.org founder Bill McKibben's comments really ring true:

Had this speech been given two years ago, it would have been a completely remarkable moment for an American President. But because two years ago we did not hear this speech, the targets President Obama speaks of are no longer sufficient. Due to a lack of leadership, inaction has only made this situation worse -- targets must now be strengthened for both our long and short term goals. We have studied the science and have heard the scientists -- we must commit to bringing our CO2 levels down to 350 parts per million.

President Obama is correct that developing nations are already living with the effects of climate change -- that is why President Mohammed Nasheed of the Maldives stood at the UN and demonstrated the leadership that is necessary to make real progress on climate change. President Nasheed implored his fellow world leaders to turn their words into action -- he said it is complacency that is killing his country.

I urge President Obama to heed President Nasheed's call to turn words into action and make real progress in Copenhagen.

The words we heard today from President Obama were new coming from an American President, but his words lacked the details necessary to lead the world in these impending talks -- and the United States must lead. We do not have much time to motivate the world to action and we cannot waste even one opportunity.

ENERGY

Green Diary Rescue & Open Thread: Clean Energy, Green Jobs (*Daily Kos*)

by [Meteor Blades](#)

Wed Sep 23, 2009 at 09:15:16 PM PDT

At SolveClimate, which is a site you don't want to miss during the run-up to Copenhagen, David Sassoon writes:

Deutsche Bank: Absence of US Clean Energy Policy Will Send Global Capital Elsewhere

Deutsche Bank last week released a research note of curious interest just ahead of this busy week of international climate meetings and upcoming Senate action on federal climate law. Called [Creating Jobs and Growth: The German Green Experience](#), it reviewed the policy architecture responsible for Germany's rise as a global clean tech leader over the last decade.

The plot line goes like this: Thanks especially to a mechanism called a "feed-in tariff," Germany has been able to create 300,000 new jobs since 2000 in a booming renewable energy sector, with renewable energy supply more than doubling, jumping from 6.3 percent of total electricity supply in 2000 to 14 percent in 2007. The people of the European nation of 82 million also saw only modest electricity price rises.

Over the same time period in the U.S., the contribution of renewable sources of energy to total supply has contracted, going from 10.1 percent in 2000 to 9.4 percent in 2007, with the sector still struggling today against a right wing campaign that vilifies the very idea of green jobs and a clean energy future as a socialist plot to undermine the U.S. economy. ...

"Capital is a free-flowing system," Bruce Kahn a Deutsche Asset Management senior investment analyst and co-author of the report told SolveClimate. "If the U.S. is not an attractive place to invest in renewable energy, capital will flow elsewhere. The German example shows how capital can be attracted when there are a clear set of policies."

As a percentage of GDP, the clean energy sector in Germany is almost three times greater than in the U.S. Germany has eight times as many jobs in the wind and solar industry than the U.S. on a per capita basis, and it is aiming to reduce greenhouse gas emissions 40 percent below 1990 levels by 2020.

That's double the EU commitment of 20 percent, and 10 times the meager commitment of 4 percent below 1990 levels that Congress is considering in the American Clean Energy and Security Act (ACES), which passed the House in June.

The United States had a chance to be a role model on energy. Had a chance for the past 30 years. Even put into place the start of what could have morphed into a far-sighted policy which provided millions of Americans with jobs, reduced their energy consumption, cut their carbon footprint and built an export market. Instead, the U.S. now lags much of Europe both in carbon-reduction goals and renewable output. And although the U.S. led the world in the amount of wind-generated electricity capacity installed in 2008,

after years of being aced out by Denmark, Germany and Spain, it had to import half the wind turbines it installed last to achieve that outcome.

Both from the administration and within the ACES bill, there are some moves in the right direction. If this were 30 years ago, 20 years ago, even 10 years ago, those moves might be enough. But not now. Just as the Obama administration has inherited two wars, a monster recession, civil liberties violations and a media operating mostly as a propaganda hub, it's had the consequences of decades of rotten energy policy dumped in its lap. The "fierce urgency of now" applies in this matter. Band-Aids can't patch it up.

= = =

The diary rescue begins below and continues in the jump. Inclusion of a particular diary does not necessarily indicate my agreement with it.

As part of the Adopt a Senator for ACES, a project of DK GreenRoots, **UlyssesUnbound** evaluated the stance of [Senator Bayh: Running Out of Reasons to Vote 'No' on ACES](#): "I spend a lot of my time with the various grassroots campaigns (Repower America, Environmental Defense Action Fund, INPIRG, and others) pushing for Senators Bayh and Lugar to vote 'yes' on the ACES bill. As we ramp up local pressure on these two gentlemen, I am hoping that pressure from across the nation (like the good people at Daily Kos) can help them see the light on clean energy legislation. For now, though, my efforts are mostly local. Every day I talk to voters about the ACES bill, and every day I'm faced with one very frustrating question: Well, why isn't Senator Bayh supporting this bill? It's a fair question. He is a Democrat. He has (had?) close ties to Obama, who very much wants a climate bill before December. Many of his biggest donors by sector support ACES. His state is plagued by unemployment, mostly in regions that will only benefit from a clean energy revolution. And while he isn't the most environmentally friendly Senator, it would be hard to label him as an enemy of all things nature. So why isn't Senator Bayh supporting ACES?"

[Let the Pandas die!](#) wrote **Altoid77**, is the view of "Chris Packham, a TV naturalist out of the United Kingdom, [who] says that since pandas aren't a strong species, we should choose to let them die. Citing limited resources and cost effectiveness as the driving pragmatic factor, Chris Packham voices a minority opinion. He says the only reason pandas, the World Wildlife Fund's symbol, garners so much attention is because they're cute and cuddly. Otherwise, we'd care less. His stance also includes the notion that tigers are worth more dead than alive and therefore will not last more than 15 years as a species. Our money would be better spent saving stronger species with a better chance."

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Sept. 24, 2009:

NOTE: To read the entire blog entry, click on underlined URL in last line. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Pharmaceuticals in Water on CCL 3

TreeHugger: EPA looking at regulation of gender bender chemicals in drinking water. EPA continues to surprise and amaze; after eight years of sitting on the science and doing very little protection, it is on the move...

http://www.treehugger.com/files/2009/09/epa-looking-at-gender-bender-chemicals-in-water.php?dcitc=th_rss

EnviroLawNews: EPA Puts Pharmaceuticals on List of Possible Drinking Water Contaminants <http://bit.ly/ljusX>

G-20

WWF Climate: Climate at the G20: Obama to press cuts in fossil fuel subsidies: After three days of an all-climate schedule i.e. <http://bit.ly/5sE3I>

michaelkearney: G-20 protests Pittsburgh CNN reporter gassed (video) <http://bit.ly/chg4i>

ViewsNews Pandemonium In Pittsburgh !! >> Police And Protesters Clash At G-20 March - <http://bit.ly/XvsI7>

Mercypolitics: Plz RT & [#digg](#) Greenpeace Message To **G20**: Danger-Climate Destruction Ahead: <http://digg.com/d315N6n?>

Senate Appropriations

Newsvine: The Senate approved big budget increases for the Interior Department and the Environmental Protection Agency as it passed a \$32 billion spending measure for the budget year that starts next week.

http://www.newsvine.com/_news/2009/09/24/3312042-senate-boosts-epa-interior-department-budgets

Murkowski Amendment

<http://twitter.com/MoJoRSS/statuses/4348429114> : Murkowski's EPA End Run Fails : Sen. Lisa Murkowski's attempt to block EPA regulation of greenhouse gases.... <http://bit.ly/oD6wF>
(Note: Mother Jones RSS feed)

US WallStreet: Washington Wire : Lisa Versus Lisa: EPA's Jackson Bests Sen. Murkowski...
<http://bit.ly/ho4HS>
(Note: WSJ's updates on Twitter)

HSUS Request to Regulate Livestock Farms Emissions
FarmBureau: HSUS asks EPA to regulate air pollution from livestock farms <http://bit.ly/sQIqA>
(Note: America's largest general farm organization)

RFS2

Alternative Energy: Proposed EPA Regs Would Cost Corn Growers. A study commissioned by the National Corn Growers Association finds that proposed regulations by the...
<http://www.alternativeenergynewswire.com/proposed-epa-regs-would-cost-corn-growers>

"Anti-Climate Czar" Amendment

@[MotherJones](#): Senate to Vote On @[DavidVitter](#)'s Anti-Climate Czar Amendment
<http://bit.ly/3T9jIp>

CLIMATE CHANGE/GLOBAL WARMING

NASA Satellite Laser Images Reveal Extreme Polar Melting (*treehugger*)

by Jaymi Heimbuch, San Francisco, California on 09.25.09
SCIENCE & TECHNOLOGY

After analyzing 50 million laser measurements from a NASA satellite, British scientists at the British Antarctic Survey (BAS) have painted a frightening picture for Greenland and Antarctica, with glaciers melting at extreme rates. While the fact that polar ice is melting is not breaking news, the rate at which it is moving, and the method for gathering the technology is surprising.

We have been following the news of the rapid ice melts at the poles all summer, and this new study confirms some serious fears.

The results of the study are published in Nature. "We were surprised to see such a strong pattern of thinning glaciers across such large areas of coastline," [Hamish] Pritchard of the British Antarctic Survey said in a statement according to CBS news. "It's widespread and in some cases thinning extends hundreds of kilometres inland."

The satellite laser by NASA is used by BAS scientists to measure the tiniest changes in the thickness of glaciers and ice sheets along the coast of the Amundsen Sea in West Antarctica, which is where polar ice is melting fastest. The laser images can acquire high-resolution data particularly where coastal areas are steep, which are areas where the radar altimeters used on other satellites can't make out important details that give scientists the most accurate measurements. They found that faster flowing glaciers are at the root of the rapid polar melting.

In May we noted that scientists don't think the West Arctic ice sheets will melt completely, but the loss of ice and the rise in sea level as a result are definitely of concern. Though that could change. And on the other pole, the scientists say that a full melt of the Greenland ice would push sea level up by about 7m (20ft).

According to the scientists, the speed at which some of the glaciers now move towards the sea is outpacing the rate at which ice can be restored to the land through normal precipitation patterns, as noted by BBC. A total of 111 fast-moving Greenland glaciers were studied and in comparison to the slow-moving ice beside them, 81 were shown to be thinning at twice the rate, thinning

faster as they speed up. It is the speed at which the glaciers are moving that is causing the dramatic loss, and not simply faster melting from warmer temperatures.

The results of the satellite measurements are a key part of accurately predicting rises in sea level as the ice melts into the ocean, so we can better understand where - and more importantly, who - will be affected as ice literally slips into the sea.

More on Polar Ice Melts

[Melting Ice Could Lead to Massive Waves of Climate Refugees](#)

[Antarctica's Pine Island Glacier Melting Four Times Faster Than 10 Years Ago](#)

[Arctic Ocean Ice-Free in Summer by 2015, New Research Shows - Greenland Ice Sheet Shows Rapid Losses, Too](#)

Copenhagen UN Climate Summit Needs to Produce (*The Huffington Post*)

Mike Smith

www.mikesmithpa.com

Posted: September 24, 2009 04:04 PM

There may be climate change legislation coming out of this Congress. There may be a new global United Nations resolution guideline on global warming and carbon reduction. But there will likely not be a "Kyoto-style Treaty" emerging from the UN Summit on Climate Change in Copenhagen, Denmark early December. Despite the resolve and "leading by example" of the Danes.

The foreshadowing happened at the UN climate summit this week as nations outlined their own, country-by-country goals for carbon reduction. One observer called this a sort of "global federalism" in which a federation provides a premise and the nations involved do their own thing. Japan is most aggressive with a firm commitment to reduce greenhouse gases 25 percent by the year 2020. Climate change advocates are not likely to see a treaty. President Obama told the assembly the U.S. wants "flexibility" in its own approach to global warming including touting the Administrations heavy investment in clean energy (see related post on DOE and ARRA stimulus funding). The call for a carbon cap continues unabated in Washington.

China is stepping-up. President Hu Jintao talked in New York about mandatory targets and said China will "endeavor to cut carbon dioxide emissions per unit by a 'notable margin' by 2020." China rules in this climate change effort due to its population, its coal burning carbon-based emissions, and its race to find solutions, technologies, and alternative energy sources. U.S. experts worry China may leave us in the dust.

Last week, *The Atlantic Monthly* hosted an insightful Green Intelligence Summit at the Newseum. Here we heard from Obama administration leaders including **EPA Administrator Lisa Jackson**, global climate change policy advocate like Ira Magaziner, and industry execs including Duke Power CEO offering practical advice on solar, wind and other clean power sources. In fact, Duke's exec said that "Solar will beat wind" in deployment because of existing transmission capabilities.

Lisa Jackson said: "I am a huge believer in markets and the price on carbon (caps) creates a new paradigm." She noted investors and entrepreneurs in the energy field "emerge." "Working toward clean energy economy flattens the (playing field) and allows others in!" Jackson believes it is like the Internet. Kids will get "in front" of the new clean economy. Later, an example was cited that Harvard students have access to smart grid and other technologies on campus. The students have formed a contest to see who can leave a lower carbon footprint.

Administrator Jackson called for a "coalition for change. Change the "face" of environmental movement. Basically, people want to keep-out the cold and save on energy bills.

"Environmentalism seems like enclave of the well-off," and must address more common concerns. The EPA and Jackson added 72 percent of minorities live in areas that may not pass clean air standards. Many blacks and city kids have asthma."

Put Up Your "Dukes"

Jim Rogers, CEO of Duke Energy, raised some controversy at *The Atlantic's* Green Intel Forum. He said the EPA's old "command and control" hammer means "screw the markets" taking issue with Administrator Jackson's idea. "Universal access was a dream 100 years ago" with the early electrification of our country. Rogers: "Smart grid enables so much but it is hard to predict which technologies will be the winners. His guess is "nuclear power beats coal" citing France and "solar will trump wind" because it fits with existing smart grid and the transmission already works.

Administrator Jackson said the administration is working aggressively on energy and the environment, in tandem. She suggested EPA has already done more in eight months than the Bush administration did for the environment in eight years.

China is the Giant

The State Department weighed-in as it plans for U.S. participation in the world climate change summit in Copenhagen. Ambassador Stern said we will spend the next five years pushing China (to act on emissions) and the "next 20 years chasing them." He said the U.S. is playing politics on China and has put us in a "ridiculous ideological box." Because of this political level of

influence, the "U.S. could miss the greatest technology revolution." Climate change and our country's energy future is a massive opportunity for growth.

"China will do more than they are willing to agree to do," in Copenhagen on the environment, Stern said. State's negotiations are stuck at "ideological loggerheads." China is doing a lot. The diplomat added it has become "seized with the climate issue," said Stern. At *The Atlantic* event, on September 16, Stern made a bold call to action: "China has a choice to make. The U.S. would accept a deal (on climate change agreements) that "is in really in China's own interest."

The State Department negotiator said in terms of U.S. energy efficiency there is "vast room for improvement." He called on the industry leaders at the Climate Intel Summit to focus on breakthrough technologies. In Copenhagen, I will also attend a companion "Bright Green" trade show where some of these technologies may be on display. But not from China!

Mike Smith is a political blogger. He is also CEO of Mike Smith Public Affairs, a Washington area firm focused on clean energy and climate change initiatives. Smith will take part in the Global Climate Summit in Copenhagen and file his column from Denmark in early Dec.

A Goal for Copenhagen: Keep the Focus on Enforcement (*The Huffington Post*)

Peter Lehner

Executive Director, National Resources Defense Council (NRDC)

Posted: September 24, 2009 02:52 PM

Few seem willing to address the issue openly, but one of the toughest issues to address when delegates gather in Copenhagen in December for the global conference on climate change will be governance. Many developing nations attending have stressed and under-funded civil systems. Others are torn by armed conflict and human suffering that push enforcement of environmental laws to the fringes of the political priority list. As an experienced environmental prosecutor, I know how hard it is to achieve compliance particularly with environmental laws which are often perceived as not posing the type of immediate threat to public safety that ordinary crimes are --

even in a stable democracy such as the United States. I also know what happens without enforcement: Very little.

Beyond my experience as a prosecutor, I also have a personal connection with a story that proves this point. That experience is with the tale of two modest Central American nations, Costa Rica and Nicaragua -- neighbors who share a long common border, similar environmental laws -- and vastly different records of enforcement. I've watched this tale unfold first-hand for nearly 30 years during frequent visits to the region to help with family businesses in Nicaragua and Costa Rica. (The family coffee farm there is Rainforest Alliance-certified.)

When economic expansion, cheap credit for cattle and laws favoring deforestation all contributed to a dramatic loss of Costa Rica's lush tropical rain forest between 1950 and the mid-1980s, alarm bells went off in the corridors of power. Vast stretches of remaining public forest land were placed under protection, national parks were expanded and reforestation projects launched. With a well-established rule of law and functioning government institutions, the protection worked. A quarter of the nation's territory is national forest land. Forests on privately-owned land are protected with the help of FUNDECOR (Foundation for the Development of the Central Volcanic Mountain Range), a non-profit foundation established to protect Costa Rica's tropical forests. Under a FUNDECOR program, revenue from taxes on gasoline and tourism are used to pay farmers *not* to cut forested areas of their land. Those monitoring the program say the compliance rate of private landowners is high -- 99 percent, according to one estimate. Moreover, although the situation is far from perfect, in many areas of the country, people really do comply with laws restricting logging.

As a result, Costa Rica's rainforest, which had shrunk from about 60 percent to around a quarter of the country's land area between 1950 and the mid-1980s, began growing again and today once again covers over half the country. Shrewd political leadership coupled with some slick marketing has leveraged the richness of those forests into one of the country's biggest commercial assets. Eco-tourism today is a huge money-spinner and President Oscar Arias talks about a new goal to make Costa Rica the first nation in the world to become carbon neutral by 2021, in time for the country's 200th birthday.

The ingredients to this success: political stability, functioning institutions, a respect for the rule of law, a strong economy and a stable middle class that values quality of life issues, such as a clean environmental quality. Now, with huge economic benefit from eco-tourism, strong environmental practices play an additional role. They protect an important commercial asset. The consistency of Costa Rica's enforcement of environmental laws -- and other legislation -- also creates a level of predictability that encourages new investment across a broad cross-section of the economy.

In neighboring Nicaragua, the story is very different. With income levels about one-fifth of those in Costa Rica, Nicaragua is the second poorest country in the hemisphere (behind Haiti).

Poverty, together with a history of political turmoil through much of the past century, have left Nicaragua's government institutions woefully under-funded, inefficient and open to corruption.

There is no well-developed culture of compliance with environmental laws or consistent enforcement to assure such compliance. The judicial system is weak and there is no clearly defined political vision of what to do with the forested land.

Because of this, illegal logging operations all too often out-muscle municipal authorities who are responsible for forest management but have few of the resources needed to fulfill the task. Today, Nicaragua's forests occupy roughly half the territory they covered in 1950 and continue to shrink in size, albeit at a slower pace than a decade ago. A dramatic turn-around any time soon seems too much to hope for.

My point here is that it will be critical to focus in Copenhagen on steps that take the realities on the ground into consideration. Only such steps can make a difference. Environment specialist Michael Levi at the Council on Foreign Relations is correct when he calls it "a waste of time" to focus too heavily on near-term, legally binding carbon emissions caps for developing countries. They may sound serious, but, as Levi points out, they are largely toothless. Verification is difficult and punitive measures highly unlikely.

There's no silver bullet that can resolve the carbon emissions problem in Copenhagen, but there are steps that can be taken to help developing nations strengthen their institutions and, with that, enforcement.

Under provisions of the Central America Free Trade Agreement's (CAFTA) environmental chapter, for example, the United States is working with governments in the region, including Nicaragua, on a program to strengthen environmental legislation. This work includes a public awareness campaign about a provision in the agreement that enables individuals to sue for compliance.

Shortly after coming to office, the Obama administration declared it planned tough enforcement of environmental provisions in America's trade agreements. Such steps are crucial because the sooner developing countries learn there is a visible upside to responsible environmental practices then pressing for enforcement will be seen more as an asset than a liability. Then we will be on the way to real change.

Follow NRDC's Countdown to Copenhagen.

This post originally appeared on NRDC's Switchboard blog.

Automakers Help Protect EPA's Climate Authority (*The New Republic*)

Bradford Plumer September 24, 2009 | 3:26 pm

Earlier today in the Senate, Alaska's Lisa Murkowski was **planning** to introduce an amendment that would've blocked (at least for a year) the EPA's authority to craft its own carbon regulations—even in the absence of a climate bill. But, in the end, she backed down, and the amendment never came up for a vote.

So what happened? Lisa Jackson and the Alliance of Automobile Manufacturers both sent frantic **letters** pointing out that Murkowski's bill would prevent the agency from finishing up its new fuel-economy rules for vehicles. And if that happened, the Alliance **warned**, automakers would have to deal with the dread "patchwork of conflicting state and federal regulations." Not surprisingly, green groups tend to have more success when they have Detroit's lobbying muscle behind them.

P.S. Mind you, today's little episode doesn't mean that Murkowski opposes acting on global warming, necessarily. She's **expressed worry** about those bark beetles wolfing their way through Alaska's forests. And **here** she was just the other day arguing that the House climate bill didn't deliver *enough* "immediate environmental benefits"—apparently on account of all the offsets businesses are allowed to buy in lieu of making reductions. Hard to argue with that.

Catastrophic Climate Change (TPM)

David Kurtz | September 25, 2009, 8:23AM

Juliet Eilperin in the *Washington Post*:

Climate researchers now predict the planet will warm by 6.3 degrees Fahrenheit by the end of the century even if the world's leaders fulfill their most ambitious climate pledges, a much faster and broader scale of change than forecast just two years ago, according to a report released Thursday by the United Nations Environment Program.

The new overview of global warming research, aimed at marshaling political support for a new international climate pact by the end of the year, highlights the extent to which recent scientific assessments have outstripped the predictions issued by the Nobel Prize-winning U.N. Intergovernmental Panel on Climate Change in 2007

FUEL

Are Fossil-Fuel Subsidies On The Way Out? (The New Republic)

Bradford Plumer

September 22, 2009 | 3:36 pm

In other big U.N. news, Barack Obama gave a lofty **climate speech** today that was... well, mostly barren of specifics. Let's see: Global warming's a real crisis, it's a generational challenge, our security and prosperity's in jeopardy, the House passed a climate bill, it'd be swell if the Senate did too (he didn't exactly tighten the vise on the dawdling Senate)... All the usual fare. Except for one little newsy bit.

Obama also said he'd "work with my colleagues at the G20 to phase out fossil-fuel subsidies." Now *there's* a concept! This is one of the most basic steps toward curtailing global carbon-dioxide emissions there is. As a **report** from Harvard's Kennedy School outlined last November, non-OECD countries spend between \$220 billion and \$280 billion subsidizing fossil fuels each year, with China, Russia, and India the most blatant offenders. Just scrapping these subsidies **could cut** global CO2 emissions by about 6 percent. (And yes, removing subsidies might, in the short term, have a regressive impact in the form of higher energy prices, but countries could easily take the erstwhile subsidy money and repurpose it in other ways to cushion the blow—efficiency upgrades or just lump-sum payments.)

Meanwhile, it's worth recalling that the United States does some fossil-fuel subsidizing of its own. We may not bankroll gasoline purchases the way Russia does, but a **new analysis** from the Environmental Law Institute found that the U.S. government offered \$72 billion in incentives for oil, gas, and coal producers between 2002 and 2008. Most of that was in the form of 23 different tax credits, especially the credit for overseas production (\$15.3 billion) and a credit for production of nonconventional fuel (\$14.1 billion). The rest was in the form of grants, R&D money, and the Strategic Petroleum Reserve. (There's also \$2.3 billion in research for coal carbon-capture, which strikes me as less objectionable, since it's aiming to curb carbon-dioxide emissions.)

And what about other forms of energy? Well, over that same time period, renewable power received just \$29 billion in subsidies—most of it unstable tax credits that tend to expire after set durations. Solar, wind, and geothermal get relatively meager love and affection. Infuriatingly, the biggest slice of renewable subsidies—\$16.8 billion worth—went toward corn-ethanol production, which very likely makes global warming *worse* through indirect deforestation effects. (The EU's biofuels mandates **have ravaged** Indonesia's rain forests, for instance.) If Obama wants to talk about scrapping fossil-fuel subsidies, fine, but junking all this ethanol support deserves prime emphasis, too.

WATER

EPA Looking at Regulation of Gender Bender Chemicals in Drinking Water (*treehugger*)

by Lloyd Alter, Toronto on 09.24.09

The Environmental Protection Agency continues to surprise and amaze; after eight years of sitting on the science and doing very little protection, it is on the move. Now it is looking at what is in our drinking water, and considering regulating chemicals used in hormone replacement therapy and in birth control pills, where about 85% of the hormone is peed out into the waste water system. Some scientists believe that these hormones can affect children in the parts per trillion level, and are causing men to have smaller penises, low sperm count, bigger breasts, testicular cancer and even possibly fewer boys being born. Girls get obesity and early puberty. As one scientist said on the program the [Disappearing Male](#),

"We are conducting a vast toxicological experiment in which our children and our children's children are the experimental subjects."

A Canadian study looked at what happens when you [spike the punch](#) with birth control pill hormones; [they dumped it into a lake](#), to a concentration of five parts per trillion. It delayed sexual development of both sexes of the gloriously named Fathead Minnow and the population crashed.

I once asked someone working in water quality in my city if he tested for such things and he said no. I asked why, and he said "I don't want to know"- there is very little one can do, it can't be filtered out at such low levels.

The EPA is also looking at agricultural pesticides, microbes, commercial chemicals, and [chemicals used in Scotchgard and Teflon](#). It is quite the list, and includes many chemicals used in agriculture, industry and the military. (Including [perchlorate](#), a key component in rocket fuel and critical to the space shuttle) See the [whole list here](#).

It is all part of a "Contaminant Candidate List"- a "multi-step CCL process", just looking and not regulating yet, but a lot of phones are ringing around the country right now.

Stopping Ocean Sprawl (*The Huffington Post*)

Paul McRandle

Posted: September 24, 2009 11:30 AM

The oceans that surround the U.S. create more than 2 million jobs and over \$128 billion in gross domestic product annually. And with the continent thoroughly developed, we are being drawn into developing more and more of the oceans, driven by the profits from tourism, recreation, and living resources that the oceans provide. As a result, it's beginning to look a lot like sprawl out there even without the telltale markers—the housing developments, highways and parking lots—that make up sprawl on land. Instead, “ocean sprawl” is a combination of offshore oil rigs, shipping lanes, wind farms and ever more ocean uses—and it puts increased pressure on ocean and coastal resources already under enormous strain as a result of overexploitation, habitat degradation, coastal pollution and climate change. This sprawl, and our ocean strain in general, has arisen in large part because our oceans, coasts and Great Lakes are currently governed by more than 140 laws and twenty different agencies, each operating under conflicting mandates and often failing to coordinate with one another.

That lack of coordination may now be coming to an end as the Obama administration's Interagency Ocean Policy Task Force hosts public meeting across the country and has issued an interim report outlining key elements of what will make up a national policy for the stewardship of the oceans, coast and Great Lakes. A key piece of the Task Force's work is to develop a framework for forward-thinking ocean use planning.

Consider Stellwagen Bank National Marine Sanctuary, 25 miles east of Boston, a feeding ground for humpback whales and endangered North Atlantic right whales, whose numbers have dwindled to no more than 350. Designated by Congress in 1992, the sanctuary was established to safeguard habitat for whales and other species. Nonetheless, Stellwagen Bank also hosts commercial shipping traffic and the greatest concentration of fixed-gear commercial fishing vessels on the Eastern seaboard. In these congested waters, whale entanglement and ship strikes have grown common, degrading the sanctuary to a point where it stands in need of “immediate care” according to Superintendent Craig MacDonald, who oversees the sanctuary. Proper zoning, or “marine spatial planning,” of the area would serve to protect the endangered North Atlantic right whales and other species, while ensuring that shipping and fishing take place in areas to which they're suited.

The Task Force interim report, furthermore, has recommendations to help prevent sprawl on land from degrading the water quality of the oceans and Great Lakes. Runoff from paved areas, farmland and industrial sites carry oil, pesticides, fertilizers and other contaminants into estuaries

and bays, causing beach closures, dead zones deprived of oxygen and fish kills. The task force recommends establishing a comprehensive monitoring framework integrated with state programs and the use of best management practices to reduce contaminants.

But among the most significant problems exacerbated by sprawl on land is the emission of the greenhouse gas carbon dioxide from transportation and power plants. Carbon dioxide is absorbed by sea water, raising its acidity and threatening coral and sea life that is essential to the food web of the ocean. NRDC's documentary, *Acid Test*, explains this reaction and highlights the need to act given how quickly the problem is growing; in fact, ocean acidity may double by 2100. The Oceans Policy Task Force is recommending a number of steps be taken to research the ocean acidification and its implications for marine ecosystems and its human costs.

What you can do

Over the next four weeks you have a chance to make your own recommendations at Whitehouse.gov page. This week, those in New England will have a chance to speak to the Oceans Policy Task Force directly at a public meeting in Providence, Rhode Island, on September 24th. Remaining hearings are in Honolulu, Hawaii on Sept. 29; New Orleans, Louisiana on Oct. 19 (tentative); and Cleveland, Ohio on Oct. 29 (tentative).

Support sustainably harvested seafood. Check out which fish to avoid and which are okay in NRDC's Sustainable Seafood Guide.

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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September 28, 2009**

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CLIMATE CHANGE/GLOBAL WARMING

Climate Change: Making Anxiety an Asset (*The Huffington Post*)

[Scott Bittle and Jean Johnson](#)

Posted: September 25, 2009 03:07 PM

Complex problems and anxious people are a bad combination. And right now that sums up the nation's political agenda for the rest of the year: health care, climate change, immigration and the economy all have the public both confused and scared. But at least when it comes to climate change and energy, the debate doesn't have to play out as badly as it has for health care. Properly channeled, anxiety can be an asset.

We're not talking about scaring people into going along with the government's plans, as arguably happened with the "war on terrorism." Neither are we talking about mustering an army of the anxious to block anything that's proposed, as seems to be happening on health care. That is a Marxist strategy, and we mean Groucho, not Karl. Groucho famously vowed "[Whatever it is, I'm against it](#) ." But that didn't even turn into good policy for fictitious Huxley College.

There's plenty of anxiety out there on energy -- along with a vast span of [misinformation and lack of knowledge](#) -- but for clever coalition-builders (which we hope includes the leaders at the United Nations summit this week), there's also a lot to work with.

When our organization, [Public Agenda](#), conducted its [Energy Learning Curve](#) survey of Americans, we found [they fell naturally into four broad categories](#): the Anxious (40 percent), the Greens (24 percent), the Disengaged (19 percent) and the Climate Change Doubters (17 percent).

The [Anxious](#) don't know much about energy issues, but they know enough to be worried. Almost all of this group worries "a lot" about the cost of energy (91 percent); They report higher levels of worry than the other groups on scarcity and on increased worldwide demand for oil. Global warming is a lesser concern, but even here 69 percent say it's real and 54 percent say they worry "a lot" about it.

The [Greens](#) are the most knowledgeable. They rarely give "don't know" answers, and they're the only group that said that drilling offshore in Alaska would not eliminate our need for foreign

oil (79 percent, compared with 43 percent overall). Next to the Anxious group, they are the most concerned about the United States' dependence on foreign oil and on global warming. They also engage in many energy-saving behaviors, and they're already convinced that sacrifices will be needed to solve energy problems.

The [Disengaged](#) are, well, disengaged. They don't know very much about the problem, but then again they're not that worried about it either. Not only do they rate poorly on the knowledge questions in the survey, but they have higher "don't know" responses. Twenty-two percent, for example, have no view about the existence or causes of global warming.

Climate Change [Doubters](#) actually know quite a bit about energy issues, but they're just not buying the idea of global warming, caused by humans. Their energy approach favors drilling for oil and building more nuclear power plants. When asked to choose between protecting the environment and economic growth, for example, the Doubters choose growth by an overwhelming 80 percent. They oppose any measure that might increase taxes or direct costs to the consumer.

One thing ought to leap right out from this breakdown is that none of these groups is a majority by itself. And if you subscribe to the [Willie Sutton philosophy of life](#) (Why do you rob banks? Because that's where the money is), you can easily see that the one group that matters most are the Anxious. They're the largest single block -- 4 out of every 10 Americans -- and they could go either way.

The other is that the defining characteristic of the Anxious is that they are so worried about so many things that [they make Buster on Arrested Development look relaxed](#). A lot of environmentalists seem convinced that the key to success in this debate is making everyone else as concerned about climate change as they are. That's actually no help in persuading the Anxious; they're already worried about it and convinced it's real. But they're also worried about everything else. Nine in 10 worry "a lot" about increases in fuel prices, and three-quarters think oil prices will rise because of scarcity. Making sure there's enough energy to go around, and at a price that people can afford, are even more important to this group.

The good news is that there's [room for coalition-building](#). People can approach a problem from entirely different perspectives and still end up at the same place. The Anxious are actually strongly supportive of alternative energy, ranging from ethanol to solar, and they strongly favor conservation over exploration. So do the Greens. But the rationales are different -- Greens favor alternative energy because it's clean; the Anxious favor it because they want to stretch the supply.

Someone with a much different approach to governing than Groucho Marx, Lyndon Johnson, once said that if you can't walk into a room and know who's for you and who's against you, you don't belong in politics. Our organization does a lot of citizen engagement, and we've found a slightly tweaked version of that quote very helpful in thinking about it, namely, that you have to address the concerns people bring into the room with them. You can try to tell them not to worry, or to worry about something else, but unless they believe you're addressing what they were worried about in the first place, you're not going to get past it.

Anxiety isn't always bad. It can be a great motivator. At the end of the day, it doesn't really matter so much whether you're worried about climate change or nervous about imported oil, the key point is that this country is way too reliant on fossil fuels, and developing alternatives and ramping up efficiency handily addresses both problems.

Chill Out: An Economic Triage for Global Climate Change (*The Huffington Post*)

[Michael Shermer](#)

Publisher Skeptic magazine

Posted: September 27, 2009 02:27 PM

Are you a global warming skeptic, or are you skeptical of the global warming skeptics? Your answer depends on how you answer these five questions: 1. Is the earth getting warmer? 2. Is the cause of global warming human activity? 3. How much warmer is it going to get? 4. What are the consequences of a warmer climate? 5. How much should we invest in altering the climate? Here are my answers.

Global warming is real and primarily human caused. With questions 3 and 4, however, estimates include error bars that grow wider the further out we run the models because complex systems like climate are notoriously difficult to predict. I provisionally accept the estimate of the United Nations' Intergovernmental Panel on Climate Change (IPCC) that the mean global temperature by 2100 will increase by 4.7 degrees Fahrenheit, and that sea levels will rise by about one foot (about the same as they have risen since 1860). Moderate warming with moderate changes.

Question 4 deserves even more skepticism. In his carefully-reasoned and politically-bipartisan book *Cool It* (Alfred Knopf, 2008), the "skeptical environmentalist" Bjorn Lomborg notes that if global warming continues unchecked through the end of the century there will be 400,000 more heat-related deaths annually; there will also be 1.8 million fewer cold-related deaths, for a net gain of 1.4 million lives. This is not to say that global warming is good, only that its consequences must be weighed in the balance. For example, Lomborg sites data from the World Wildlife Fund that at most we will lose 15 polar bears a year due to global warming, but what doesn't get reported is that 49 bears are shot each year. What would be more cost-effective to save polar bear lives -- spend hundreds of billions of dollars to lower CO2 emissions and (maybe) the mean global temperature, or limit hunting permits?

This leads to question 5 -- the economics of global climate change -- which I think needs a sound dose of skepticism, particularly since the collapse of our economy. Even if all countries had

ratified the Kyoto Protocol and lived up to its standards (which most did not), according to the IPCC, at best it would have postponed the 4.7 degrees Fahrenheit average increase just five years from 2100 to 2105, at a cost of \$180 billion a year! By comparison, although global warming may cause an increase of two million deaths due to hunger annually by 2100, the U.N. estimates that for \$10 billion a year we could save 229 million people from hunger annually today. It's time for economic triage.

Economics is about the efficient allocation of limited resources that have alternative uses. And after the U.S. government allocated a trillion dollars of our limited resources to shore up our flagging financial foundations, those alternative uses have never seemed so pressing. Should we (can we?) really allocate the equivalent of a Manhattan Project to lower CO2 emissions 50 percent by 2050 and 80 percent by 2100, as the IPCC recommends in order to divert disaster? My answer is no. Why? Because the potential benefits for the costs incurred are simply not warranted.

If you had, say, \$50 billion a year to make the world a better place for more people, how would you spend it? In 2004, Lomborg asked this question to a group of scientists and world leaders, including four Nobel laureates. This "Copenhagen Consensus," as it is called, ranked reduction of CO2 emissions 16th out of 17 challenges. The top four were: controlling HIV/AIDS, micronutrients for fighting malnutrition, free trade to attenuate poverty, and battling malaria. A 2006 Copenhagen Consensus of U.N. ambassadors constructed a similar list, with communicable diseases, clean drinking water, and malnutrition at the top, and climate change at the bottom. A late 2008 meeting that included five Nobel Laureates recommended that President-elect Barack Obama allocate his promised \$150 billion in subsidies for new technologies and \$50 billion in foreign aid be allocated for research on malnutrition, immunization, and agricultural technologies. For a cool Kyoto \$180 billion you can buy a lot of condoms, vitamin tablets, and mosquito nets and rescue hundreds of millions of people from disease, starvation, and impoverishment.

If you are skeptical of Lomborg and his branch of environmental skepticism, read the Yale University economist William Nordhaus' technical book *A Question of Balance* (Yale University Press, 2008). Nordhaus computes the costs-benefits of various recommendations for changing the climate by either 2105 or 2205, primarily focused on the cost of curbing carbon emissions. Economists like to compute future profits and losses based on investments made today, adjusting for the value of a future dollar at an average interest rate of four percent. If we spent a trillion dollars today (the equivalent of the recent bailout or the Iraq war), how much climate change would it buy us in a century at four percent interest? Nordhaus's calculations are compared to doing nothing, where a plus value is better and a minus value worse than doing nothing. Kyoto with the U.S. is plus one and without the U.S. zero, for example, and a gradually increasing global carbon tax is a plus three. That is, a \$1 trillion cost today buys us \$3 trillion of benefits in a century. Al Gore's proposals, by contrast, score a minus 21, where \$1 trillion invested today in Gore's plans would net us a loss of \$21 trillion in 2105.

Add to these calculations the numerous other crises we face, such as the housing calamity, the financial meltdown, the coming collapse of social security and medicare, two wars, a failing public education system, etc.

In my opinion we need to chill out on all extremist plans that entail expenses best described as Brobdingnagian, require our intervention into developing countries best portrayed as imperialistic, or involve state controls best portrayed as fascistic. Give green technologies and free markets a chance.

G20 Starts Phasing Out Fossil-Fuel Subsidies--Sort Of (*The New Republic*)

Bradford Plumer

- September 25, 2009 | 1:11 pm

Looks like this week's climate banter wasn't *totally* substance-free. Earlier today, G20 governments [finally agreed](#) to phase out subsidies for fossil fuels, which jack up demand for oil, gas, and coal by artificially lowering prices. The phase-out would happen in the "medium term," with no specific timetables (countries like India want a slow transition so poor people don't get hit with a swift price spike).

Still, it's a decent first step. Based on data from the International Energy Agency, scrapping the subsidies—which in developing countries [totaled](#) \$310 billion in 2007—could help slash CO2 emissions as much as 10 percent by 2050. Plus, Keith Johnson [suggests](#) another possible benefit:

There's one other potential impact from getting rid of such subsidies: It could actually make oil a friendlier, less volatile source of energy. That is, consumption subsidies distort demand; in the Middle East and Asia, demand for oil kept rising even when crude hit \$140, because many consumers didn't pay market prices. Gas in Saudi Arabia, for instance, sold for about 50 cents a gallon when oil was priciest. That demand spike helped cause the price spike.

Removing those subsidies could ease demand precisely where it is growing fastest—Asia and the Middle East. That could also free up more oil for export, as domestic demand falls back down in big oil-producing countries. The net effect of both would be to smooth out the violent price swings that have characterized the oil markets in recent years—and which helped galvanize public attention and appetite for alternative energy.

Those big swings in oil prices aren't necessarily good for clean-energy development, anyway. The pattern we've seen at least so far is that crude gets expensive, everyone gets excited about developing alternatives and weaning ourselves off oil, but then prices get so high that there's a recession and suddenly no one's in the mood to make major changes anymore. Lather, rinse, repeat, etc. Less volatility would probably lead to a greener world, all things considered.

Oh, and what about subsidies in the United States? The Obama administration's taking aim at some \$31.5 billion in tax breaks for oil and gas producers in its next proposed budget—incentives that, as I [noted](#) the other day, still outweigh what renewable industries get. Still, this is relative peanuts in the global scheme of things: Alan Krueger [testified](#) before the Senate last week to reassure everyone that removing these tax breaks would only decrease domestic oil and gas production by about 0.5 percent, even in the long run. But that also means ending U.S. subsidies, by itself, won't have much of an environmental impact, either. The big gains will depend on what other countries do.

Liberal Senators Dodge Tough Climate Votes (*The Heritage Foundation*)

Posted September 25th, 2009 at 3.09pm in [Energy and Environment](#).

At the United Nations, President Obama tried desperately to convince the international community we have entered a “new era,” one in which the United States was serious about tackling global warming. His allies in the U.S. Senate do not appear eager to address the issue, as they used parliamentary procedures to dodge tough climate-related votes on the Interior-Environment Appropriations bill.

Dodge Number One

Senator John Barrasso (R-WY) attempted to offer several climate-related amendments, including one that would have forced the Environmental Protection Agency (EPA) to conduct an investigation into alleged suppression Dr. George Carlin's research. President Obama has been a ferocious critic of the politicizing scientific research “to advance predetermined ideological agendas.” Such an investigation would seem to be a non-partisan, non-ideological issue.

However, Senator Diane Feinstein (D-CA) blocked Barrasso's amendment, claiming her objection “has nothing to do with the distinguished Senator, whom I respect enormously. It does have something to do with putting climate change in this bill.” Putting “climate change” in the bill? The [committee report](#), which she submitted, uses the word “climate” 34 separate times.

Dodge Number Two

Senators Lisa Murkowski (R-AK) attempted to offer [an amendment](#) that would have prevented the unelected bureaucrats at EPA from implementing a de facto cap-and-trade program. Even though Murkowski has expressed concern over global warming, she believes the EPA's approach is “is one of our worst options to regulate carbon dioxide emissions.” She is in not alone in that sentiment. Senator [Joseph Lieberman](#) (I-CT), House Energy and Commerce Chairman [Henry Waxman](#) (D-CA), House Agriculture Chairman [Collin Peterson](#) (D-MN),

Congressman [John Dingell](#) (D-MI), and even EPA Administrator [Lisa Jackson](#) have all expressed similar concern. Again, this would appear to be a non-partisan, non-ideological issue.

However, Senator Byron Dorgan (D-ND) blocker her amendment without explanation. Senator Barbara Boxer (D-CA) was “pleased that the rules of the United States Senate did not allow this very dangerous amendment to be brought before the body.” Dangerous amendment? [EPA regulations](#) could capture more than 1 million buildings – including hospitals, schools and churches – in a complex and costly regulatory web.

Public Outcry Reaches the Senate

The Senate was designed to insulate legislators from the whim and passions of the citizenry. It is quite clear, however, that Senators are responding to the increased public skepticism in government and in global warming science. Senator Thune succinctly described the situation facing the Senate:

“From what I hear about the whole debate on climate change and cap-and-trade legislation that has passed in the House, it won’t be voted on in the Senate this year and the reason it won’t be voted on is because there are a lot of people in this chamber who don’t want to have a vote because they know it is a bad vote for them to make.”

By avoiding tough climate-related votes, the Senate is signaling that global warming is quickly becoming a political third rail.

- Author: [Dan Holler](#)

Ask Pablo: Is Nuclear Power Really "Carbon Neutral?" (*TreeHugger*)

by Pablo Paster, San Francisco  on 09.28.09

Dear Pablo: Too often I hear politicians, lobbyists, and others advocating for nuclear power, but doesn't the processing of the fuel take a huge amount of energy? So how can they call it carbon neutral?

The short answer is that nuclear energy is not "carbon neutral." Wind and solar can also not be said to be entirely without greenhouse gas emissions. But with truly renewable energy sources such as solar and wind we are talking about a one-time "investment" of greenhouse gas emissions when the solar panels or windmills are built. The energy payback period for solar panels is less than two years according to some sources, and even less for wind.

Nuclear energy cannot be considered truly renewable because it relies on a fuel. One that is not only highly processed and refined, but also one that is not replenished by incoming solar energy or biological processes, like wind, solar, tidal, and biomass are.

Where Do Greenhouse Gas Emissions Come From In the Nuclear Power Lifecycle?

Construction

Greenhouse gas emissions in the nuclear power lifecycle begin with the construction of the nuclear power plant. Containment domes and redundant systems make the environmental impact of building a nuclear power plant much bigger than a conventional power plant. But because nuclear power plants have a significantly higher electricity output, the impact per kWh is lessened, but still significant at 2.22 tons of greenhouse gas emissions per gigawatt-hour (GWh), compared to 0.95 tons per GWh for combined-cycle natural gas.

Milling, Mining, and Enrichment

Nuclear fuel, Uranium 235 or Plutonium 239, begin as ore in a giant pit mine (75%) or an underground mine (25%). The ore has a uranium concentration around 1.5%, which needs to be further refined. Processing that includes crushing, leaching, and acid baths produces a more concentrated U_3O_8 called yellowcake. The U_3O_8 is processed into UO_3 , and then into UO_2 , which is manufactured into fuel rods for nuclear power plants. From mine to power plant, the greenhouse gas emissions can add up to another 0.683 tons of greenhouse gas emissions for every GWh.

Heavy Water Production

An important component of many types of nuclear power plants is heavy water, which is a water with a higher than normal concentration of Deuterium Monoxide D_2O , which is just like water in which the Hydrogen atom has been replaced by a Deuterium atom. I was surprised to learn that the production of this heavy water is actually one of the biggest contributors to the greenhouse gas emissions in the nuclear energy lifecycle. In fact it can result in up to 9.64 tons of greenhouse gas emissions per GWh.

So, What is the "Carbon Footprint" of nuclear power?

According to my sources the entire lifecycle emissions of nuclear power are as high as 15.42 tons per GWh. But how does that compare to other electricity sources? A typical nuclear power plant is around 1 GW. Assuming 100% uptime (nuclear power plants do go offline for maintenance), a 1 GW power plant, running 8760 hours per year, will produce 8760 gigawatt-hours, or 8.76 billion kilowatt-hours per year. The average US household uses 11,232 kWh per year, so the average nuclear power plant services 780,000 households. Now, 15.42 tons per GWh translates into 154.2 kg per megawatt-hour (MWh). For comparison, California's mixture of electricity sources, including nuclear, creates 328.4 kg of CO_2 per MWh and Kansas tops out the nation at 889.5 kg per MWh. The lifecycle emissions of wind power are around 10 kg per MWh.

Sure, nuclear power has lower greenhouse gas emissions than any combustion-based fuel source but it still has many other problems. We all know about the dangers of nuclear accidents and the issues around nuclear waste. If politicians were technology agnostic, removed subsidies for the coal and nuclear industry, and set a price on carbon with a national cap and trade system, there would be no debate. The free market would choose the path to the most cost effective and cleanest sources of energy which would include wind, solar, small-scale hydro, geothermal, energy efficiency, tidal, and certainly not nuclear or "clean coal."

Get Ready: Senate Climate Bill To Drop This Week (*TreeHugger*)

by Daniel Kessler, San Francisco, California on 09.26.09

After much speculation and a summer spent debating health insurance reform, the Senate is finally ready to begin work on its climate bill. On Wednesday, Senate Democrats will release draft legislation to cut greenhouse gas emissions, picking up on the work completed by the House earlier this year. The bill will be co-authored by Sens. John Kerry and Barbara Boxer.

Rumors say the bill will match the House version of the bill, which narrowly passed this summer with a vote count of 219-213. The House bill called for a 17 percent cut in carbon emissions below 2005 levels by 2020, and about an 80 percent reduction by 2050.

Those targets are well below what the best science says is needed. The IPCC maintains that industrialized nations must cut their carbon output by at least 40 percent by 2020, relative to 1990 levels. Additionally, the bill is compromised by up to 2 billion tons of offsets made available every year to polluters, meaning they can do business as usual while sending jobs and investment overseas.

The House bill gives away about 85 percent of the carbon permits to polluters and then decreases that amount over time.

Senate Majority Leader Harry Reid has said he wants the bill to be voted on this year, but that it may have to wait until 2010. He also wants to combine the bill with a energy package that got through the Senate Energy and Natural Resources Committee earlier this year.

A United Nations report released Thursday said that warming is far worse than previously expected. New models show a global temperature increase of up to 6 degrees Fahrenheit, which would leave the Arctic ice free in the summer and cause massive sea level rise.

Climate protesters hit the streets in Pittsburgh during G20 meeting (*Grist*)

Posted 3:29 PM on 25 Sep 2009
by [Emily Gertz](#)

Young activists from the [Avaaz Action Factory](#) joined the mass “People’s March” into downtown Pittsburgh on Friday afternoon, not far from the site of the G20 Summit, after holding their own climate-focused march in the morning. Their [Twitter-friendly](#) slogan is “G20 Climate FAIL,” criticizing what they say has been a lack of action toward a global climate treaty. In particular, they believe President Obama is failing to show leadership on setting firm timelines and targets for cutting greenhouse-gas emissions.

Still, the Avaazians remain hopeful that a significant agreement will emerge from December’s international climate treaty negotiations in Copenhagen, and seemed happy to be part of the scene.

G20 needs to advance the global agenda on climate change (*Grist*)

Posted 11:42 AM on 25 Sep 2009
by [John Podesta](#), [Rajendra Pachauri](#)

Cross-posted from the [Center for American Progress](#).

The world’s leading economic powers remain inactive in preventing an increase in the serious impacts of climate change.

While current impacts of climate change may not have reached alarming proportions, according to the Intergovernmental Panel on Climate Change that will happen soon enough if we do not take early action. What is causing increasing concern, as the December U.N. climate summit in Copenhagen draws ever nearer, is the continuing deadlock in political action to deal with this challenge.

There is clear consensus among those arriving in Pittsburgh this week for the G20 that climate change is our most pressing global problem. The leaders of 16 of these countries signed a

declaration last July after the G-8 meeting in Italy acknowledging that temperatures should not be allowed to exceed 2 degrees Celsius and that, as a consequence, global emissions must be reduced 50 percent by 2050. But the IPCC had clearly concluded that to ensure this limit, global emissions would have to peak no later than 2015, a finding that both the G-8 and the G-20 failed to highlight. Nor do the negotiations leading up to Copenhagen reflect this imperative.

The interim U.N. meetings over the summer leading up to Copenhagen have not gone well. Still unresolved are fundamental differences between developed countries about whether the Kyoto Protocol should be continued or be abandoned altogether for an entirely new treaty. The document under discussion at the U.N. is some 200 pages of contradictory provisions from a variety of submissions from different countries. Practically every sentence contains bracketed language still needing debate and revision. The prospect of shaping this up into a coherent document by December, with only two more interim meetings to go, appears grim.

The greatest divide that remains, however, is between developed and developing countries. In the massive voting blocks that still dominate this process among 192 countries it appears that developed countries and developing countries are at an impasse. While it is true that developed countries carry the burden of historical responsibility, and must prove to be the first movers in mitigation, developing countries will become bigger emitters in the future; this intractable dynamic is proving unconstructive.

There is much at stake here. If leaders say they want to cooperate internationally, and then fail to do so, the whole credibility of action on climate change will be damaged in the minds of the public, which may retreat to defeatist pessimism or cynicism.

How can this be avoided? In our view, a way has to be found to nudge the whole debate onto a more positive track, where the discussions among the leadership of countries is focused on how collaboration can deliver a step change in the use of low-carbon technology and create jobs and new economic growth along the way.

The countries meeting in Pittsburgh represent more than 80 percent of global emissions; they must act together, in keeping with the principles of the U.N. Framework Convention on Climate Change. We suggest they emerge from their talks having agreed to what we might call a Pittsburgh Protocol: an informal agreement containing two elements.

The first part of the Pittsburgh Protocol would reaffirm a collective will to find solutions to the political divisions through negotiations under the United Nations. Coming from this group it would signal that meetings among smaller sets of countries can advance the U.N. agenda in a less adversarial manner.

The second part would focus on a series of mini-agreements that could be reached at or before Copenhagen and that could be sketched out in Pittsburgh. These should include more specific measures to cooperate on immediately available low-carbon technologies, collaboration on pilot projects to capture and store carbon emissions, new financing arrangements to help developing countries meet energy-efficiency goals and immediate support to slow down deforestation.

A high level group of finance ministers from among the G20 countries has already drafted three papers on the creation of new finance mechanisms to help pay for a global transition to a clean energy economy in advance of the Pittsburgh summit. These proposals must be advanced so that we can assess the amount of money that could be generated.

A new study from the Global Climate Network of think tanks, to which we belong, argues that development of climate change policies and low-carbon technologies promises to create a generation of new jobs. But this will only come to pass if governments are bold in their approaches to creating new markets.

The G20 is a good opportunity for leadership countries to pull in the same direction on creating a green economy. More importantly, given the short road to Copenhagen, it is now a critical opportunity. Let's not waste this chance.

HAZARDOUS WASTES

Coal's Ash Is on the Line (*The Huffington Post*)

[Bruce Nilles](#)

Bruce Nilles is the director of Sierra Club's Beyond Coal Campaign

Posted: September 25, 2009 04:25 PM

This post was co-written by Lyndsay Moseley, Washington Representative for the Sierra Club's Beyond Coal Campaign.

For those who remember the tragic [TVA coal ash spill of December 2008](#) and wonder if such a disaster could happen in your town, there have been lots of important recent developments. The Environmental Protection Agency (EPA) has started inspecting hazardous coal ash impoundments around the U.S., rating them based on how likely are they to fail and cause massive disasters like the spill at TVA's Kingston, TN, plant last December.

In keeping with President Obama's goal of promoting transparency, [the EPA has also begun posting their findings online](#) -- more than 43 inspections at 22 facilities have already been

posted. And how many of those 43 impoundments ranked "satisfactory"? Just over half of them -- the rest were rated "fair" or "poor," which means they have some work to do. This is scary news, considering that these dams are holding back billions of gallons of toxic waste left over from burning coal to generate electricity.

As the EPA continues to inspect more coal ash impoundments, we are anxiously awaiting the EPA's draft rules, which have been in the works for over a decade and -- amazingly enough -- would be the first federal regulations ever put in place to ensure utilities are disposing of this hazardous waste safely. We expect that EPA will not only address the safety of the dams, but also how to treat the highly toxic waste material that is held back behind the dams. Coal ash contains arsenic, selenium, lead, mercury, cadmium, chromium, boron, thallium, and aluminum - - toxic heavy metals that have been linked to cancer, birth defects, and neurological disorders, and which clearly threaten nearby communities and ecosystems.

There are some who would have the EPA classify coal ash within the same category as household garbage. Call us crazy, but a substance that threatens to increase risks of cancer and other diseases doesn't really sound like regular household trash.

And what's more, when coal ash comes into contact with water, these hazardous materials leach out of the waste and contaminate groundwater and surface water. Coal ash is exactly as we described it, a hazardous material. And nearly a hundred million tons of toxic coal ash and related coal combustion wastes pile up in unlined ponds and pits across the United States every year -- the second largest solid waste stream in the nation, after municipal garbage.

Of course, we are pleased to learn from recent news reports that EPA's lawyers agree that coal ash must be regulated under the hazardous waste classification, because it's the only classification that establishes one consistent federal standard, prevents states from adopting weaker standards, and allows EPA to inspect sites and enforce these safeguards.

In order to meet Administrator Lisa Jackson's stated goal of proposing regulations for coal ash by the end of 2009, EPA Office of Resource Conservation and Recovery will likely send draft rules to the White House Office of Management and Budget in the next few weeks. OMB has up to 90 days to complete their review before the draft rule is published in the federal register and the public comment begins.

We must remain vigilant, but we are pleased to see EPA finally taking the critical steps needed to protect communities and watersheds across the nation from the hazards posed by coal ash.

Read more at: http://www.huffingtonpost.com/bruce-nilles/coals-ash-is-on-the-line_b_300346.html

PESTICIDES

North Face Environmental FAIL: Disease-Preventing Footwear Claims Retracted (*TreeHugger*)

by John Laumer, Philadelphia on 09.26.09

If a manufacturer claims that a consumer product suppresses bacterial growth to the benefit of human health, it is, in effect, asserting that there is a pesticidal or "anti-microbial" property. Which tiptoes up to "antibiotic." As a matter of Federal law, firms must not make that claim in the USA, with promotional materials or on packaging, unless the pesticide has been registered for that type of application. The logic is impeccable for this requirement: ignorant product designers have been tempted to put hazardous substances in contact with human skin. Without proper registration, consumers might end up paying a premium for an unsubstantiated foofoo dust claim. Or, there could be unanticipated, adverse environmental consequences after use of the pesticide becomes widespread - poisoning out a sewerage treatment plant, for example. North Face apparently skipped the registration check for a large footwear line before such a claim was made. EPA noticed in a San Francisco shoe outlet!

Via US Environmental Protection Agency [press release](#) (pdf download), which is republished here in full. The complaint was lodged against the parent company, VF Corporation. Note especially the **bold text**, which we added.

SAN FRANCISCO - The U.S. Environmental Protection Agency has filed suit against San Leandro based VF Corporation for the alleged sale and distribution of unregistered pesticides through their retail company, The North Face.

The EPA maintains that The North Face made unsubstantiated public health claims regarding unregistered products, and their ability to control germs and pathogens -- a violation of the Federal Insecticide, Fungicide, and Rodenticide Act. Products **discovered online and evidence found at The North Face retail store in San Francisco** led the Agency to issue a complaint against the VF Corporation.

"The EPA takes very seriously its responsibility to enforce against companies that sell products with unsubstantiated antimicrobial properties," said Katherine Taylor, associate director of the

Communities and Ecosystems Division in EPA's Pacific Southwest region. **"Unverified public health claims can lead people to believe they are protected from disease-causing organisms when, in fact, they may not be."**

At issue were more than 70 styles of footwear that incorporated an AgION silver treated footbed. The company sold the products making unsubstantiated claims that the footwear would prevent disease-causing bacteria. Specifically, The North Face made the following public health claims about the footwear on-line and on product packaging:

- **"AgION antimicrobial silver agent inhibits the growth of disease-causing bacteria"**
- "Prevents bacterial and fungal growth"
- Continuous release of antimicrobial agents

After being contacted by EPA, The North Face stopped making claims that their footwear protects against germs, removed claims from their website, and revised their product packaging.

Products that kill or repel bacteria or germs are considered pesticides, and must be registered with the EPA prior to distribution or sale. The Agency will not register a pesticide until it has been tested to show that it will not pose an unreasonable risk when used according to the directions. Consumers should be careful to look for the EPA registration number printed on product labels, and to follow the directions for proper use.

How product designers define this need for pesticide addition is one of life's continuing mysteries. Last I heard, playing footsie or rubbing boots with the guy next to you on a bus are *not* behind the spread of Swine Flu. What's up with the marketing power behind this idea? Were focus groups asked what new features they wanted in footwear, demanding pesticidal inserts? Or, did some silver-salt peddler tempt the designers?

If you are a hunter you will have noticed the many brands of shoes and clothing said to 'block scent,' implying that the deer or whatever will not notice the stink of manliness from guys spending days afield without shower. (Being careful here not to mention actual brand names because I have not researched the materials or mechanism of said odor "blocking.") I think this claim is pretty funny, though, because it presumes some product designer in China knows what North American deer do and don't smell emanating from petroleum based clothing, which almost all of it is, and because men of my fathers' generation somehow got their buck without such claptrap.

All of which reinforces the notion that Americans are very superstitious with their shopping habits.

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**U. S. Environmental Protection Agency
Blog Round-up**

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CLIMATE CHANGE/GLOBAL WARMING

Compared to China & Brazil, the US is Climate Illiterate, Scientist Says (*TreeHugger*)

by Matthew McDermott, New York, NY on 09.28.09

The following frankness doesn't happen often enough in the international climate change debate: [Reuters](#) reports that the head of the [Potsdam Institute for Climate Impact Research](#), Hans Shellnhuber, told reporters that a large part of the United States is "climate illiterate" and that inaction in Congress threatens to undermine the [COP15](#) talks in December:

It's a deeper problem in the United States, if you look at global polls about what the public knows about climate change, even in Brazil, China you have more people who know the problem, who think that deep cuts in emissions are needed.

The United States is in a sense climate illiterate still. If you look at what people in the Republican party think about this problem it's very unlikely you come up with something.

Shellnhuber went on to call the COP15 talks "the most important meeting in the history of the human species," and "We're simply talking about the very life support system of this planet."

Emission Reductions Well Short of Science Recommendations

Which may sound like hyperbole, but it's not, when you consider that climate scientists say that emission cuts of 25-40% from 1990 levels by 2020 are needed to prevent global temperature rise of more than 2°C -- remember that if we hit 4°C, something that is likely under a business-as-usual scenario, [half of all animal and plant species could go extinct](#) -- and currently industrialized nations have collectively committed to only about 15% reductions, with the US effectively pledging simply to return emissions to 1990 levels by that time.

What we need is more scientists like Shellnhuber being provocative, and more of civil society telling their negotiators and politicians, in the streets, on their doorsteps if need be, that much stronger reductions are needed. It may hurt to make these changes, but the costs of inaction are so far much greater that failure to step up to the science is inexcusable.

The "Lifestyle" Taboo (*The New Republic*)

Bradford Plumer

September 28, 2009 | 5:45 pm

It's not considered the height of political savvy here in the United States to point out that European lifestyles are greener than our own. Don't expect that line in an Obama speech anytime soon. Too many facets of European life—the cramped apartments, the clotheslines for drying laundry—would likely strike suburbanites as inconvenient, burdensome, or even downright primitive. But, that said, Elizabeth Rosenthal's essay on living in Italy and seeing firsthand why per-person CO2 emissions there are only half what ours are was interesting to read:

But even as an American, if you go live in a nice apartment in Rome, as I did a few years back, your carbon footprint effortlessly plummets. It's not that the Italians care more about the environment; I'd say they don't. But the normal Italian poshy apartment in Rome doesn't have a clothes dryer or an air conditioner or microwave or limitless hot water. The heat doesn't turn on each fall until you've spent a couple of chilly weeks living in sweaters. The fridge is tiny. The average car is small. The Fiat 500 gets twice as much gas mileage as any hybrid SUV. And it's not considered suffering. It's living the *dolce vita*.

(Granted, it doesn't hurt that Italy also **generates** more than half its electricity from natural gas, rather than coal.) Rosenthal also looks at a few policies in Switzerland and Germany that have made people hyper-conscious about conserving energy, even though they're probably not any more distressed about the fate of the planet than we are:

In old Zurich, for example, to discourage waste and reduce trash, garbage collection has long been limited to once a week (as opposed to three times a week in much of New York); recyclables like cardboard and plastic are collected once a month in the Swiss city. Since Zurich residents live with their trash for days and weeks at a time, they naturally try to generate less of it—food comes with no packaging, televisions leave naked from the store.

As I nosed around the apartment of a Swiss financial planner, she showed me the closet for trash. A whole week of her life created the same amount as the detritus of one New York takeout Chinese meal.

Likewise, in Germany, I've seen blocks of townhouses that are "passive" houses — homes so efficient they do not need to be heated. And an upscale suburb that had banned cars from its streets; you could own a car, but it had to be kept in a garage at the edge of town where parking

spaces cost over \$30,000 a year, meaning that few people owned cars and those who did rarely used them for small daily tasks like shopping.

Rosenthal wonders whether similar measures could fly in the United States: "I believe most people are pretty adaptable and that some of the necessary shifts in lifestyle are about changing habits, not giving up comfort or convenience." Maybe so, but this sort of talk still tends to be taboo in mainstream U.S. green circles. Josh Patashnik wrote a **terrific piece** for *TNR* last year on Arnold Schwarzenegger's brand of "pain-free environmentalism" in California—it's all just peachy to talk about swapping out coal-fired plants for solar-thermal stations, but ixnay on trying to rein in suburban growth or coax people into smaller homes.

Now, the "pain-free" tack isn't delusional. There've been **plenty of studies** about how we can knock out an enormous chunk of our greenhouse-gas emissions simply by employing smarter energy-efficiency measures—that is, using less energy to keep doing things we've always done. Better insulation for homes. Energy-saving TVs and fridges. Hybrid vehicles. Recycling waste energy from factories and power plants (I have a **print piece** this week on some of the insane inefficiencies in the power sector). Painless measures that don't require anyone to ditch their car in the outskirts of town or sport drenched armpits in the summer or make any wrenching lifestyle changes. But will those changes alone—along with new, low-carbon energy sources, of course—allow us to curb emissions enough to avoid drastic climate change? I'd like to hope so, though it's possible that they won't. So who wants to make *that* argument in public?

Cutting Carbon's Dirt Cheap--If The Whole World's Involved (*The New Republic*)

- *Bradford Plumer*
- September 28, 2009 | 1:40 pm

In *The New York Times* today, James Kanter checks in on Europe's foray into carbon trading. In particular, he hears Jürgen Thumann, the president of BusinessEurope complain that it's been rather costly for Europe to be the *only* entity that's put a hard cap on greenhouse gases so far. If the United States, Australia, Japan, and other nations would only join in on the fun, then cutting carbon emissions would be much, much cheaper for everybody.

Thumann's actually onto something here. Last week, the U.K.-based Climate Group issued a **report** that looked at what would happen if industrialized nations started coordinating their climate-change efforts. More specifically, the Climate Group estimated that, by 2020, carbon

prices in Europe would hover around \$65/ton if the E.U. was still going it alone. But, if both the E.U. and the United States had interlinked cap-and-trade programs, the price would go down to \$28/ton. And if *all* developed countries *and* China somehow hooked up under one big cap-and-trade system, the price of carbon could be as low as \$4/ton. In other words, the cost of reducing carbon would be nearly negligible.

How would this be? Consider how a cap-and-trade program works: You have an overall cap on carbon emissions, but emitters are allowed to trade pollution permits among themselves. A company can either cut its own emissions or else pay another company that can reduce emissions more cheaply to do so. So the market, in essence, seeks out the cheapest, easiest reductions first. Here's an illustration:

Suppose you have two plants, and the first one is able to eliminate one ton of pollutants at a cost of \$10,000. The second plant, perhaps because it uses a different fuel or newer boiler technology, can do the same for only \$4,000. Under command and control, if you required them to remove one ton each, the cost would total \$14,000.

But what if all you mandated was that two tons of pollutants be removed overall (the cap part) and allowed the plants to work out how to do it? Naturally, the first plant would just pay the second plant \$4,000 to remove an extra ton of pollutants from its emissions (the trade part). At first this seems suspect: The first plant is being allowed to merrily pollute away. But you've still removed two tons of pollutants, and since it was done more cheaply—for \$8,000 instead of \$14,000—you can afford to ratchet down the cap. You can require that three tons of pollutants be eliminated overall, and since this still costs only \$12,000, everyone comes out ahead. The public gets cleaner air, and the plants save money.

And the more countries included in a cap, there more "low-cost" opportunities there are to reduce carbon available, which means that the overall price of eliminating a ton of CO₂ goes down. That'd be especially true if China were integrated into a global cap-and-trade program—a lot of China's coal plants are **unbelievably creaky and inefficient**, and it'd be much cheaper to clean them up first than it would be to clean up a more efficient coal plant in, say, Europe. (Eventually, you'd have to address the European plant too, as the overall cap kept racing downward, but there'd be moer time to develop the technology to do so.) An international cap-and-trade regime is much cheaper and more effective than having each country trying to in isolation.

In the Wake of Cap and Trade, We Can Learn Something from Wyoming (*The Heritage Foundation*)

Posted September 28th, 2009 at 11.29am in Energy and Environment.

President Obama’s speech to the UN on climate change last Tuesday points to an interesting and fairly recent shift in the left’s environmentalist philosophy: the definition of “pollution” has changed. Even ten years ago, concerns for pollution centered around problems of smog, litter, and toxins in the air and water. However, such concerns for largely visible pollution have been trumped recently by a concern for invisible pollution which Obama claims is the most dangerous of all: “greenhouse gas pollution” and “carbon pollution.”

While most visitors to the state of Wyoming marvel at miles of sparsely populated natural beauty, rolling mountains, open spaces, and clean air and water, environmentalists do not praise Wyoming but censure the state for its heavy coal development. In fact, Jeremy Nichols of WildEarth Guardians disapprovingly called the state “ground zero for greenhouse emissions.”

Ironically, one of the cleanest and most beautiful states in the union is labeled by environmentalists as the most persistent offender of the environment.

Wyoming produces the most coal in the United States, even though many other states have much greater coal reserves: Montana, for instance, has a lot more coal reserves but Wyoming produces ten times more coal. Wyoming also produces three times more coal than West Virginia - the second highest coal producing state.

Wyoming happens to have one of the healthiest economies in the union, and much of this economic success is due the energy development industry. Although the economy fluctuates with energy markets, Wyoming’s unemployment rates are consistently low; in August it was 5.7% compared to the 9.5% of the country. Wyoming also enjoyed a budget surplus in 2003 and 2005 and it continues to do well, achieving a balanced budget in 2009.

Wyoming may be “ground zero for greenhouse emissions” yet it is a state that has managed to wed clean air and water with a healthy economy. In the wake of onerous cap and trade philosophies, which will severely tax oil and coal production, dramatically raise energy prices, serve a huge blow to the economy, and only cool the earth’s temperature by a fraction of a degree, Wyoming provides us with food for thought on how we can be environmentally clean and economically prosperous.

Katie Brown contributed to this post.

Author: Nick Loris

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ENERGY

Is Obama's Green Jobs Guru In Trouble? (*The New Republic*)

Kate Sheppard

THURSDAY SEPTEMBER 3, 2009 7:24 pm

For months now, various right-wing bloggers and Glenn Beck have been trying to drum up outrage over Van Jones, Obama's green-jobs guru. The feverish accusations to date—that he's a secret communist, say—have been absurd and easily ignored. But all of the sudden Jones may be turning into a political headache for the White House. Yesterday, he **had to apologize** for an old YouTube clip in which he called Republicans "assholes" for thwarting environmental legislation. That alone might be more amusing than inflammatory if it weren't also for the fact that, today, a conservative blog **dredged up** evidence that Jones had signed onto a 9/11 "truther" petition back in 2004.

This is considerably more problematic. The petition had called for "immediate inquiry into evidence that suggests high-level government officials may have deliberately allowed the September 11th attacks to occur" and demanded "an immediate investigation by New York Attorney General Eliot Spitzer, Congressional hearings, media analysis, and the formation of a truly independent citizens-based inquiry." (Other signatories included Ralph Nader, environmentalist and author Paul Hawken, Rainforest Action Network founder Randy Hayes, and John Gray, author of *Men Are From Mars, Women Are From Venus*.)

Naturally, FoxNews was on this story **immediately**, as was Glenn Beck, who, on his show can often be seen **flogging** a *Beautiful Mind*-esque chart showing Jones to be at the center of a supposedly vast crypto-communist conspiracy. True, there's no small irony in the fact that *Beck* of all people is accusing someone else of believing in zany conspiracies, but even so, it's not impossible to think the right could end up winning this particular fight.

If Jones does get pushed out, though, perhaps an even bigger irony here is that he's always been more effective and influential outside the administration. Having followed Jones since he was a relatively unknown advocate for green jobs in the Bay Area, it seems to me that he's actually had less impact over the energy debate from his current post at the Council for Environmental Quality than he has at many other points in his career.

Jones, after all, hit the national scene in 2007 when he **worked with** Nancy Pelosi to get the Green Jobs Act included in the energy bill. He was soon being profiled in *Time*, *The New Yorker*, *O Magazine*. There was a point in 2008 when he was the keynote speaker at nearly every major liberal summit, from Netroots Nation to Take Back America, and seemed to be more skilled at eliciting enthusiasm for climate action than anyone else in the country. Indeed, when Jones joined the administration last March, many environmentalists worried that were losing their most charismatic and visible spokesman.

Those fears have, to some extent, panned out. Jones's most public appearance in the past few months was when he stood up at a White House press conference to ask the gathered reporters to silence their cell phones (he had no further remarks to make). Instead of playing a public role in drumming up support for clean-energy policies—something he was extremely effective at—he's now a relatively low-level bureaucrat struggling to steer stimulus funding toward green-job programs. In all honesty, Glenn Beck may have more to worry about with Jones outside the White House than in it.

Update: It looks like the White House is keeping Jones for now. Here's the statement he issued Thursday night:

In recent days some in the news media have reported on past statements I made before I joined the administration—some of which were made years ago. If I have offended anyone with statements I made in the past, I apologize. As for the petition that was circulated today, I do not agree with this statement and it certainly does not reflect my views now or ever.

My work at the Council on Environmental Quality is entirely focused on one goal: building clean energy incentives which create 21st century jobs that improve energy efficiency and use renewable resources."

Today's Calamity: Energy Efficiency is Good - Except When It's Not (*The Heritage Foundation*)

Author: Nick Loris

Posted September 3rd, 2009 at 2.24pm in Energy and Environment.

Just as renewable energy can be a good thing if the market can provide it at an affordable rate, products designed for greater energy efficiency is a good thing. But not when the government gets in the way. Federal laws dictating how much energy home appliances are allowed to use have frequently harmed consumers, and the Waxman-Markey bill introduces a host of new ones.

Improved energy efficiency is a worthwhile goal, but not when Washington tries to mandate it with arbitrary requirements. Consumers who think the resultant energy-efficient appliances will save them money in the long run may be disappointed. These standards almost always raise the purchase price of appliances, in some cases to the point that the extra upfront costs are never recouped in the form of energy savings. For example, the Department of Energy conceded that its most recent air-conditioner standard would be a money loser for many consumers, but went ahead with it anyway.

Efficiency standards can also adversely affect product performance, features, and reliability. For example, Consumer Reports noted that several high-efficiency clothes washers meeting the latest federal standard “left our-stain soaked swatches nearly as dirty as they were before washing” and suggested that “for best results, you’ll have to spend \$900 or more.”

Some standards also restrict consumer choice. For example, the 2007 energy bill effectively phases out the traditional incandescent light bulb in favor of more efficient compact fluorescent bulbs. Compared to the old-fashioned, but still-popular incandescent lights, compact fluorescent bulbs are more expensive, have a light quality some find inferior, do not fit into certain fixtures, and contain small amounts of mercury, which can be a health and safety concern if the bulbs break. Whether it’s a \$1 light bulb or a \$1000 washing machine, consumers are clearly better off when they have a choice, not when government steps in and decides what is best.

The Waxman-Markey proposal contains a host of new standards for everything from household lamps to portable electric spas. The new legislation makes it easier to place more requirements on appliances like air-conditioners that are already subject to stringent regulations. The overall effect would be higher costs, compromised quality, and restricted choice for homeowners with a negligible impact on the environment.

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CLIMATE CHANGE/GLOBAL WARMING

With Cap and Trade, It Will be Laborless Day (*The Heritage Foundation*)

Posted September 4th, 2009 at 12.23pm in Energy and Environment.

Traditionally, Labor Day symbolizes the end of summer but historically, Labor Day was a “creation of the labor movement and is dedicated to the social and economic achievements of American workers.” A day of rest. A paid holiday. Well, if Congress passes cap and trade legislation, many Americans will be forced to take unpaid days of rest because they’ll be unemployed.

The Heritage Foundation’s Center for Data Analysis found that, for the average year over the 2012-2035 timeline, job losses will be 1.1 million greater than without a cap and trade bill. By 2035, there is a projected 2.5 million fewer jobs below the baseline. Some of these jobs will be destroyed completely. Others will move overseas where carbon capping isn’t in their country’s agenda and therefore the cost of production is cheaper.

We’re not the only ones who project unemployment from cap and trade. The Brookings Institute, for instance, projects that cap-and-trade will increase unemployment by 0.5% in the first decade below the baseline. Using U.S. Census population projection estimates, that’s equivalent to about 1.7 million fewer jobs than without cap-and-trade. A study done by Charles River Associates prepared for the National Black Chamber of Congress projects increases in unemployment by 2.3-2.7 million jobs in each year of the policy through 2030—after accounting for “green job” creation.

Surely the government can create green jobs by subsidizing windmill and solar projects. But we can point to Spain as an example of how green energy investments destroy more jobs than they create. The Spanish research, directed by economist Gabriel Calzada, at King Juan Carlos University, analyzed the subsidized expenditure necessary to create the green jobs in Spain. It compared those funds to the private expenditure needed to support the average conventional job. Supported by other data as well, they conclude that each subsidized green job in Spain eliminated over two conventional jobs.

Two environmentalists from the Alliance for Sustainable Energy (ASE) recently authored a response to undermine this study. David Kreutzer, The Heritage Foundation’s Senior Policy Analyst in Energy Economics and Climate Change, debunks ASE’s claim:

“While there are multiple problems with the ASE critique of Calzada’s work, the flawed foundation of their critique is best illustrated by ASE’s following statement: “Furthermore, there

is no justification given for the assumption that government spending (e.g., tax credits or subsidies) would force out private investment.”

That is, the environmentalists do not see government expenditure as having a cost. They employ the same free-lunch fallacy that underpins essentially all the analysis showing green-energy subsidies increase employment.

The first week of every principles of economics class goes over the problem with free-lunch assumptions. The labor and material used to make windmills or solar panels or to install insulation cannot simultaneously be used to make refrigerators and automobiles. When government spends more money, it necessarily diverts labor, capital and materials from the private sector.

Dr. Calzada simply calculated how many jobs, on average, would have been supported with these resources had they been left to the private market. The ASE critique doesn't even recognize that the costs exist. Therefore, the ASE critique can hardly be used to undermine the credibility of the Spanish conclusion—subsidies for green technologies reduce overall employment.”

Happy Labor Day, and many more to come - for those of you who will still have jobs if cap and trade passes.

To read The Heritage Foundation's full economic analysis of the Waxman-Markey cap and trade legislation, go [here](#). To sign up to receive the Energy & Environment weekly newsletter, go [here](#).

- Author: Nick Loris

ENERGY

"NIMBY Backlash?" Not so much. (*The New Republic*)

Lydia DePillis

September 4, 2009 | 3:19 pm

Writing in today's *Wall Street Journal*, Jeffrey Ball discovers there are people who don't want renewable energy projects going up in their backyards—the "new NIMBYs," he calls them, fueling a "backlash" against solar and wind plants.

But Ball only tells one side of this story. It is true that in some places, people aren't excited about wind turbines on their ridgelines; he even quotes a couple of them. So did *The New York Times*, back in 2006—the people raising a ruckus about these sorts of projects may be NIMBYs, but they're hardly new. And the idea that this constitutes a "backlash" against renewable power is also a wild overstatement. The main drivers behind grumbling over turbine construction, as I reported for Greenwire in 2007, are shoestring operations that cherry-pick studies to scare small communities about the negative effects of wind energy. Yes, for example, turbines do kill a few thousand birds a year—but it's not that many in the grand scheme of things, and there are pretty reliable ways to site turbines away from migratory corridors. (Plus, NASA technology is on the case). Finally, you want to compare the damage from wind and solar plants to the lifecycle effects of coal? Go ahead.

Still, this bit from Ball's piece was interesting:

At a wind-energy conference in Wyoming last month, Gov. Freudenthal, a Democrat, delivered a stern warning to wind-turbine developers, telling them to make sure their projects don't harm a small bird called the sage grouse.

"What I have is an obsession with making sure that the economy of this state continues to function, and it won't if that bird gets listed," according to his office's transcript of his remarks.

Anything that nudges the sage grouse toward the federal government's list of endangered species, he explained, would trigger land-use restrictions that would jeopardize Wyoming's main economic engine: the production of coal, oil and natural gas.

So, go ahead and build your turbines, but just make sure they don't get in the way of drilling!

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CLIMATE CHANGE/GLOBAL WARMING

Sarkozy Floats A Carbon Tax--And Things Get Ugly (*The New Republic*)

Bradford Plumer

- September 8, 2009 | 10:11 pm

Sure it hasn't been any sort of stroll in the park trying to enact climate-change legislation here in the United States. But it's not like we're uniquely stubborn on this front. Keith Johnson tells the sordid tale of what happened when Nicolas Sarkozy proposed a modest—and revenue-neutral—carbon tax in France this summer:

In reality, France's carbon tax is basically just a gasoline tax—and a tiny one at that. The electricity sector, overwhelmingly powered by emissions-free nuclear power, isn't part of the plan, Prime Minister Francois Fillon told *Le Figaro*. The tax will basically fall on liquid fuels—raising pump prices 3 euro cents a liter (that's roughly 15 U.S. cents a gallon).

Environmentalists are dismayed because the modest tax will do next to nothing to change consumption habits. But it is enough to rile up French consumers; public opinion polls over the weekend suggested about 66% of French are opposed to the measure, even though it will theoretically be offset by tax breaks in other areas.

The goings-on in France are worth **checking out** for anyone who thinks a carbon tax might be a more politically palatable method of dealing with global warming than the cap-and-trade approach. As it turns out, the carbon fee has been remarkably easy to demagogue—and this in a left-leaning country that's hardly averse to taxes. Sarkozy's presidential opponent, Segolene Royal, dashed out of the gate early on this, criticizing the proposal as "unjust" and "inefficient"—even though most economists will happily tell you that a straight-up carbon tax is the *most* efficient way to curb emissions. (As an alternative, Royal suggested slapping an excise tax on fossil-fuel companies... sound familiar?)

Meanwhile, halfway across the planet, the new government in Tokyo is going full steam ahead with its ambitious new climate agenda, with plans to cut Japan's greenhouse gases 25 percent below 1990 levels by 2020. But, as Johnson points out, this too could be an uphill slog—the

complaints from business groups have already been deafening, even from companies like Honda and Toyota that are, in theory, actively trying to position themselves for a low-carbon future.

Cap and Trade is About Status – Not the Environment (*The Heritage Foundation*)

Posted September 8th, 2009 at 2.18pm in Energy and Environment.

In economics, signaling to convey information about can come in a variety of forms. You can signal in job interviews by what you reveal on your resume; you can signal to people just by the type of car you drive. In New Zealand, the parliamentary committee is suggesting the country should implement carbon caps to signal to the rest of the world, even if it does nothing to improve the environment, that New Zealand is “doing something.”

The *Wall Street Journal* reports:

To the annals of global warming lunacy, add this gem from New Zealand: According to a parliamentary committee, Kiwis should accept lower standards of living to protect the national image abroad.

The findings of the “Emissions Trading Review Committee” aren’t binding, but they tell much about how deep today’s green religion runs. New Zealand has a nominally conservative government run by Prime Minister John Key. But even Mr. Key won’t consider completely disavowing environmental taxes in the form of cap-and-trade—he just wants to soften them. He ordered a parliamentary committee last year to figure out how.

Their report, issued last week, doesn’t question disputed United Nations climate-change assumptions, nor explain the cost to the average Kiwi of taxing every corner of the economy—especially agriculture, the country’s biggest export. The authors brush aside the fact that New Zealand only emits 0.2% of global emissions, calling it “small,” but “not insignificant.” Thus Wellington should “act now” to reduce emissions “to protect our international reputation, particularly in the areas of trade and tourism.””

What’s worse, New Zealand’s green initiative sent the wrong signals to loggers and did more damage to the environment than its intention to protect it:

As soon as the former Labour government started talking about global-warming initiatives, foresters started chopping down trees to reduce their carbon footprint—and cost of buying emissions permits in the future. Over the past few years, New Zealand has experienced severe deforestation. Economic activity in the sector has plateaued.

Then there is the broader cost to macroeconomic growth, which isn't marginal. The New Zealand Institute of Economic Research, an independent consultancy, estimated last year that the cap-and-trade scheme could cost as much as 3,000 New Zealand dollars (\$2,500) in reduced income annually for the average family. But the truth is that no one really knows what the ultimate impact will be, given that New Zealand, by rendering its industries less competitive, will make it permanently harder for them to compete at home and abroad.”

The Waxman-Markey cap and trade bill in the United States would do much of the same – lower our standard of living, fail to improve the environment, and make little difference to change the global temperature.

- Author: Nick Loris

The Anti-Cap and Trade Revolution Will Be Televised (*The Heritage Foundation*)

Posted September 8th, 2009 at 1.20pm in Energy and Environment.

Climate skeptics – those who do not believe that global warming is a crisis justifying a blank check response – have always had the soundest arguments in this debate. These arguments are getting sounder still as the planetary warming has stalled out for most or all of the past decade, and as new findings cast further doubt on what was once claimed to be “settled science.” And the policy argument that the risks of global warming, however great or small, should be balanced against the risks of costly global warming policy, has likewise been the best way to frame the debate - certainly better than one-sided panicky responses likely to do far more economic harm than environmental good, such as the Waxman-Markey bill.

Yet, outside of written publications, the proponents of this realistic approach to global warming have been overshadowed by the hype and hyperbole of the alarmist crowd, especially things like Al Gore's documentary “An Inconvenient Truth.” This documentary won an Academy Award in 2007. Whopping factual accuracy aside, its apocalyptic message was certainly compelling and watchable for a general audience. In fact, it was the factual inaccuracies that left audiences with a strong misunderstanding of the “realities” of global warming.

But the climate realists are closing the gap, and one recently released and another soon-to-be-released video are well worth a look. Policy Peril: Why Global Policies Are More Dangerous than Global Warming Itself, produced by Marlo Lewis of the Competitive Enterprise Institute, offers a rational approach to the issue, one that sees the consequences of global warming policies as a cure worse than the disease. It can be seen at here.

Also casting doubt on the seriousness of global warming while highlighting the destructive potential of bad global warming policy is the Cascade Policy Institute's Climate Chains, a trailer for which is available here. As we move to a potential Senate debate on a cap and trade bill, both of these videos should help educate a public that has not seen nearly enough of this rational approach to global warming policy.

- Author: Ben Lieberman

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CLIMATE CHANGE/GLOBAL WARMING

China Will Cap Emissions Intensity: Your Move, U.S. (*Treehugger*)

by Alex Pasternack, New York, NY on 09.22.09

With the world watching, China's president Hu Jintao offered his country's biggest climate change initiative yet at the UN this morning, saying China would establish emissions intensity targets --not absolute targets, but cuts in emissions per unit of GDP.

Amidst a testy US-China climate dance, the targets represent a peace branch and a signal to other developing countries. They could achieve emissions reductions that are "measurable, reportable, and verifiable" -- a Copenhagen goal -- and could establish a framework for future emissions caps. But the carbon *efficiency* pledge lacks numbers, is not mandatory, and, while it would cut carbon output per GDP by a "notable margin" by 2020 compared to 2005 levels, it is not likely to cut China's overall emissions.

The China-U.S. carbon-cut dance continues. Now it's up to the U.S. to take the lead.

There's plenty of room for China to be more carbon-efficient: China's growth in carbon emissions in 2005 grew twice as much as those of the United States. China has already made strides in carbon intensity cuts since 2005.

Hu made three other pledges, without giving numbers. China will massively increase the size of its forests, boost nuclear or non-fossil fuels to 15 percent of power by 2020 and work to develop a green economy.

The adoption of carbon intensity targets -- issued by the president no less -- could lead to cultural shifts in China, and bolster plans for a carbon trading system or a carbon tax.

"People in China will finally start saying 'what is a carbon economy?'," Yang Fuqiang, director of global climate solutions at the WWF Beijing office, told the Guardian.

China: Developed Countries First

Acknowledging that climate change "is an environmental issue but also, and more importantly, a development issue," Hu stressed that the "vast number" of developing nations were affected.

He also reiterated China's position on "common but differentiated responsibilities," the premise that developed countries should take the lead on fighting climate change and offer assistance to countries like China and India, which must focus on building greater wealth for their people.

But the reasoning often given by Chinese officials -- that citizens of developing nations have lower carbon emissions than those of Americans, for instance -- must contend with the fact that China is quickly breaking away from the U.S. as the world leader in CO2 output. And in some parts of China, emissions per capita are already estimated to exceed those of parts of Europe.

Still, China has previously indicated that substantial pledges on its part would depend on the U.S.'s own pledges. The result is a climate catch-22: both countries want the other to make cuts, but neither is yet willing to go first.

While targets for energy intensity and renewables are promising (China has also set a provisional goal of 20 percent renewable energy by 2020), and could eventually lead to absolute cuts, net emissions are still on path to grow. Consumer demand and electrical capacity is set to double by 2020. And it's unlikely that coal, which provides 80% of China's energy, will be disappearing anytime soon.

In other words, even China's slower growth in CO2 threatens to cancel out advances made elsewhere.

The Copenhagen Groundwork is Laid: U.S.'s Turn

Despite what that might mean for the prospects of a U.S. climate bill, the U.S. and China are already engaged in climate partnerships, driven as much by economic interest in the burgeoning clean technologies sector (see our post on yesterday's China-US discussion) as by political will.

While China and the U.S. are sounding tougher than ever on carbon emissions, climate talks between the two countries will need to move at more than a glacial pace in the next two months.

China's half-step today is as strong as could have been expected (On Hu's speech, Al Gore sees the glass "very much half-full.") To keep a Copenhagen deal from melting and inspire other climate cooperation around the world, it will be up to Obama to be even bolder.

The Security Implications of Climate Change (*Huffington Post*)

Justin Mundy

Senior Director of Prince's Rainforest Project

Posted: September 22, 2009 01:04 PM

Today, the United Nations Secretary General, Ban Ki-moon, will chair a meeting on Climate Change. He does so because he hopes that such a gathering of Heads of Government will galvanise the chances of agreement being reached in December in Copenhagen at COP15.

It seems that he is aware, as are many others, that the threat of climate change is very real and that, as scientists now believe we have less than ninety five months left to avert the risk of its catastrophic consequences, we need to act and act very fast.

What perhaps is less understood is that COP15 is not only about providing a solution to climate change, it is also, in a very real sense, a meeting the deliberations of which will have substantial security, economic and trade implications. This is because climate change may provide the trigger to send the planet's severely undermined ecosystems into a state of terminal decline. Many people forget that the planet is in pretty poor shape even without potentially increasing the temperature by 4 degrees Celsius by the end of the century.

For unfortunately, we are, more or less, consuming the planet.

In the last fifty years we have managed to erode a third of the world's farmable soil and despite ever increasing amounts of fertiliser, productivity per acre is reducing at a time when the demand for food is growing exponentially.

This is not helped by the fact that fresh water is becoming scarcer and many of the world's major rivers -- the Rio Grande, the Colorado, the Indus, Nile and the Murray Darling -- struggle to reach the sea. Currently, more than 80 countries (40 percent of the world's population) suffer from severe water shortages and the water from the Tibetan plateau, which goes to eleven countries (50% of the world's population) is already being contested by several countries -- nothing of course to what will happen in 2030, which is when the Tibetan Ice Shield will have melted.

The sea doesn't offer much comfort either, as over 75 percent of the world's major fisheries are over exploited and it is estimated that global fisheries risk complete collapse by 2050. On top of this, as Homo sapiens has now accelerated by 100 times (for some species 1,000 times) the natural extinction rate, we are entering what some scientists call the 'sixth great extinction event'. (The fifth was the disappearance of the dinosaurs sixty five million year's ago).

Not good, and one can see why in these circumstances, even the modest impacts of climate change can be described by the retired Admirals and Generals, authors of the Centre for Naval Analysis's report on National Security and Climate Change 'as a threat multiplier for instability and presents significant national security challenges for the United States'.

And all of this before the really worrying problem is taken into account.

We have in the last fifty years managed to reduce the world's rainforests by a third and continue to do so at the rate of a Central Park every thirty minutes. And, as the trees fall, we irretrievably lose species of plants and animals that may well prove essential to our survival. Hugging the equator, these rainforests are literally the planet's lifebelt. The Amazonian forests alone release twenty billion tonnes of water vapor into the air each day. This keeps the climate cool and makes rain that falls over vast areas of farmland. The trees also store colossal amounts of carbon, so their destruction releases yet more CO₂ into the atmosphere -- more than the entire global transport sector. So we depend upon them for our water, our food and the stability of our climate. For as the Prince's [Rainforest Project](#) has been explaining, they are not being cut down by 'bad people', but rather by individuals, communities and companies who are responding perfectly rationally to a price signal that we are sending as we buy soya, beef, palm oil and timber. We have to make the forests worth more alive than dead.

These threatened ecosystems are a central element in the Earth's life-support system and yet we ignore the fact that without them we cannot survive.

There is no solution to the problem of climate change without first finding a solution to the destruction of the world's tropical forests and upon that rest our hopes for a secure future.

For herein lies the rub. Climate security, energy security, food security and water security are now all inextricably linked. There is no long term and stable security outcome that is viable unless all four challenges are met, understood and resolved. There is no economic resilience unless underpinned by ecosystem resilience. We are living in an age where the idea of the Nation State is changing, where the threat of failed states with access to very serious military hardware is no idle threat and where globalization can often be the strange handmaiden to a desperate fundamentalism born out of profound economic marginalization. In our interconnected world, there is no 'them' and 'us', only the singularity of 'us'. As the American biologist E.O. Wilson once said, 'It is not true that only one end of a boat can sink.'

One might be justified in wondering if we are all taking this quite as seriously as we might. The Paris Peace Conference, responding to the need to find a road map for a world torn apart during the First World War, lasted one year; the Congress of Vienna, in 1815, doing much the same for Europe after the Napoleonic Wars, lasted seven months. COP15, charged with creating an adequate response to dealing with the most profound threat in the last sixty five million years, will last two weeks.

The UN Secretary General is to be congratulated for organizing today's important meeting. One can but hope that it will meet with success.

Climate: good news at last (*New Scientist*)

Nic Fleming, contributor

September 22, 2009 3:10 PM

Those depressed by the seemingly relentless combination of economic and environmental gloom in recent months have something to be cheerful about.

In the first major study of the effect of the recession on climate change, the [International Energy Agency](#) (IEA), which advises its 28 member countries on policy, is predicting a drop in carbon dioxide emissions of around 2.6 per cent in 2009 - the largest in 40 years.

The [Financial Times](#) reported yesterday that the fall in production of the most abundant human-made greenhouse gas was largely down to declining industrial output, and other economic factors such as the shelving of plans for new coal-fired power stations.

The news comes as about 100 world leaders meet at United Nations headquarters in New York today for a [one-day summit](#). The unprecedented gathering - the highest-level meeting on climate change ever held - is an effort to invigorate negotiations in the run-up to the UN climate conference in Copenhagen, Denmark, in December, when nations will be asked to agree on a new deal to tackle climate change.

So far, international negotiations have been slowed by national interests. Efforts to break the deadlock could be given added momentum by the IEA's estimate that a quarter of the emissions reduction expected to be achieved this year will be as a result of government action.

According to an excerpt of the IEA's annual [World Energy Outlook](#), due to be published on 6 October, Europe's target of cutting emissions by 20 per cent by 2020, US car emission standards and China's energy-efficiency policies have had the greatest effect.

[Speaking to Reuters](#), Fatih Birol, the agency's chief economist, said: "This fall in emissions and in investment in fossil fuels will only have meaning with agreement in Copenhagen which provides a low-carbon signal to investors."

Meanwhile [The Guardian reported](#) that the aviation industry will pledge to halve CO₂ emissions by 2050 in an announcement to be unveiled to the world leaders meeting in New York today.

Why The 'Post' Is Dead Wrong About Carbon Regulation (*The New Republic*)

Michael A. Livermore

September 22, 2009 | 12:00 pm

Michael A. Livermore is the executive director of the Institute for Policy Integrity at New York University School of Law. He is the author, along with Richard L. Revesz, of [Retaking Rationality: How Cost-Benefit Analysis Can Better Protect the Environment and Our Health](#).

The Washington Post ran an interesting [editorial](#) yesterday on regulating carbon—interesting, but ultimately wrong. The *Post* is correct that putting a price on carbon is the surest way to reduce greenhouse-gas emissions, and that it would be preferable for Congress to do this through legislation. But the editorial was wrong to say the EPA could not efficiently regulate carbon on its own. In fact, if Congress can't pass a climate bill this year, this is exactly what the Obama administration should do.

Thanks to a 2007 Supreme Court [decision](#), the EPA is legally obligated to regulate greenhouse gases under the Clean Air Act. There are a number of ways it could do this. In one scenario, the EPA would try a variety of command-and-control rules that would have high costs and low benefits—the kinds of regulations businesses hate, such as overly prescriptive requirements to adopt specific technologies. What's more, since it's almost certain Congress would take a different approach when it got around to passing its own climate bill, this would create unnecessary transition costs for businesses that have to comply first with one set of rules, then another.

But that scenario can be easily avoided. In a [report](#) we issued last spring, the Institute for Policy Integrity showed how the EPA's existing authority under the Clean Air Act could be used to create a comprehensive cap-and-trade program for greenhouse gases. This would involve relying on statutory sections covering vehicle fuels, stratospheric pollution, air quality standards, and performance standards. The EPA's cap-and-trade would work pretty similar to the one that Congress set up—setting an overall ceiling for annual emissions and requiring emitters to pay for allowances. That means that when Congress does finally create its own cap-and-trade program, the two systems could be easily integrated.

What's more, the EPA wouldn't be subject to the same lobbying blitz currently influencing the climate debate in Congress. The agency wouldn't have to give away free allowances to politically powerful polluters the way the House bill did, and it could fashion a fairer system in which, for example, carbon permits were auctioned off rather than divvied up according to some political formula. (The EPA could also impose a stronger cap than that in the House bill.) And, under existing authority, the president could use EPA action as a basis for international agreement.

Some observers have worried that the EPA won't be able to pursue this route because courts have struck down agency-mandated cap-and-trade systems for other pollutants. But the courts haven't always struck down EPA emissions trading programs—such as the trading program for nitrogen oxides—and when they have disqualified programs, it was either because agencies failed to follow proper procedure (as was the case with a Bush-era [mercury rule](#) that eased requirements on power plants) or because specific statutory goals were not followed (as was the case in the Clean Air Interstate Rule, which [wouldn't have](#) necessarily reduced all interstate pollution). If

Obama's EPA treads carefully, it should be able to get a carbon cap-and-trade program past any legal challenges.

Of course, smart action by Congress is always preferable to regulation. A climate-change bill wouldn't be subject to the same flurry of legal challenges, and it couldn't be undone by future administrations the way unilateral EPA rules could be. What's more, in some ways, an EPA-designed cap-and-trade bill could be more cumbersome than the one Congress enacts, because it would have to be tailored to existing regulatory authority. For example, Jason Burnett [has argued](#) that the EPA might have to use the performance-standards portions of the Clean Air Act, which would involve setting overall goals and working with states to meet those targets.

Still, with climate change proceeding apace, a climate bill stalling in the Senate, and international negotiators nervously looking to Washington in the run-up to the Copenhagen talks this December, there aren't many options left. And, given that the EPA is legally bound to do something, a cap-and-trade program would be a welcome alternative to inefficient command-and-control rules. It may not be the perfect climate-change-fighting tool, but the Clean Air Act gives the EPA a pretty good place to start if Congress falls short.

(Flickr photo credit: [neoyogyrt](#))

The Futility of Cap and Trade (*The Heritage Foundation*)

Posted September 23rd, 2009 at 9.27am in [Energy and Environment](#).

Yesterday, United Nations Secretary General Ban Ki-moon hosted a climate summit in New York designed to improve the chances that the December [U.N. Copenhagen Climate Conference](#) would produce a substantive treaty that would cap and cut carbon emissions. The Copenhagen agreement would replace [the Kyoto Protocol that was rejected by the United States Senate 95 - 0](#). But as the [Washington Post](#) reports, even President Barack Obama's star power failed to move nations towards meaningful carbon reductions:

Initially, many climate activists had hoped this year would yield a pact in which nations would agree to cut their greenhouse gas emissions under the auspices of a legal international treaty. But recent announcements by China, Japan and other nations point to a different outcome of U.N. climate talks that will be held in December in Copenhagen: a political deal that would establish global federalism on climate policy, with each nation pledging to take steps domestically.

But climate "federalism" would be pointless. It is called "global" warming for a reason. Just ask Environmental Protection Agency Administrator Lisa Jackson who [admitted](#) to the Senate this July that "U.S. action alone will not impact CO2 levels." This is 100% consistent with all the best science which shows that the carbon reductions under the Waxman-Markey cap and trade

bill will not affect global temperatures in any material way. For example a recent [study](#) of cap-and-trade by MIT concluded:

The different U.S. policies have relatively small effects on the CO2 concentration if other regions do not follow the U.S. lead...The Developed Only scenario cuts only about 0.5 °C of the warming from the reference, again illustrating the importance of developing country participation.

Yesterday [China tried to upstage Obama](#) by selling their plan to “tackle this challenge” including promises improve the energy intensity and ... plant more trees. But as University of Colorado professor of environmental studies Roger Pielke points out, China’s [energy intensity claims](#) simply defy reason:

China’s energy intensity in 2008 is about the same as it was in 2001. Any claim that China’s energy intensity has improved by 20% over the past five years is incorrect. ... energy intensity has improved by only about 7.4% since 2005, meaning that it has a long way to go to reach a 20% target by 2010. Can it happen? Sure. But to say that China is “well on its way” does not square with the data. It would be “ironic” indeed if China has figured out how to grow its economy at 9% per year while increasing energy use by only 3% and decarbonizing its economy at an even lower amount. If this were true, then China would have discovered the holy grail of emissions reductions and we can all forget about the challenges of climate policy.

Economic growth is China’s number one priority, not global temperatures, which as the [New York Times](#) points out “have been relatively stable for a decade and may even drop in the next few years.” China isn’t the only one focused on providing jobs instead of appealing to the sensibilities of the enviro-left. The World Bank is spending billions to help poor countries build coal power plants. Marianne Fay, the bank’s chief economist for sustainable development, told [The Times](#): “There are a lot of poor countries which have coal reserves and for them it’s the only option. The [bank’s] policy is to continue funding coal to the extent that there is no alternative and to push for the most efficient coal plants possible. Frankly, it would be immoral at this stage to say, ‘We want to have clean hands, therefore we are not going to touch coal’.”

Forcing people to sacrifice their jobs and economic opportunity to lower [temperatures that are not rising](#) is immoral. But that is exactly what the [cap and trade legislation](#) in Congress would do.

Quick Hits:

- Congressional Budget Office Director Douglas Elmendorf [directly contradicted President Barack Obama](#) yesterday, telling senators that Obama’s planned Medicare Advantage cuts would cause reduced benefits for seniors.
- According to a [new NBC News poll](#), more Americans think “Barack Obama’s health care plan” is a “bad idea” (41%) than think it’s a “good idea” (39%), and only 20% believe it will improve the quality of their care while 36% believe Obamacare will make their health care worse.

- The fast-rising cost of drugs and medical care is raising questions on [how long France can afford their health care](#) system.
- Following revelations that [Obama administration officials used the National Endowment of the Arts to promote his policy agenda](#), Senate Republicans on the Health, Education, Labor and Pensions (HELP) Committee are [beginning an investigation](#).
- Federal investigators are probing whether a local union president at a Pennsylvania U.S. Energy Department laboratory [improperly helped President Barack Obama's 2008 campaign on government time](#) by using government facilities.
- Author: [Conn Carroll](#)

Panel of Experts See No Economic Stimulus from Cap and Trade (*The Heritage Foundation*)

Posted September 23rd, 2009 at 9.42am in [Energy and Environment](#).

The Heritage Foundation [recently hosted an event](#) on the economic impacts of cap and trade. Multiple organizations have modeled the effects of cap and trade and found varied results but none of them provided the news you'd want to hear, especially in a recession. Despite repeated attempts to sell cap and trade as a jobs bill, not one scenario of even one presenter (including the three government agencies) projected a net increase in income or employment from cap and trade. The entire debate was over the magnitude of income, consumption and job *losses*.

Speakers included representatives from the National Black Chamber of Commerce, The Brookings Institution, the Energy Information Administration, the Congressional Budget Office, the Environmental Protection Agency, and The Heritage Foundation. The Congressional Research Service's recently analyzed seven studies on the projected cost (including the National Association for Manufacturers' study and the Massachusetts Institute for Technology's study). None of the studies projected jobs or income growth from cap and trade. While these studies differed, they only differed on the magnitude of negative impacts. There was no disagreement on the sign. That is, cap and trade will lead to fewer jobs and lower income.

The disparity in the cost estimates was largely a result of differing assumptions on the use of offsets as well as the commercialization of carbon capture and sequestration and increases in the amount of nuclear energy. But two things are clear: This is not a jobs bill. This is not an economic stimulus.

Regardless of the cost estimates and regardless of whether global warming is a significant problem, the studies all agree that cap and trade will not stimulate the economy. So maybe the trade off is lost jobs and lost income for a cooler planet?

Climatologist Chip Knappenberger [projected](#) that the Waxman-Markey cap-and-trade legislation would moderate temperatures by only five hundredths of a degree in 2050 and no more than two-tenths of a degree Celsius at the end of the century.

More on the costs of cap and trade can be found [here](#). You can watch yesterday's event, and find the presentations of the presenters, [here](#).

- Author: [Nick Loris](#)

Today's Calamity: Carbon Offsets Do Not Offset the Economic Pain of Cap and Trade (*The Heritage Foundation*)

Posted September 22nd, 2009 at 2:57pm in [Energy and Environment](#).

“There's a point at which you've got to ask yourself, what are we doing here? What's the point?”

[That's](#) Elaine Kamarck, a former Clinton administration official and advisor to then-Vice President Gore, and she's talking about the Waxman-Markey cap and trade bill. In order to garner enough votes to pass the House of Representatives, policymakers made promises that have groups [like Greenpeace](#) questioning the environmental effectiveness of the bill.

One of the most contentious provisions in the bill is the use of carbon offsets to reduce carbon dioxide emissions. Offsets allow carbon-emitting businesses to pay others to reduce their greenhouse gas emissions.

Bob Barr, a columnist for the *Atlanta Journal-Constitution*, [explains](#): “A manufacturing plant in, say, Gary, Ind., that is exceeding its ‘permitted’ expulsion of CO₂, could continue to commit this sin against humanity by paying for a Brazilian farmer to plant some trees in the rain forest. A more patriotic company might achieve the same result by paying an Iowa farmer to implement more ‘Earth-friendly’ farming practices. Of course, to guard against some nefarious polluter trying to cheat Uncle Sam and the world by claiming bogus ‘offsets,’ here must be a monitoring mechanism. Enter the ‘Offsets Integrity Advisory Board’—yet another group of scientific ‘experts’ that would be tasked with compiling a list of qualifying offsets around the globe.”

Section 731a of the Waxman-Markey cap and trade bill creates this independent “Offsets Integrity Advisory Board” to help the administrator make decisions about the appropriate regulations. The board authorizes sector-specific allocations of international offset credits—which are highly vulnerable to politicization.

Proponents of cap and trade are trying to convince farmers that they will be the big beneficiaries of a carbon offset program because farmers can use cleaner technology, reduce nitrous oxide

emissions, or simply not grow crops. But because so many sectors can take advantage of the carbon offset program, there will be little left for farmers. [Page 60 of the Environmental Protection Agency's analysis](#) of the Waxman-Markey cap-and-trade bill is projecting that most of the domestic offsets will come from forestry and growing trees.

The reality is farmers use a lot of electricity, a lot of diesel fuel, and a lot of natural gas-derived chemicals and fertilizers to grow crops and maintain their farms. So it shouldn't be surprising that a cap and trade program that artificially drives up the cost of energy will [unfavorably affect farmers](#).

If it sounds silly and [fraught with fraud](#), it is. Even with an "Offsets Integrity Advisory Board," offsets are difficult to monitor and regulate. They are also very easy to manipulate. For example, a country could build a coal plant and say they've created offsets because they were going to build a dirtier one.

Bryan Leyland, chairman of the economic panel of the New Zealand Climate Science Coalition, [said](#), "I first heard about carbon trading at a conference more than 10 years ago. I got up and said 'If I was the financial adviser to the Mafia, I would advise them to get into carbon trading.' Nothing that has happened since then changes my opinion - rather the reverse."

In fact, the Italian mafia *is* getting involved [in green energy](#).

And let's not forget Enron's Ken Lay was a strong supporter of carbon cap and trade. He believed a cap and trade program [would](#) "do more to promote Enron's business than almost any other regulatory initiative." These carbon allowances that will be bought and sold have a value estimated at \$50 billion to \$300 billion annually, and the trade in them would be a huge new business. Enron may be gone, but others ready to take advantage of cap and trade—at the public's expense—are not.

- Author: [Nick Loris](#)

Browner, Jackson blast Murkowski's EPA amendment (*Environmental and Energy Policy*)

Noelle Straub and Robin Bravender, E&E reporters

09/22/2009

Senior Obama administration officials today blasted a possible amendment from Sen. Lisa Murkowski (R-Alaska) that would restrict U.S. EPA's authority to regulate carbon dioxide emissions from stationary sources.

White House energy and climate adviser Carol Browner criticized Murkowski's approach of using the EPA spending bill as a vehicle for limiting the agency's regulatory power.

"We don't think trying to legislate on appropriations bills is a good idea," Browner told reporters in New York. "You can end up with a lot of unintended consequences. The best way to address the issue of climate change is to use comprehensive legislation to put together a package of all of the committee bills."

The proposed [amendment](#) to EPA's fiscal 2010 spending bill would prohibit the agency for one year from regulating heat-trapping emissions from stationary sources like power plants and industrial facilities.

EPA Administrator Lisa Jackson also weighed in, saying the amendment would have a broad reach across regulatory programs.

"While we have worked to provide the clarity American business needs, the Murkowski amendment would deliver exactly the opposite," Jackson said in a statement.

Jackson said the amendment would halt EPA's effort to give industry clear rules for storing carbon pollution deep underground, would subject state permitting authorities and industrial permit applicants alike to more litigation and delay, and would freeze industrial development in large parts of the country due to regulatory uncertainty.

Murkowski today said that her amendment would be tailored carefully so that it only affects regulations dealing with large industrial sources of carbon dioxide.

"This does not speak to the reporting side of it, that would continue absolutely," the senator said. "It's just as to stationary sources and it's just as to regulation of carbon dioxide, and so it's pretty specific, it's pretty narrow in that vein."

Murkowski said she has not yet decided whether to formally introduce the amendment. "We are talking with our colleagues on the other side of the aisle trying to figure out what, whether or not we introduce it, in what form, so we continue to work."

Murkowski's amendment has already come under fire from top Democrats and environmentalists, who have accused the senator of attempting to undermine a Supreme Court decision giving EPA the authority to regulate carbon dioxide emissions ([E&E Daily](#), Sept. 22).

Senate Environment and Public Works Chairwoman Barbara Boxer (D-Calif.) said the amendment is "a gift to polluters," while an EPW subcommittee chairman said Democrats would attempt to head Murkowski off somehow.

"I don't know that we can stop her from offering her amendment," said Sen. Tom Carper (D-Del.) "We may want to table it. We may want to try and defeat it. We may want to offer a second degree. All of the above. Or one of the above."

More EPA amendments

Sen. John Barrasso (R-Wyo.) introduced an amendment designed to prevent EPA from moving forward with its endangerment finding until the agency's inspector general completes an investigation into how the embattled EPA employee Alan Carlin was treated by his superiors. Barrasso said his amendment was an attempt to promote transparency and good government ([E&ENews PM](#), Sept. 15).

Interior Appropriations Subcommittee Chairwoman Dianne Feinstein (D-Calif.), who is managing the bill on the floor, objected when Barrasso attempted to bring up his amendment. Saying her opposition was not to Barrasso but rather to "putting climate change on this bill," Feinstein said she would also object to Barrasso's other two amendments on the subject if he tried to call them up.

One of those Barrasso amendments would prevent EPA's endangerment finding from going into effect until the agency grants a petition from the U.S. Chamber of Commerce to have a trial-like hearing on the endangerment finding. "The on-the-record proceeding would be a great opportunity for EPA to ensure transparency," Barrasso said. "To deny this request is an admission by the EPA that their work on endangerment can't withstand scrutiny."

Another Barrasso amendment would take aim at a recent secretarial order signed by Interior Secretary Ken Salazar to develop an across-the-board approach to climate change for the resources managed by the department. Barrasso said the order would put the "cart before the horse" and that Congress should pass a climate change bill before any agency begins a "regulatory process" to address global warming.

The Senate accepted by voice vote on one amendment from Barrasso preventing the Forest Service from using \$2.8 million from the stimulus package for wildland fire management in Washington, D.C. He noted that the city does not have a national forest fire problem; Feinstein agreed and supported the amendment.

Calif. water

Feinstein also objected to an attempt by Sen. Jim DeMint (R-S.C.) to call up his amendment dealing with water in the California Central Valley. The measure would prevent any funds in the spending bill from being used to restrict, reduce or reallocate water as called for in two federal biological opinions. DeMint said that "radical environmental groups" and judges cannot be allowed to cut off water supplies to farmers in the area.

Feinstein, who has long worked on the issue, expressed surprise that the measure would come from DeMint and said the issue is very hot in California but not South Carolina. She said the amendment would "handcuff" the Interior Department and release water with no regard to

endangered species or other needs and would lead to lawsuits. "I don't quite understand what's going on here," she said. "In a way, this is a kind of Pearl Harbor on everything that we're trying to do."

After Feinstein objected to his amendment, DeMint instead offered a motion to recommit the bill back to committee. Feinstein urged her colleagues to vote "no" on the motion.

Reporters Darren Samuelsohn and Patrick Reis contributed.

Murkowski calls for tougher energy bill: “Climate legislation must have more immediate environmental benefits” than Waxman-Markey! (*Climate Progress*)

Posted By [Joe](#) On September 22, 2009 @ 12:40 pm In [Politics](#)

Does the Republican Senator from climate-ravaged Alaska really support stronger and faster action to reduce CO2 emissions than the House-passed bill requires?

Lisa Murkowski has taken some real heat for proposing to delay EPA's Supreme-Court-mandated requirement to regulate greenhouse gas emissions (see "[Murkowski proposes to fiddle while Alaska burns](#)"^[1]). So her staff has sent around the "Murkowski EPA Amendment Fact Sheet" to "help reporters cover the issue." It offers the most amazing defense of the Senator's proposal:

Nearly all environmental groups, members of Congress and even EPA Administrator Lisa Jackson have said that congressional action on climate change is preferable to EPA regulation.

Can't disagree with that (see "[The dangerous myth that the EPA's endangerment finding can somehow stop dangerous warming if the climate bill dies](#)"^[2]). Of course, all environmental groups oppose her amendment, too, but let that go for now....

Sen. Murkowski believes climate change is one of the great challenges of our time and that it must be addressed. However, it won't be easy. Properly addressing a problem of this magnitude requires serious intellectual analysis and consideration of a wide array of possible solutions. This true bipartisan debate isn't going to happen with the threat of economically disastrous EPA regulations hanging over Congress' head.

All true — well, other than the last sentence, which is certainly the exact opposite of the prevailing view of almost all the people this fact sheet just quoted in the previous paragraph.

The key point is that Murkowski believes climate change is a great challenge that must be addressed with Congressional action. But what kind of action? Here is where the fact sheet gets jaw-dropping:

Sen. Murkowski is genuinely concerned about climate change. As a born and raised Alaskan she sees the effects climate change is having on our state. The consequences of failing to act are serious, but the consequences of acting irresponsibly are just as serious. Poorly crafted legislation, such as the House-passed Waxman-Markey bill, would have immediate negative consequences for the economy **while allowing companies to make minimal emissions cuts for decades. Climate legislation must have more immediate environmental benefits.**

Wow! Who knew the Republican senator from Alaska wanted a tougher climate bill than the House?

I don't at all agree with her unfounded claim that the "would have immediate negative consequences for the economy." Neither does Nobel prize-winning *NYT* columnist Paul Krugman (see [Climate action "now might actually help the economy recover from its current slump" by giving "businesses a reason to invest in new equipment and facilities"](#)^[3]). Neither does Lisa Jackson (see "[New EPA analysis of Waxman-Markey: Consumer electric bills 7% lower in 2020 thanks to efficiency](#)"^[4]").

And I don't agree the bill would allow companies "to make minimal emissions cuts for decades" – but I certainly agree that it would be great to have a stronger bill. Now there are really only two ways to ensure the Senate bill achieves more immediate and assured emissions benefits than the House bill — a tougher near-term target and much greater restrictions on offsets. Works for me. I can't wait for the Murkowski strengthening amendment to the Boxer-Kerry bill!

And did you notice the inherent contradiction in the fact sheet? If the House bill doesn't actually require companies to do much, how could it possibly have any significant negative consequences for the economy? Pick one, criticism, Senator, and stick with it.

This fact sheet is such a muddled mess it's probably difficult to draw any major conclusions from it — except that Murkowski is going to have a lot of explaining to do if she votes against the Senate climate bill after pushing her amendment to delay EPA action and offering this defense for her actions.

[Nate Silver's "Probability of Yes" vote for Murkowski is 2.37%](#)^[5], putting her in the "Republican Hail Mary's & No-Shots." Based on this fact sheet alone, I'd be inclined to multiply that probability by a factor of 10. Assuming the Senate comes up with a bill that, say, McCain can support, how exactly will Murkowski oppose it? On grounds that it is too weak?

EPA Finalizes Rules On Greenhouse Gas Emissions (*FOX Business Network*)

[Steve Gelsi](#)

MarketWatch Pulse

Tuesday, September 22, 2009

WASHINGTON (Dow Jones)--The U.S. Environmental Protection Agency on Tuesday said the nation's biggest sources of greenhouse gases must soon publicly disclose their

annual emissions. Data collection will begin in January with disclosure required in the first quarter of 2011. EPA's greenhouse gas reporting program will apply to about 10,000 large emitters that account for about 80% of the nation's overall inventory.

U.S. to track greenhouse gases for first time (*Reuters*)

Tue Sep 22, 2009 1:03pm EDT

By [Tom Doggett](#)

WASHINGTON (Reuters) - The U.S. government will begin requiring big companies to monitor and report greenhouse gas emissions, officials said on Tuesday, a move that could make it easier for federal regulators to cut emissions if Congress does not pass a climate change bill.

The U.S. Environmental Protection Agency said its new reporting system will help it understand where greenhouse gas emissions originate and ultimately help reduce emissions.

"This is a major step forward in our effort to address the greenhouse gases polluting our skies," said EPA Administrator Lisa Jackson. "The American public, and industry itself, will finally gain critically important knowledge and with this information we can determine how best to reduce those emissions."

The EPA said its reporting system will cover 85 percent of total U.S. greenhouse gas emissions spewed by roughly 10,000 facilities. An oil refinery, power plant or other facility would have to report its polluting data if its carbon dioxide emissions totaled at least 25,000 tons a year.

A 25,000 ton annual carbon dioxide threshold is comparable to the emissions from 131 rail cars of coal consumed, 58,000 barrels of oil consumed, or the emissions from the annual energy use of about 2,200 homes.

"The public has both a need and a right to know about the country's biggest emitters," said Mark MacLeod, director of special projects at Environmental Defense Fund. "The transparency provided today will inform smart policy that targets the biggest sources of heat-trapping emissions."

The global warming pollutants covered under the EPA's reporting system include carbon dioxide, methane, nitrous oxide and hydrofluorocarbons.

The new reporting system takes effect in January 2010 and large emitters are required to file their annual emissions data in 2011. Vehicle and engine manufacturers outside of the light-duty sector will begin phasing in their emissions reporting with the 2011 car model year, the agency said.

The EPA has said it would prefer Congress to cut U.S. emissions, but the agency has taken action that will allow it do to so if necessary.

Democratic U.S. Senators plan to propose a bill this month to slash U.S. greenhouse gas emissions, a bill that is expected to face stiff opposition. The House of Representatives has already passed a climate change bill.

President Barack Obama, citing in part the EPA's action, told the United Nations that "the United States has done more to promote clean energy and reduce carbon pollution in the last eight months than at any other time in our history."

(Reporting by Tom Doggett; Editing by David Gregorio)

ENERGY

Sen. Ben Cardin answers Grist's questions on public transit and mountaintop removal mining (*Green Tech*)

Author: Bryan | Posted: 22-09-2009 | Category: [Green Tech](#), [Tech Feed](#)

by David Roberts

Beltway observers of all stripes owe Sen. Ben Cardin (D-Md.) a debt of gratitude. In 2006, after 20 years in the House of Representatives, he ran for Maryland's newly vacant Senate seat against then-Lt. Gov. Michael Steele. Steele's defeat put him on a trajectory to become chair of the Republican National Committee, where he has provided the political world with an unending stream of [malapropisms and unintentional hilarities](#).

Meanwhile, Cardin—who boasts [close to a perfect 100 score](#) from the League of Conservation Voters—has become a key player on green issues in the Senate. He was kind enough to answer a few of our questions (transcript at bottom of post):

Sen. Cardin doesn't mention it specifically, but he is one of the original sponsors of [CLEAN-TEA](#) (the Clean Low-Emissions Affordable New Transportation Equity Act), which would set aside 10% of the revenue from any cap-and-trade program for green transportation projects. The provision was dropped from the House bill; it needs five more sponsors on the Environment and

Public Works Committee to get voted through to the Senate floor. Neither Obama nor Transportation Secretary Ray LaHood have come out in support of the provision yet, but they oughtta.

Enviros will be heartened to hear that Cardin is on board with preserving the [EPA's Clean Air Act authority](#) over greenhouse gases. Rumor has it Sens. Barbara Boxer (D-Calif.), [Jeff Merkley](#) (D-Ore.), and other Dems on the Environment and Public Works Committee are pushing to include this in the climate bill.

Finally, Cardin doesn't mention this specifically either, but he is an original sponsor of S. 696, the [Appalachia Restoration Act](#), which would define the word "fill" to prevent mountaintop-removal mining operations from dumping waste and rubble in mountain streams. He was one of the earliest members of Congress to speak out clearly against the barbaric practice of MTR; progress on the issue seems to be picking up steam.

Big thanks to Sen. Cardin for taking the time to answer our questions. With any luck, this won't be the last time.

Here's the transcript:

Introduction: I'm glad to be here today to answer questions from Grist, a great website covering environmental news.

Q: Are there any alternative ways of boosting public transit in the climate bill?

A: The climate bill gives us an excellent opportunity to increase public transportation. It's critically important to reduce greenhouse gases, to use less oil and fuel, and to provide better services to the people of our community, make their lives a lot easier. Now, we're very pleased about the House passing the climate change bill. It's an important bill; it establishes the framework to bring down greenhouse gases. But I must tell you, I think we could do much better on public transportation. And I'm looking forward, in the Senate, to providing more dedicated revenue sources to increase our commitment to improve public transportation in our nation. I think we can really get the job done that will help our communities as far as life is concerned, traffic is concerned, also, save us oil and energy and bring down greenhouse gases.

Q: Is there a push in Congress to preserve the EPA's new-source-review authority?

A: It's a very high priority that we preserve the new authority of EPA to regulate, especially under the Clean Air Act. We want to make sure that those authorities remain. Now, we are concerned about the House bill. The House bill is an important bill, and it moves us forward on global climate change, but we don't think we should take away from EPA's ability to use authority within the Clean Air Act, to make the type of progress necessary to bring down greenhouse gases. Bottom line is, we want it to be a partnership between what Congress will give this administration, the policies that we establish, working with the EPA to make the type of changes necessary to affect climate change in this country.

Q: What's the status of the Appalachian Restoration Act? Is there any appetite in the Senate for addressing mountaintop removal?

A: Mountaintop removal for coal is just devastating. There is no justification for mountaintop mining. The coal industry is important, but getting coal by that technique destroys our rivers. It destroys our environment. It's not fair to the people of that community. Their rivers are being destroyed, and it's just a horrible process. I'm pleased that we have bipartisan support to move legislation. Now, the EPA has already taken some steps. They're carefully reviewing each permit. I give the EPA a great deal of credit for taking that extra time, but they need the authority from Congress that prohibits this type of mining in our country. I do think there is support for it, and I'm hopeful that this Congress will move forward to an act of meaningful help for the EPA, in keeping our rivers clean and helping the environment.

Conclusion: I really want to thank Grist for giving me this opportunity to answer some of your environmental questions. I hope that we can continue this dialogue. Please feel free to go to my website, which is cardin.senate.gov, where we can help you with more information. This is an important subject. It deserves great debate. We appreciate you being part of it.

FUEL

Are Fossil-Fuel Subsidies On The Way Out? (*The New Republic*)

Bradford Plumer

September 22, 2009 | 3:36 pm

In other big U.N. news, Barack Obama gave a lofty [climate speech](#) today that was... well, mostly barren of specifics. Let's see: Global warming's a real crisis, it's a generational challenge, our security and prosperity's in jeopardy, the House passed a climate bill, it'd be swell if the Senate did too (he didn't exactly tighten the vise on the dawdling Senate)... All the usual fare. Except for one little newsy bit.

Obama also said he'd "work with my colleagues at the G20 to phase out fossil-fuel subsidies." Now *there's* a concept! This is one of the most basic steps toward curtailing global carbon-dioxide emissions there is. As a [report](#) from Harvard's Kennedy School outlined last November,

non-OECD countries spend between \$220 billion and \$280 billion subsidizing fossil fuels each year, with China, Russia, and India the most blatant offenders. Just scrapping these subsidies [could cut](#) global CO2 emissions by about 6 percent. (And yes, removing subsidies might, in the short term, have a regressive impact in the form of higher energy prices, but countries could easily take the erstwhile subsidy money and repurpose it in other ways to cushion the blow—efficiency upgrades or just lump-sum payments.)

Meanwhile, it's worth recalling that the United States does some fossil-fuel subsidizing of its own. We may not bankroll gasoline purchases the way Russia does, but a [new analysis](#) from the Environmental Law Institute found that the U.S. government offered \$72 billion in incentives for oil, gas, and coal producers between 2002 and 2008. Most of that was in the form of 23 different tax credits, especially the credit for overseas production (\$15.3 billion) and a credit for production of nonconventional fuel (\$14.1 billion). The rest was in the form of grants, R&D money, and the Strategic Petroleum Reserve. (There's also \$2.3 billion in research for coal carbon-capture, which strikes me as less objectionable, since it's aiming to curb carbon-dioxide emissions.)

And what about other forms of energy? Well, over that same time period, renewable power received just \$29 billion in subsidies—most of it unstable tax credits that tend to expire after set durations. Solar, wind, and geothermal get relatively meager love and affection. Infuriatingly, the biggest slice of renewable subsidies—\$16.8 billion worth—went toward corn-ethanol production, which very likely makes global warming *worse* through indirect deforestation effects. (The EU's biofuels mandates [have ravaged](#) Indonesia's rain forests, for instance.) If Obama wants to talk about scrapping fossil-fuel subsidies, fine, but junking all this ethanol support deserves prime emphasis, too.

(Flickr photo credit: [Don Hankins](#))

MINING

Largest Mountaintop Removal May Be Stopped (*Move Trends Real Estate*)

Published By : Jacqueline Brenner on [Tuesday, Sep 22nd, 2009, 10:30 am](#)

The Environmental Protection Agency (EPA) is taking early action to fight the detrimental effects of coal companies' mountaintop removal. The Spruce Mine is West Virginia's largest mountaintop mining operation, and the EPA is now seeking to remove their permit for their next, and largest, mountaintop removal. The 2,300 acre Spruce Mine would degrade downstream water quality as it blasts off the top of a mountain and buries eight miles of streams with the waste.

[Treehugger](#) reports that the EPA expressed their concern to the Army Corp of Engineers, which delayed legal proceedings regarding the mine until they had a chance to review the permit. The EPA explained there is no effective way to replace stream functions that have been buried by mining waste. In addition, they've already determined that surface mining with valley fills in Central Appalachia is the cause of much downstream negative biological impact.

Some coal power producers, like [Duke Energy](#), are investing in alternative energies, as the coal and fossil fuel industry dwindles from limited resources and greater environmental restrictions.

- *Jacqueline Brenner, Move Staff Writer*
Email: [Jacqueline Brenner@Move.com](mailto:Jacqueline.Brenner@Move.com)

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**U. S. Environmental Protection Agency
Blog Round-up**

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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April 20, 2010**

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on April 19, 2010:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

Lisa Jackson

Submit yr **#KGL** questions for [@lisapjackson](#), [@revkin](#), [@katesheppard](#), [@dlashof](#) now via google moderator

Posted by: [NRDC](#): 6:05 pm Full post: <http://bit.ly/bSiVYR>

RSVP now for huge DC [@earthdaynetwork](#) event on the Mall w/[@johnlegend](#), [@lisapjackson](#), James Cameron!

Posted by: [glennhurowitz](#): 6:25 pm Full post: www.is.gd/bwtUG

Submit your questions for [@lisapjackson](#), [@revkin](#), [@katesheppard](#) now via google moderator:

Posted by: [planet_forward](#): 5:05 pm Full post: <http://bit.ly/bSiVYR>

Eco-hero championships: Lisa Jackson beats Paul Watson. Vote on FB in Jimmy Carter v. Maria Gunnoe matchup.

Posted by: [ThinGreenLine](#): 3:50 pm Full post: <http://bit.ly/9UTbga> (Facebook)

Congrats to [@lisapjackson](#) EPA Administrator of the EPA for being Most Powerful **#Green #workmom**

Posted by: [workingmother](#): 1:48 pm Full post: <http://bit.ly/amqc1G>

Cool! Lisa Jackson in my homestate of SC! RT [@lisapjackson](#): Full day in SC ...

Posted by: [ecoangelhsu](#): 12:43 pm Full post:

Earth Day

Pick 5 for the Environment. Improve your [#environment](#) in celebration of International Earth Day (April 22)! EPA Celebrates the 40th Anniversary of Earth Day – April 22, 2010

Posted by: [HAZMATPlans](#): 4:25 pm Full post: <http://www.epa.gov/pick5/>

Earth Day is in a few days. What will you do to help the earth? Pick 5 Things at <http://epa.gov/pick5/>

Posted by: [NextStepReUse](#): 4:15 pm Full post: <http://www.epa.gov/pick5/>

This Thursday, April 22nd is the 40th Anniversary of Earth Day!

Posted by: [MaisonReve](#): 3:05 pm Full post: <http://www.epa.gov/>

Brownfields

EPA considers using brownfield sites for clean energy

Posted by: [altenergyjobs](#): 7:05 pm Full post: <http://bit.ly/bIXYGA>

EPA considers using brownfield sites for clean energy: Landfills and brownfields may soon become mixed use develop...

Posted by: [smithynews](#): 6:55 pm Full post: <http://bit.ly/bDUE14>

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

Global Warming, Melting Ice Caps Could Help Trigger More Volcanic Eruptions (*TreeHugger*)

by Matthew McDermott, New York, NY on 04.19.10

Continuing the all volcanos all the time theme we've got going at the moment... Though it's unlikely the [eruption of Iceland's Eyjafjallajokull volcano](#) will have any impact on global climate, and it's equally unlikely that climate change is to blame for the eruption itself, [Reuters](#) has found some scientists who point out that in the future, as ice caps around the world continue to melt, it could in fact help trigger more volcanic eruptions.

Cutting to the chase, here is vulcanologist Freysteinn Sigmundsson:

"Our work suggests that eventually there will be either somewhat larger eruptions or more frequent eruptions in Iceland in coming decades."

The 'our' in that sentence refers to his colleague Carolina Pagli, a geophysicist at the University of Leeds who says climate change could help trigger eruptions in Antarctica, the Aleutian islands in Alaska, and in Patagonia.

Pagli says this is because, "If you remove a load that is big enough you will also have an effect at depths on magma production."

When high pressures exist under an ice cap Sigmundsson and Pagli say rocks cannot expand to turn into magma, even if temperatures are hot enough. However as ice melts, the pressure decreases, and magma can be formed.

Will Eyjafjallajokull Cool The Planet? (*The New Republic*)

Bradford Plumer

April 19, 2010 | 12:34 pm

Back in 1991, [Mount Pinatubo](#) erupted in the Philippines and kicked up nearly 20 million tons of sulfur-dioxide into the air. The particles spread across the global atmosphere, scattering a greater portion of sunlight back into space, and ended up cooling the Earth by about 0.4°C for a spell. (The sulfuric haze also caused further damage to the ozone layer.) The eruption was a horrible disaster for the immediate area—destroying homes and farmland and kicking up all sorts of nasty air pollution. But from a scientific standpoint, the eruption provided a tidy natural experiment to test various climate models—and, overall, the models were [quite accurate](#) in predicting how global temperatures would respond.

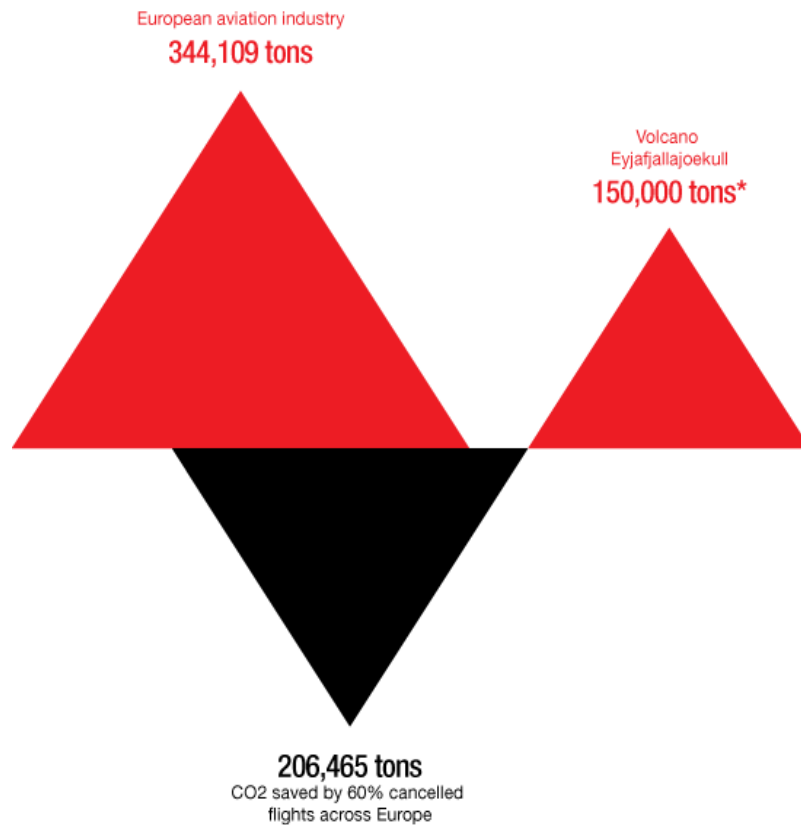
So what about the Eyjafjallajokull volcano in Iceland that's currently bringing air traffic about Europe to a crushing halt? Could that eruption also cool the Earth? Probably not—as Nicole Allan [reports](#), the current eruption isn't belching up nearly enough sulfates to have a global effect, although if the volcano kept erupting for years and years on end, that could change. In 1783, another Icelandic volcano, Laki, [erupted continuously](#) for eight months and had significant climate effects.

Meanwhile, volcanoes *do* emit a tiny amount of CO₂, but as David McCandless and Ben Bartels show with this graph, that tiny amount of carbon pales next to the cut in emissions from all those grounded planes in Europe:

Planes or Volcano?

What's emitting the most CO2 per day?

Version III



*estimated

David McCandless & Ben Bartels v 1.3 // InformationIsBeautiful.net
source: USGS, BBC, EEA, Nordic Volcanological Institute, AFP
lower estimates for aviation & volcano used
extra research: James Key, Nicole Keller // data: bit.ly/planevolcano

That's a pretty devastating way to cut carbon emissions, though. As [this story](#) notes, "air freight is responsible for a quarter of the value of all goods moved into and out of the UK." And a variety of poorer countries are getting hit even harder: *Businessweek* [reports](#) that flower and vegetable farms in Ethiopia have already lost \$2.36 million due to all the canceled flights. I wrote a [longer piece about this topic](#) a few years ago, but greenhouse-gas emissions from airplanes will almost certainly be some of the hardest to cut, since we've become so dependent on flight, there's no easy substitute, and there don't appear to be any technological fixes around the corner.

WATER

Offshore Drilling Realities...And What About Offshore Wind? (*The Heritage Foundation*)

Posted April 19th, 2010 at 4:33pm in [Energy and Environment](#)

The drill, baby, drill crowd was quick to discover that the President's offshore drilling announcement does very little to increase access to domestic supplies and in fact [puts 13 billion barrels of oil and 49 trillion cubic feet of natural gas off limits](#), respectively. Department of Interior Secretary Ken Salazar has been much more supportive of offshore wind energy, but should he be? A new Institute for Energy Research video compares a natural gas platform to an offshore wind platform and in terms of surface area and cost, natural gas wins out.

That's not to say the government should favor offshore drilling of oil and natural gas at the expense of offshore wind projects or any other energy source. Instead of completely closing the books or causing unnecessary delays, the government should allow industry to pursue these opportunities.

The Obama administration [issued the first offshore wind leases last year](#), but even they are having their fair share of problems, specifically not-in-my-back-yard problems.

Although the Cape Wind project the video mentions is still in progress, the U.S. Chamber of Commerce details the resistance, [noting that the](#) "project has faced strong opposition from some senior politicians in Massachusetts and a deep-pocketed and politically connected local group, the Alliance to Protect Nantucket Sound. It is reported that the Alliance has poured more than \$15 million into fighting Cape Wind tooth and nail ever since the project was unveiled in 2001. The Alliance says that the project poses a threat to public safety, would impact shipping lanes, and would adversely affect tourism and Cape Cod's economy due to its impact on Nantucket Sound's natural beauty. The most recent development includes an effort underway by two Indian tribes, who are working in conjunction with the Alliance to Protect Nantucket Sound, to designate the entire Nantucket Sound as an Indian historic property for listing on the National Register as a Traditional Cultural Property."

Whatever the energy source may be, two reoccurring problems are overregulation and special-interest politicking; two problems that are unlikely to disappear any time soon.

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U. S. Environmental Protection Agency Blog Round-up

Prepared by the Office of Public Affairs

Friday, January 11, 2013

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PEOPLE ARE TALKING

With the internet, blogs, Twitter, forums - people are talking about EPA 24/7
Here's a sampling of what was said on Oct. 6, 2009:

NOTE: To read the entire blog entry, click on underlined URL. To learn more about the blogger, click on the name/link in first line. Notes and headings are from OPA.

TSCA Conference

Posted by: [dianefischler](#) Full post: <http://bit.ly/75p4T>

RT [@enviroblog](#) EPA Chief Announces Sweeping Reforms for Toxic **Chemicals** | EWG

CHogue:

[#EPA](#) Admin Lisa Jackson tells [#TSCA](#) chemicals conf that agency wants to "protect health & the environment and see our industries thrive."

Posted by: [getabouthealth](#):

Big Breakdowns=Big Opportunities **Lisa Jackson** w/ EPA "the challenges we face are dwarfed by the oppt to protect health and the environment"

Posted by: [mamapr](#): Full post: <http://bit.ly/Cts>

RT EPA on board w Changin Chemical Regulations

Posted by: [thesoftlanding](#) Full post: <http://bit.ly/JqwnD>

RT [@enviroblog](#): Today's live conference update: Key stakeholders share ideas about **TSCA** reform. Step in right direction

Apple quits Chamber of Commerce over Climate Change

Posted by: [cmckeeg](#) Full post: <http://bit.ly/cmJ5b>

Apple quits the U.S. Chamber of Commerce over opposition to [#EPA](#)

[chrisgrayson](#): Full post: <http://bit.ly/30iObf>

RT [@techdelight](#): [#APPLE](#) resigns U.S. Chamber of Commerce over chamber's opposition to [EPA](#) limiting greenhouse gases.

Mountaintop Mining

[KellyJoGould](#): Groups Charge that Mountaintop Removal Coal Mining Disproportionately Impacts Low-Income Americans <http://bit.ly/UagiO>

Reactions to Region 9 Mercury Clean-up

Posted by: [HealtheBay](#): Full post: <http://bit.ly/7nK8a>

RT [@EPAregion9](#): Don't Mess w/ Mercury! Telling photos, stories behind [#mercury](#) spills

Posted by: [sa_kyle](#) Full post: <http://bit.ly/4GdWZT>

RT [@HealtheBay](#): 40 yrs after pesticide dumping stopped off Palos Verdes, [#EPA](#) chooses capping to address toxic mess

ROUND-UP OF MAJOR BLOGS

CLIMATE CHANGE/GLOBAL WARMING

The Copenhagen Wrangling, Explained (*The New Republic*)

- *Bradford Plumer*
- 1:33 pm
TUESDAY OCTOBER 6, 2009

Over at the Council of Foreign Relations' site, Michael Levi's got a **useful explainer-type thing** on the ins and outs of the global climate talks. This part, for instance, is a succinct explanation of what members of Congress want to see from China:

Members of Congress seem to have made the legal form of a Chinese commitment their overarching priority. They want to see China make commitments that are technically legally binding in the same sense that U.S. commitments would be legally binding under an international agreement. And if that's not forthcoming then they would want symmetry. So U.S. commitments would also not be legally binding on the international level.

They seem to be less focused on what the actual content of the commitments is. Some want to see caps that essentially mirror the U.S. approach. There is no way that is going to happen. It doesn't make any sense. It's impractical, but the legal form is more straightforward to understand and really has become a rallying principal not just for people who tend to take a hard line on climate but for a lot of moderates and relatively liberal Democrats.

Meanwhile, there's another lurking worry about any international climate treaty. Don't these things require 67 votes in the Senate before they're ratified by the United States? And seeing as how a cap-and-trade bill may not even get the 60 votes needed to overcome a filibuster, doesn't that mean there's no way in hell the United States is signing on to

whatever's hashed out at Copenhagen and beyond? Well, don't rule it out just yet. Levi explains that there are still other options:

Ultimately getting sixty-seven votes for any kind of treaty will be challenging. The administration will probably look at other options. One may be to treat this the same way we treat international trade deals, where you go for passage as a congressional-executive agreement with sixty votes in the Senate and 50 percent in the House. Another may be as an implementing agreement to the UN Framework Convention on Climate Change which has already been ratified by the Senate.

Each of those may impose new constraints on what exactly can be done in an agreement. There are legal and constitutional restrictions on what one can do through a treaty versus a congressional-executive agreement versus an implementing agreement. But they will seek alternative approaches if that's what they think they need in order to get something in place.

Whole thing's worth reading if you need a good primer.

Today's Calamity: Cap and Trade Costs Fly Sky High (*The Heritage Foundation*)

Posted October 6th, 2009 at 2.21pm in Energy and Environment.

When gas prices surpassed \$4 per gallon last summer, it forced families to cancel their vacations. Not only was the day-to-day driving eating up families' budgets, but it made the cost of traveling somewhere for vacation all that more expensive. Purchasing airline tickets was out of the question for many. If cap and trade becomes law, news could only get worse for the air travelers and the airline industry.

From *CQ Politics*: "The most recent draft of the Senate bill by John Kerry, D-Mass., and Barbara Boxer, D-Calif., includes aircraft and aircraft engines in its emissions-trading plan. The language tracks with provisions in a climate change bill the House passed in June."

Cap and trade, which would artificially raise the price of energy, could cost the airline industry \$5 billion dollars according to the article. When speaking about Waxman-Markey, Steve Sear, Delta Air Lines vice president of global sales, said passing cap and trade would result "in hundreds of millions of dollars in additional fuel costs that will either have to be absorbed or passed on to customers."

On top of that, Sear went on to say that Waxman-Markey, officially known as the American Clean Energy and Security Act (ACES) would hurt the industry's ability to innovate on its own:

Those additional costs will undermine the ultimate aim of the act—to decrease carbon emissions—by making it difficult, if not impossible, for U.S. airlines to invest in the technology and alternative fuels that can reduce harmful greenhouse gases. ACES also would threaten our ability to provide jobs to thousands of U.S. workers, and airline service to hundreds of communities. It would put U.S. carriers in a competitive disadvantage against foreign airlines immune to the measure's effects.”

Whether greenhouse gases are harmful is beside the point. An energy tax on any businesses will reduce the amount of money that can be spent on innovation and entrepreneurial activity that produce greater efficiency.

- Author: Nick Loris

ENERGY

Don't Stop with Fossil Fuels: End Energy Subsidies Altogether (*The Heritage Foundation*)

Posted October 6th, 2009 at 3.20pm in Energy and Environment.

In his September 25 speech at the G20 summit in Pittsburgh, President Obama praised the agreement among world leaders to end government subsidies for fossil fuels:

Third, we agreed to phase out subsidies for fossil fuels so that we can transition to a 21st century energy economy — an historic effort that would ultimately phase out nearly \$300 billion in global subsidies. This reform will increase our energy security. It will help transform our economy, so that we're creating the clean energy jobs of the future. And it will help us combat the threat posed by climate change.”

The President's remarks point to the fact that many countries provide billions of dollars in subsidies and tax breaks to aid coal, oil, and natural gas companies. The Environmental Law Institute estimates that from 2002-2008, the United States spent \$72 billion dollars in subsidies to the fossil fuel industries.

Ending subsidies for fossil fuels is a good idea but it should be coupled with policy that eliminates subsidies provided to all energy sources. Subsidies create complacency within the industry and direct money that could be used more efficiently elsewhere. The private sector investment in energy research is actually larger than many might think. True breakthroughs in energy technology take time but the private sector has been generating marginal improvements in efficiency for decades.

Eliminating subsidies for fossil fuels only to relocate the money in green energy industries is the wrong path. Wind, solar, and ethanol are not new ideas - the government's effort to subsidize or mandate chosen winners is bad policy that has persisted since the 1970s. Ethanol, for example, has been subsidized since 1978, originally with the promise that the industry would become viable within a few years, go off the dole and compete in the marketplace. But this has never happened. Instead, Congress passed a huge expansion of the ethanol mandate, essentially forcing Americans to use more of it even as it continues to be heavily subsidized.

Even after decades of special tax breaks, alternative energy still provides only a small fraction of America's energy needs. Green energy technology is famously unreliable but it also faces serious technical issues, including the fact that solar farms consume billions of gallons of water every year where water isn't available. For instance, Solar Millenium announced the construction of two solar farms in Armagosa Valley, Nevada that would consume 1.3 billion gallons of water per year, (20% of the desert valley's available water). Many people became concerned about the scarcity of water resources and the environmental impact of this massive water consumption on wildlife. More generally, many communities that foster green energy projects are facing water shortage problems.

Maybe the market eventually will pick solar and wind as winners to provide consumers with affordable energy, but when the government does it through mandates and subsidies, it crowds out the possibility for the emergence of breakthroughs that haven't even been invented yet. Energy industries should be freed from all government subsidies, allowing companies to come up with innovations in technologies that will be viable on their own in the economy. There may be a limited role for government when it comes to basic research and development, but lavish subsidies and mandates create dependence and divert resources away from real solutions.

Katie Brown contributed to this post.

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BROADCAST CLIPS

April 20, 2010

URL: <http://www.criticalmention.com/report/10607x134562.htm>

National

WCBS (WCBS)

Entry #5

WCBS (WCBS - The federal government had sued to recover seven million dollars mercury cleanup costs from eight companies that use the Westchester refinery and the 1970 and nineteen ninety one.

Local

KDRV (ABC)Medford, OR

Entry #1

KDRV (ABC)Medford, OR - The Environmental Protection Agency named s- o-u the largest user of sustainable energy among the cascade collegiate conference schools.

WTOL (CBS)Toledo, OH

Entry #2

WTOL (CBS)Toledo, OH - The U-S Environmental Protection Agency has granted a coalition of Hancock county, Findlay and Fostoria one- million dollars for Brownfield planning.

WLNS (CBS)Lansing, MI

Entry #3

WLNS (CBS)Lansing, MI - Two areas in mid- Michigan will get Brownfield grants from the Environmental Protection Agency.

WLNS (CBS)Lansing, MI

Entry #4

WLNS (CBS)Lansing, MI - E-P-A officials say 400-thousand dollars will go to Clinton county and the Lansing Brownfield redevelopment authority.

KUSA (NBC)Denver, CO

Entry #6

KUSA (NBC)Denver, CO - Smartway, from the U.S. Environmental Protection Agency, is changing the way America drives.

KFOX (Fox)El Paso, TX

Entry #7

KFOX (Fox)El Paso, TX - This Thursday marks earth day's 40th Anniversary. And as you think about how you can help the earth... some websites can provide critical information. Here's a look at three of the best in tonight's green living report.

WKYT (CBS)Lexington, KY

Entry #8

WKYT (CBS)Lexington, KY - Its not exactly a secret that water quality in Fayette County for decades has been poor.

Total Number of Clips: Cumulative Est. Audience:
8 147,500

Entry #1



[Play Media](#)
[Direct Link](#)

NewsWatch 12 This Morning at 5:00am
KDRV (ABC)Medford, OR DMA: 140
Apr 20 2010 5:07AM PDT
Programming Type: News
Est. Households/Views: 3178
Est. Publicity Value: \$221 (30 Seconds) \$442 (Total)

oregon university is receiving high marks for its use of "green power." the **environmental protection agency** named s- o-u the largest user of sustainable energy among the cascade collegiate conference schools. s-o-u purchased more than 33 million kilowatt hours of green power. the e-p-a estimates that the impact is equal to reducing carbon dioxide emissions of nearly 5 thousand cars annually. s-o-u says the honor will help promote a more widespread awareness for going green. ((it draws attention to the significance or importance or role of sustainability on campus and it's a significant committment by students to sustainability and the generation of renewable energy.)) s-o-u is currently developing a top 10 list of ways they can improve their sustainability efforts over the next year. an annual tradition is about to resume in oregon beginning this saturday, the 24th. the mountain lake fishing season opens with trout

Entry #2



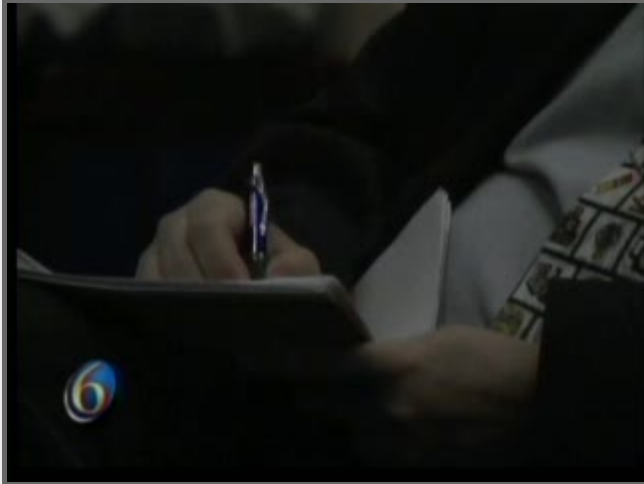
[Play Media](#)
[Direct Link](#)

News 11 Your Morning
WTOL (CBS)Toledo, OH DMA: 73
Apr 20 2010 6:55AM EDT
Programming Type: News
Est. Households/Views: 34823
Est. Publicity Value: \$317 (30 Seconds) \$634 (Total)

clouds prevented the shuttle from landing as scheduled at the kennedy space center yesterday. if clouds linger ... the shuttle will head for edwards air force base in california. this landing may be the last time a returning shuttle will fly over a large portion of the united states. the u-s **environmental protection agency** has granted a coalition of hancock county, findlay and fostoria one- million dollars for brownfield planning. this comes from our media partner the findlay courier. the money will be used to assess the **environmental** impact at a junkyard on river road in liberty township; and at 3 former fostoria factories. also in today's courier... ohio's attorney general says crimes against seniors is all too common. and the vanlue school board is moving forward on merger discussion with arcadia. to read about these stories and more .. just go to wtol.com and look for the link to "the courier." it's a question every parent asks: when is my child sick enough to stay home?

Entry #3

6 News This Morning



[Play Media](#)
[Direct Link](#)

WLNS (CBS)Lansing, MI DMA: 115
Apr 20 2010 6:03AM EDT
Programming Type: News
Est. Households/Views: 10518
Est. Publicity Value: \$66 (30 Seconds) \$132 (Total)

due to an increase in health insurance costs. the board is also looking to privatize some positions--- and some community members say that has them concerned. if you decide to privatize these support groups, that's 300 plus people that you are putting out there that can no longer help support this community and that scares me" "i think that if we all work together we're going to become stronger members for our community, we need to stand up for our students, our parents and our taxpayers" the vice president of the board says while they are planning on cuts--- negotiations are going on between various unions and the school district. if those are successful-- some of the proposed cuts may be avoided. two areas in mid- michigan will get brownfield grants from the **environmental protection agency**. e-p-a officials say 400-thousand dollars will go to clinton county and the lansing brownfield redevelopment authority. the money will help assess, clean up and revitalize former industrial and commercial sites. for a complete list of epa grants awarded in michigan -- head to our website-- wlms dot com. business is booming

Entry #4



[Play Media](#)
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6 News at 5AM
WLNS (CBS)Lansing, MI DMA: 115
Apr 20 2010 5:04AM EDT
Programming Type: News
Est. Households/Views: 5664
Est. Publicity Value: \$49 (30 Seconds) \$98 (Total)

e-p-a officials say 400-thousand dollars will go to clinton county and the lansing brownfield redevelopment authority. the money will help assess, clean up and revitalize former industrial and commercial sites. for a complete list of **epa** grants awarded in michigan -- head to our website-- wlms dot com. business is booming at the lansing city market. officials say their new downtown facility-- is full of vendors---and that's less than 100 days after its soft opening. officials say so far--- all the available spaces have been leased-- and there's now a waiting list for local businesses to get into the new market. speaking of new business--- an official ribbon cutting ceremony will be held later this afternoon for 13 locations recently added to lansing's oldtown. the old town commercial association says bringing in more businesses in this hard economic climate is a great reason to celebrate--- as the area continues to grow. today-- people around the world will join together to protest violence against women-- as a part of the take back the night campaign. nicole collier joins **us** now in the studio. she has details

Entry #5

News



Audio Clip

[Play Media](#)

[Direct Link](#)

**WCBS (WCBS)National Programming, DMA: 0
Apr 20 2010 4:27AM EDT**

Programming Type: News

you'll recall 804 nine 6 9 1 tool that's 804 nine 6 9 1 2 the cbs new crime for 27 . the federal government had sued to recover seven million dollars mercury cleanup costs from eight companies that use the westchester refinery and the 1970 and nineteen ninety one . the companies are part of an earlier two point four million dollar cleanup settlement but the government says more mercury was found after the settlement of grief is that the examination in ride brought in now a residential neighborhood is next to the old flag before refinery was extracted bacteria from scrap metal the **environmental protection agency** has been thinking of mercury in that area . nineteen ninety one authorities say they don't know what killed dozens of days in northern new jersey condit go great guns they were spotted floating on the surface of wildlife on which way . begging him a health department says the daughter found oxygen levels were fine give bob very .

Entry #6



[Play Media](#)

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9News 10pm

KUSA (NBC)Denver, CO DMA: 16

Apr 20 2010 1:37AM MDT

Programming Type: News

Est. Households/Views: 13994

Est. Publicity Value: \$211 (30 Seconds) \$422 (Total)

america is turning over a new leaf... the smartway leaf. smartway, from the u.s. **environmental protection agency**, is changing the way america drives. look for the smartway leaf to help you identify environmentally friendlier cars and tcks. smartway certified cars and trucks are more fuel efficient, produce fewer greenhouse gases, and can save you money. and when you're helping the environment, it's a nice reflection on you. smartway. because it's time america turned over a new leaf. follow the leaf. go to www.epa.gov/smartway i got no pulse. we're losing him. charging. he's in v-fib.

Entry #7

KFOX News at Nine

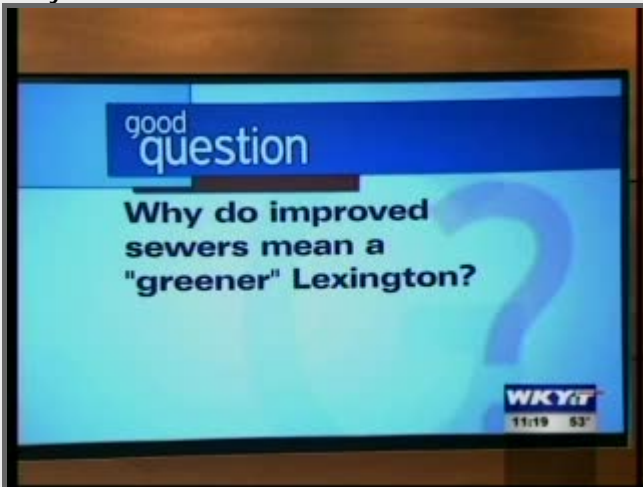


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KFOX (Fox)El Paso, TX DMA: 98
Apr 19 2010 9:41PM MDT
Programming Type: News
Est. Households/Views: 38802
Est. Publicity Value: \$1863 (30 Seconds)
\$3726 (Total)

this thursday marks earth day's 40th anniversary.and as you think about how you can help the earth... some websites can provide critical information.here's a look at three of the best in tonight's green living report. 3 "green building advisor dot com is a very, very good website. it gives brandname product recommendations. so, it makes it very easy for you to go buy green compliant products." on green building advisor dot com... you can learn things like. how well-designed landscaping can reduce heating and cooling costs... reduce stormwater runoff... and even help re- charge local aquifers.you can also learn about a variety of green ways to remodel your home... and how the various green certifications work.the u-s **environmental protection agency** also has good information available at it's website... e-p-a dot gov.you can learn how to properly

Entry #8



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27 Newsfirst
WKYT (CBS)Lexington, KY DMA: 62
Apr 19 2010 11:20PM EDT
Programming Type: News
Est. Households/Views: 40521
Est. Publicity Value: \$570 (30 Seconds)
\$1140 (Total)

lexington? (:05) this is an inside lok at what some of lexington's sanitary and sewer lines looked like. (+ (+ (sot+ (+ (+ () <36:53-57 its not exactly a secret that water quality in fayette county for decades has been poor.> poor, the mayor says because of years of neglecting a system that eventually caught up with the city..and one environmentalists say repeatedly did damage. (+ (+ (+ (sot+ (+ (+ () <36:06-16 we had leaking and broken sewer pipes in adequate pump stations al across our comunity that dumped millions of gallons of sewage into our creeks and streams.> as a result the **environmental protection agency** sued the city in 206 and ordered a clean up..the city settled and since then increased sanitary sewer fees have resulted in work like this being done. last year 60 milion dollars was spent on sanitary sewer projects.this year work continues in areas like vaughn's branch off versailles road..some 19 million will be spent this year to make the city's infrastructure stronger and more environmentally friendly for all of us. (+ (+ (sot+ (+ (+ ()

Total Number of Clips: 8

Cumulative Est. Audience: 147,500

Cumulative Est. Publicity Value: \$6,594 (Sum of Clip Totals)

BROADCAST CLIPS

April 26, 2010

URL: <http://www.criticalmention.com/report/10607x135735.htm>

National

WABC (WABC)

Entry #4

WABC (WABC) - We'll look very carefully at this because since the EPA moved several months ago has been a letter from jay rockefeller very powerful senator in the democratic caucus and others tied to EPA Administrator Lisa Jackson that has complicated the picture completely in understanding what is going to happen from the EPA and what EPA needs from congress.

Local

WXOW (ABC)La Crosse, WI

Entry #1

WXOW (ABC)La Crosse, WI - A New York senator says he will request an indepth study into Asian carp to the Environmental Protection Agency today.

WFTV (ABC)Orlando, FL

Entry #2

WFTV (ABC)Orlando, FL - The Environmental Protection Agency selected Casselberry, Daytona Beach and county Daytona to receive \$00,000 each. The grants are for sites where hazardous substances or pollutants make it more complicated to reuse the land.

WFTV (ABC)Orlando, FL

Entry #3

WFTV (ABC)Orlando, FL - The Environmental Protection Agency has award eight Florida communities with millions of dollars in grant money to help revitalize problem land sites.

WJLA (ABC) Washington, DC

Entry #5

WJLA (ABC) Washington, DC - It's 1970, there's no Environmental Protection Agency as of yet. the environmental movement is basically "save the whales" and "save the baby seals," but really nothing when it comes to urban settings for chemical waste dumps or clean water.

WJLA (ABC)Washington, DC

Entry #6

WJLA (ABC)Washington, DC - Now, Jackson also commented to some degree on what may or may not be in the kgl climate bill.

WJLA (ABC)Washington, DC

Entry #7

WJLA (ABC)Washington, DC - Everyone in the Obama administration, however, does stick to the same line -- that is, we prefer legislation. We prefer that congress handle this on its own. and Lisa Jackson addressed exactly that issue, again, during a discussion at George Washington University last week.

WTTG (Fox)Washington, DC

Entry #8

WTTG (Fox)Washington, DC - The Environmental Protection Agency hosting a week worth of activities on the mall.

WBNS (CBS)Columbus, OH

Entry #9

WBNS (CBS)Columbus, OH - This past earth day, new laws about lead-based paint went in to effect across the country.

KFBB (ABC)Great Falls, MT

Entry #10

KFBB (ABC)Great Falls, MT - The EPA has imposed new guidelines for contractors, involving lead based paint.

Total Number of Clips: 10
Cumulative Est. Audience: 385,981

Entry #1



[Play Media](#)
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News 19 Daybreak
WXOW (ABC)La Crosse, WI DMA: 127
Apr 26 2010 6:08AM CDT
Programming Type: News
Est. Households/Views: 13873
Est. Publicity Value: \$254 (30 Seconds) \$508 (Total)

have anything else to do today. they didn't care it was raing out. they just wanted to." there's no tally on how much money was raised yet, but it all goes toward m-s research. --- a new york senator says he will request an indepth study into asian carp to the **environmental protection agency** today. state officials and scientists say if the carp spread across the great lakes, they could threaten the \$7 billion fishing industry... but democratic sen. charles schumer says a broader analysis is need that would consider potential damage to other industries such as tourism and shipping -- and costs to governments from monitoring and control programs. --- a village in germany has become home to a rare specimen ... a blue stork. the bird is standing out among the normally black and

Entry #2



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Eyewitness News Daybreak
WFTV (ABC)Orlando, FL DMA: 19
Apr 26 2010 6:25AM EDT
Programming Type: News
Est. Households/Views: 104495
Est. Publicity Value: \$1018 (30 Seconds) \$2036 (Total)

toilet valve is not lock. if the problem is not fixed in 0 days, people can have their boats taken away. >>> crews working around the clock to stop an oil leak sending 42,000 gallons of oil into the gulf of mexico a day. the oil coming from this platform last week. crews are using robotic submarines to activate shutoff valve vts 5,000 feet below the surface. one official said he can't guarantee the submarines will get the job done. >> the **environmental protection agency** selected casselberry, daytona beach and county daytona to receive \$00,000 each. the grants are for sites where hazardous substances or pollutants make it more complicated to reuse the land. five other florida cities received the award. >>> business owners in leesburg will begin tallying their receipts to see how good bike fest was for business. motorcycles lined main street in leesburg for the event. in fact, this year was bigger than ever. some people said the increase in attendance could be that

Entry #3

Eyewitness News Weekend



[Play Media](#)
[Direct Link](#)

WFTV (ABC)Orlando, FL DMA: 19
Apr 25 2010 11:27PM EDT
Programming Type: News
Est. Households/Views: 111177
Est. Publicity Value: \$1169 (30 Seconds)
\$2338 (Total)

>>> the **environmental protection agency** has awarded eight florida communities with millions of dollars in grant money to help revitalize problem land sites. it is for sites sites with

Entry #4



[Play Media](#)
[Direct Link](#)

John Batchelor
WABC (WABC)National Programming, DMA: 0
Apr 25 2010 9:48PM EDT
Programming Type: News

... on that this is the job that would have happened and try a piece of legislation passed by the house of representatives and await action in the senate and marlins down as president of the united states using the environmental protection agency and its rule and has moved . do not effectively controlled greenhouse gases that are the focus and trade legislation in the house and theoretically in the senate when it illustrated there's some forensic reporting for the nation magazine writing the case for **epa** action . we'll look very carefully at this because since the **epa** moved several months ago has been a letter from jay rockefeller very powerful senator in the democratic caucus and others tied to **epa** administrator **lisa jackson** that has complicated the picture completely in understanding what is going to happen from the **epa** and what **epa** needs from congress . there's a very good evening to the letter but .

Entry #5

Clean Skies Sunday



[Play Media](#)
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WJLA (ABC) Washington, DC DMA: 9
Apr 25 2010 9:45AM EDT
Programming Type: Public affairs
Est. Households/Views: 18376
Est. Publicity Value: \$102 (30 Seconds) \$204 (Total)

for our audience. it's 1970, there's no **environmental protection agency** as of yet. the **environmental** movement is basically "save the whales" and "save the baby seals," but really nothing when it comes to urban settings for chemical waste dumps or clean water. how did you get started in the earth day event? well, the roots of it all trace to senator gaylord nelson, who decided that he wanted to try to propel basically the conservation and the **environmental** issue to a higher degree of prominence than it enjoyed. as we develop our technology to refine waste, we will begin to enhance the quality of the air and the water. so he set out to try to create a set of teach-ins on college campuses. i was, at that point, a graduate student at harvard. i came down to washington to see if i could get the charter to organize harvard.

Entry #6



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Clean Skies Sunday
WJLA (ABC) Washington, DC DMA: 9
Apr 25 2010 9:34AM EDT
Programming Type: Public affairs
Est. Households/Views: 18376
Est. Publicity Value: \$102 (30 Seconds) \$204 (Total)

begins to cut its co2 emissions and gives the private sector an incentive to do so. jackson added that regulation or not, **epa** will have a role going forward in this discussion. but with regulation, that role, at least for the time being, will be in the court system. we can do some things potentially without legislation. i do think we're looking at a future where we'll be sued. that's not entirely unusual for **epa**. but i also don't think it will be the kind of economy-wide quick price on carbon that will allow **us** to move as quickly as we could. it will be a lost opportunity and not one -- you know, if it doesn't happen -- i can't believe i just said that -- but if it doesn't happen, i don't think, when i look out at an audience of young people, i know that this is coming. now, jackson also commented to some degree on what may or may not be in the kgl climate bill. she says the white house "is not looking for a gasoline tax," but last week, co-author john kerry told reporters, quoting now, "there will not

Entry #7

Clean Skies Sunday



[Play Media](#)
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WJLA (ABC) Washington, DC DMA: 9
Apr 25 2010 9:33AM EDT
Programming Type: Public affairs
Est. Households/Views: 18376
Est. Publicity Value: \$102 (30 Seconds) \$204 (Total)

it's going to raise the cost of energy on american families. we want to be clear here, this isn't just republicans who are uncertain about what is and what is not in this upcoming climate bill. senator energy committee chairman jeff bingaman tells me he has had only what he calls general discussions with john kerry about this climate legislation, but senator bingaman also said, quite succinctly, susan, it's very hard to judge anything until we have this bill. but even if congress fails to end up putting a price on carbon, the white house still has a plan to cut emissions. yeah, and that would be regulation instead of legislation. everyone in the obama administration, however, does stick to the same line -- that is, we prefer legislation. we prefer that congress handle this on its own. and lisa jackson addressed exactly that issue, again, during a discussion at george washington university last week. the **environmental protection agency** administrator said that the end game here isn't about who puts a price on whose carbon, rather, it's that the u.s.

Entry #8



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Fox 5 Morning News Sunday
WTTG (Fox) Washington, DC DMA: 9
Apr 25 2010 8:11AM EDT
Programming Type: News
Est. Households/Views: 39716
Est. Publicity Value: \$243 (30 Seconds) \$486 (Total)

the **environmental protection agency** hosting a week worth of activities on the mal. a look at the highlight of the day, a free concert, seeing john legend and others will be some the performers. we'll be taking live pictures from the concert area all morning and at about 8:45 we'll talk live to the president of the earth day network. >>> well getting out of europe uite a challenge because of volcanic ash. who is asking to give up their seats as airlines work through the backlog. >>> and arizona's governor signs an immigration bill into law. let the protests begin. ????

Entry #9

10TV News HD Weekend Mornings



[Play Media](#)
[Direct Link](#)

WBNS (CBS)Columbus, OH DMA: 34
Apr 25 2010 7:23AM EDT
Programming Type: News
Est. Households/Views: 58935
Est. Publicity Value: \$524 (30 Seconds)
\$1048 (Total)

drops include london, rome and paris travel experts say the lower prices are for may and june. these price cuts are not due to the volcanic ash cloud that shutdown air travel. this past earth day, new laws about lead-based paint went in to effect across the country. now, contractors are required to be certified in safety techniques to deal with removing ..or working around it. the u-s government banned lead in most paints back in 1978. but many homes still have it. the new rule by the **environmental protection agency** will help protect homeowners by making sure contractors who work inside these contaminated homes, now know how to handle it. "... :10 the new rules may boost th price of the contractor's work, but it's a small price to pay for safety. ingesting lead paint chips or dust can lead to irreversible brain and nervous system dame.

Entry #10



[Play Media](#)
[Direct Link](#)

10:00pm Local News
KFBB (ABC)Great Falls, MT DMA: 192
Apr 23 2010 10:00PM MDT
Programming Type: News
Est. Households/Views: 2657
Est. Publicity Value: \$317 (30 Seconds) \$634 (Total)

river is identified. plus, the city's only public pool may soon be clousing... thanks for joining **us**...first at ten, the **epa** has imposed new guidelines for contractors, involving lead based paint. while that agency sees the rules as important for the safety of children, the home builders association of great falls is unhappy with the **epa**, claiming the rules new rules are unnecessary. for more information about

Total Number of Clips: 10

Cumulative Est. Audience: 385,981

Cumulative Est. Publicity Value: \$7,662 (Sum of Clip Totals)

BROADCAST CLIPS

April 5, 2010

URL: <http://www.criticalmention.com/report/10607x131304.htm>

Local

WWLP (NBC)Springfield, MA

Entry #1

WWLP (NBC)Springfield, MA - More people are turning to wood to heat their homes and many are using outdoor wood furnaces. But those furnaces are causing air pollution problems in some cases that have neighbors complaining about smoke drifting into their yards and homes.

WOWK (CBS)Charleston, WV

Entry #2

WOWK (CBS)Charleston, WV - One of the largest mining companies in the mountain state - filed a lawsuit against the Environmental Protection Agency.

WJHL (CBS)Tri-Cities (TN-VA), VA

Entry #3

WJHL (CBS)Tri-Cities (TN-VA), VA – The environmental protection agency says it wants to tighten rules on chemicals used by industry and also beef up the monitoring of u-s drinking water.

KFYR (NBC)Minot, ND

Entry #4

KFYR (NBC)Minot, ND - Sunflower growers can once again apply for federal help in getting rid of blackbird- attracting cattails that can do heavy damage to nearby crops. The cattail management program run by the federal wildlife services agency involves the aerial spraying of a herbicide to reduce cattails in wetlands.

WCHS (ABC)Charleston, WV

Entry #5

WCHS (ABC)Charleston, WV - This week the U-S Environmental Protection Agency released a new report targeting mountain top removal.

WFFF (Fox)Burlington, VT

Entry #6

WFFF (Fox)Burlington, VT - Some say the furnaces causes air pollution problems. Nationally, the environmental protection agency regulates indoor wood stoves but issues only voluntary guidelines for outdoor ones.

WLTZ (NBC)Columbus, GA

Entry #7

WLTZ (NBC)Columbus, GA - We are sure excited to bring the same technology that has won the EPA clean air excellence award now to the 25 c.c. propane-powered leaf-blower.

Total Number of Clips: Cumulative Est. Audience:
7 119,016

Entry #1



[Play Media](#)
[Direct Link](#)

22 News at 6:30AM
WWLP (NBC)Springfield, MA DMA: 111
Apr 05 2010 6:36AM EDT
Programming Type: News
Est. Households/Views: 44777
Est. Publicity Value: \$220 (30 Seconds) \$440 (Total)

the storm. the deadline to apply is may 3. a 17 year-old father from bondsville died over the weekend... after he lost control of his dirtbike and hit a utility pole. erik norman was killed early saturday morning when he crashed his bike... just blocks away from his home. his mother told 22news erick was an inexperienced rider. the 17 year old leaves behind a four month old baby son... and many more who loved him. a vigil will be held for him tonight at 7 at bondsville park. more people are turning to wood to heat their homes and many are using outdoor wood furnaces. but those furnaces are causing air pollution problems in some cases that have neighbors complaining about smoke drifting into their yards and homes. nationally, the **environmental protection agency** regulates indoor wood stoves but issues only voluntary guidelines for these outdoor wood furnaces. last week, vermont, new hampshire and maine adopted stricter standards for new furnaces. newer models are up to 90 percent cleaner and use up to 50 percent less wood.

Entry #2



[Play Media](#)
[Direct Link](#)

13 News at 6a
WOWK (CBS)Charleston, WV DMA: 63
Apr 05 2010 6:33AM EDT
Programming Type: News
Est. Households/Views: 4952
Est. Publicity Value: \$48 (30 Seconds) \$96 (Total)

30 governors who received a letter friday. a group calling itself the "guardians of the free republics" wrote that governors would be removed from office in 3 days if their demands were not met. the group was demanding to dismantle parts of the federal government. manchin's letter has been turned over to the west virginia state police. federal investigators did + (not+ see threats of violence in the letters -- but fear they could cause violent reactions. we've learned that arch coal - one of the largest mining companies in the mountain state - filed a lawsuit against the **environmental protection agency**. that's because the e-p-a plans to revoke the permit for the company's spruce #1 surface mine in logan county. that lawsuit is in the wake of thursday's announcement of stricter guidelines on surface mining valley fills. 13news gil mcclanahan has reaction from coal miners and coal communities in our 13news follow-up. < sot: nats of traffic in many places throughout west virginia...coal is king. new epa water quality guidelines

Entry #3

NewsChannel 11 Weekend Edition



[Play Media](#)
[Direct Link](#)

WJHL (CBS)Tri-Cities (TN-VA), VA DMA: 93
Apr 04 2010 11:20PM EDT
Programming Type: News
Est. Households/Views: 26652
Est. Publicity Value: \$411 (30 Seconds) \$822 (Total)

government to look at overhauling regulations. the **environmental protection agency** says it wants to tighten rules on chemicals used by industry and also beef up the monitoring of u-s drinking water. today's water filters promise to remove certain contaminants. consumer reports just tested several types to see how well they do. james andrews breaks down the results in tonight's consumer

Entry #4



[Play Media](#)
[Direct Link](#)

Night Report
KFYR (NBC)Minot, ND DMA: 158
Apr 04 2010 10:14PM CDT
Programming Type: News
Est. Households/Views: 21010
Est. Publicity Value: \$1344 (30 Seconds) \$2688 (Total)

page at kfyrtv dot com. sunflower growers can once again apply for federal help in getting rid of blackbird- attracting cattails that can do heavy damage to nearby crops. the cattail management program run by the federal wildlife services **agency** involves the aerial spraying of a herbicide to reduce cattails in wetlands. the herbicide is approved by the **environmental protection agency**. spraying begins in august and ends in early september. applications must be received by july 1st. producers can call 1-866-487-3297 for more information. construction season this year has caused some stress for the red river zoo in fargo. the city has closed off the zoo's local access road and entrance, all to add lanes onto interstate 94. yvonne man shows us the changes organizers had to make to keep the place running. 23:22 "they all love animals..and anything bigger is going to be better.." it's the goodings' first trip to the zoo this spring.. nats 18:18 "oh he's going to lick it!" ..and it's like they're walking into a

Entry #5

Eyewitness News at 11



[Play Media](#)
[Direct Link](#)

Entry #6



[Play Media](#)
[Direct Link](#)

Entry #7

WCHS (ABC)Charleston, WV DMA: 63
Apr 04 2010 11:09PM EDT
Programming Type: News
Est. Households/Views: 18424
Est. Publicity Value: \$412 (30 Seconds) \$824 (Total)

msha's director says the organization will make the necessary changes. meanwhile.. another blow to the coal industry...this week the u-s **environmental protection agency** released a new report targeting mountain top removal.it outlines more reasons why the e-p-a says surface mining kills mother nature. the report focuses on the direct damage to streams and forests. this week the e-p-a implimented unprecedented water quality standars for the appalachain area. this after blocking arch coal's spruce no. 1 mine in logan county citing **environmental** concerns. help is on the way to thousands of people affected by the severe flooding last month. month.two disaster recovery centers have opened in southern west virginia.one center is located at the beaver fire department in raleigh county.the other is located at rainelle city hall in greenbrier county.the obama administration approved a disaster declaration for greenbrier, raleigh, fayette, kanawha and mercer counties after severe storms march 12th caused flooding and mudslides.

Fox 44 News
WFFF (Fox)Burlington, VT DMA: 94
Apr 04 2010 10:05PM EDT
Programming Type: News
Est. Households/Views: 3201
Est. Publicity Value: \$173 (30 Seconds) \$346 (Total)

stevens would be the second justice that president obama has replaced... after sonia sotomayor was confirmed last year. (oncam) white house senior adviser david axelrod told reporters that stevens' replacement could be one of the people who interviewed for the job last year... who were beat out by sotomayor.in washington, caroline shively, fox news. << wood boilers-filevo >> <<greg>> vermont and new hampshire getting tough on outdoor wood furnace smoke. <<take vo>> some say the furnaces causes air pollution problems. nationally, the **environmental protection agency** regulates indoor wood stoves but issues only voluntary guidelines for outdoor ones. vermont adopted emission standards for wood boilers in 2007. newer models are up to 90 percent cleaner and use up to 50 percent less wood. << first weather-wx rail >> << garden time-intro >> <<greg>>

Today's Homeowner



[Play Media](#)

[Direct Link](#)

WLTZ (NBC)Columbus, GA DMA: 128
Apr 04 2010 3:13AM EDT
Programming Type: Home improvement
House/garden How-to

friendly power by propane. i these eco trimmer. now this is the company always moving forward. dow got the company's ce on an founder. we are tacking about something brand-new. this is first new generation. can i call it the eco blower moment you sure can. thank you so much for having **us**. we are sure excited to bring the same technology that has won the **epa** clean air excellence award now to the 25 c.c. propane-powered leaf-blower. this is a leaf-blower that is not only power by propane. ulcher. >> three in one. >> it is a three in one. >> mulcher even. >> it is a mulcher. with that it has steal mulching blade on the back side of. i you can see the blade down in here. >> oh, yeah. it runs on the same technology which is the propane power so it these easef views no having to mix gs an oil. noll storing of gasoline in your garage. propane is a very convenie

Total Number of Clips: 7

Cumulative Est. Audience: 119,016

Cumulative Est. Publicity Value: \$5,216 (Sum of Clip Totals)

BROADCAST CLIPS

April 8, 2010

URL: <http://www.criticalmention.com/report/10607x132205.htm>

Local

KOVR (CBS)Sacramento, CA

Entry #1

KOVR (CBS)Sacramento, CA - Remodeling your home could take a lot of time >>> homeowners may have to wait even longer that's because of a new Environmental Protection Agency regulation.

KSL (NBC)Salt Lake City, UT

Entry #2

KSL (NBC)Salt Lake City, UT - A representative from the U.S. Environmental Protection Agency told ksl this specific case sparked significant changes to how pesticides will be used in the future, it's now prohibited in residential areas and buffer zones around nonresidential buildings will be exsponded.

KDLH (CBS)Duluth, MN

Entry #3

KDLH (CBS)Duluth, MN - The U-S Environmental Protection Agency and many other states already require industrial storm water permits... until now Minnesota was one of the few states that did not require this type of monitoring.

WAGA (Fox)Atlanta, GA

Entry #4

WAGA (Fox)Atlanta, GA - The Obama Administration is canceling plans for a new mine in West Virginia. the Environmental Protection Agency has announced much tougher standards for water quality at mountain top mining sites effective middle east.

KOAM (CBS)Joplin, MO

Entry #5

KOAM (CBS)Joplin, MO - The money comes from the Environmental Protection Agency for management assistance at the tar creek superfund site. the money will be used to investigate and study the cleanup, assess the risk to health and the ecology, pay for five year reviews of the project -- and other activities related to the cleanup.

KBJR (NBC)Duluth, MN

Entry #6

KBJR (NBC)Duluth, MN - The new permit affects 10 industrial categories ranging from timber to scrap recycling. the 400-hundred-dollar permit will monitor industrial storm water discharge.

WVUE (Fox)New Orleans, LA

Entry #7

WVUE (Fox)New Orleans, LA - This weekend.. Mitch Landrieu's transition team will get a visit from some members of the president's cabinet. Lisa Jackson of the EPA and Sean Donovan with Housing and Urban

WFTX (Fox)Ft. Myers, FL

Entry #8

WFTX (Fox)Ft. Myers, FL - We wanted to know what the Environmental Protection Agency had to say...and asked them is burning... true recycling?

KYW (CBS)Philadelphia, PA

Entry #9

KYW (CBS)Philadelphia, PA - New rule from the EPA requires any contractor that runs the risk of disturbing lead based paint to be certified in proper safety technique.

Total Number of Clips: Cumulative Est. Audience:
9 246,614

Entry #1



[Play Media](#)
[Direct Link](#)

CBS 13 News at 6am
KOVR (CBS) Sacramento, CA DMA: 20
Apr 08 2010 6:19AM PDT
Programming Type: News
Est. Households/Views: 13985
Est. Publicity Value: \$93 (30 Seconds) \$186 (Total)

reminder the tiger tees off today and catch the final rounds of the masters on cbs 13 and up-to-date coverage on his return to golf on a web site at cbs 13 dot com. move remodeling your home could take a lot of time >>> homeowners may have to wait even longer that's because of a new **environmental protection agency** regulation. requiring all contractors to work on homes built before 1978 to be trained and certified on how to contain and clean areas that could be contaminated with lead >>> i really fish of waited a year or two for the economy to change now try to hit us with this now to my point of view is the wrong timing >>> after a real 26 contractors to violate the new law could get nailed with a fine of up to \$37,000. if you smoke researchers mail found to tell if you're a high risk of developing lung cancer. they

Entry #2



[Play Media](#)
[Direct Link](#)

Eyewitness News Today
KSL (NBC) Salt Lake City, UT DMA: 31
Apr 08 2010 6:48AM MDT
Programming Type: News
Est. Households/Views: 31479
Est. Publicity Value: \$426 (30 Seconds) \$852 (Total)

tunes home. the two sisters died shortly after. now federal changes have been made to application regulations for the pesticides like the ones that killed the girl >> the tragic incident that occurred in layton led the **agency** to change the use of these poisons and certainly something that put this on a fast track in terms of wanting to restrict these products further >> a representative from the u.s. **environmental protection agency** told ksl this specific case sparked significant changes to how pesticides will be used in the future, it's now prohibited in residential areas and buffer zones around nonresidential buildings will be expensed. new restrictions include better labeling and clear instructions for use. now the tune family also released a statement in response to the new development saying they applaud any efforts by the government officials to continually seek to improve the safety of our community. tonya. >> shara we've heard since the case first unfolded

Entry #3

NewsCenter Morning Plus



[Play Media](#)
[Direct Link](#)

KDLH (CBS)Duluth, MN DMA: 139
Apr 08 2010 6:48AM CDT
Programming Type: News
Est. Households/Views: 2186
Est. Publicity Value: \$59 (30 Seconds) \$118 (Total)

archive>> the new permit affects 10 industrial categories ranging from timber to scrap recycling. the 400-hundred-dollar permit will monitor industrial storm water discharge. the m-p-c-a says storm water is one of the most common sources of water flowing into lakes and streams... and permits like this will help businesses reduce potential contamination. anne moore minnesota pollution control **agency**>> we have a lot of people monitoring our lakes and streams for a variety of contaminants. this is just one more way to help us prevent any future contamination. laura>> the u-s **environmental protection agency** and many other states already require industrial storm water permits... until now minnesota was one of the few states that did not require this type of monitoring. the m-p-c-a says this permit is still fairly new...how it will be regulated is yet to be determined. more information about this permit can be found on our website, northlandsnewscenter.com laura>> what was considered a major crisis for the city of duluth has been downgraded to an "under control" situation.

Entry #4



[Play Media](#)
[Direct Link](#)

Good Day Atlanta
WAGA (Fox)Atlanta, GA DMA: 8
Apr 08 2010 7:11AM EDT
Programming Type: Talk
Est. Households/Views: 104583
Est. Publicity Value: \$2390 (30 Seconds) \$4780 (Total)

>> i run this company on a safety standard better than anybody's ever run a country in central appalachians. >> reporter: federal officials are saying on the record this expansion was preventable and they've appointed a team to look into the causes of the tragic accident and whether massey energy was culpable in any way. in montcoal, west virginia, jonathan hunt, fox news. >>> the obama administration is canceling plans for a new mine in west virginia. the **environmental protection agency** has announced much tougher standards for water quality at mountain top mining sites effective middle east. critics say the move would hurt the state's economy, but environmentalists are hailing the decision. >> nobody really understands the impact coal has in west virginia. it gives back to the schools, gives back to the communities and the infrastructure of the state. >> a talented country full of brilliant people who can solve these problems in a way that's a win for the environment and the

Entry #5

KOAM Early Show



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Entry #6



[Play Media](#)
[Direct Link](#)

Entry #7

KOAM (CBS)Joplin, MO DMA: 147
Apr 08 2010 6:04AM CDT
Programming Type: News
Est. Households/Views: 15420
Est. Publicity Value: \$165 (30 Seconds) \$330 (Total)

the quapaw tribe of oklahoma. the money comes from the **environmental protection agency** for management assistance at the tar creek superfund site. the money will be used to investigate and study the cleanup, assess the risk to health and the ecology, pay for five year reviews of the project -- and other activities related to the cleanup. four state residents and grand river dam officials are preparing for an arachnid intrusion. the "rush for brush" event -- will help volunteers build lake-habitats -- improving the environment - - and fishing conditions. koam's mike corcoran reports. the calm waters of grand lake will soon be invaded by spiders. "spider block is the term -- it looks like this big mutant spider coming up out of the ground." as part of the first rush for brush event -- residents surrounding grand lake and beyond will deploy the arachnid arsenal this weekend. "people will show up and we'll have the materials there. grda will have

KBJR 6 and Range 11 News Today
KBJR (NBC)Duluth, MN DMA: 139
Apr 08 2010 6:03AM CDT
Programming Type: News
Est. Households/Views: 9469
Est. Publicity Value: \$331 (30 Seconds) \$662 (Total)

by helping prevent contaminants from going into them. but many businesses still don't know about these new permits. archive>> the new permit affects 10 industrial categories ranging from timber to scrap recycling. the 400-hundred-dollar permit will monitor industrial storm water discharge. the m-p-c-a says storm water is one of the most common sources of water flowing into lakes and streams... and permits like this will help businesses reduce potential contamination. anne moore minnesota pollution control **agency**>> we have a lot of people monitoring our lakes and streams for a variety of contaminants. this is just one more way to help us prevent any future contamination. laura>> the u-s **environmental protection agency** and many other states already require industrial storm water permits... until now minnesota was one of the few states that did not require this type of monitoring. the m-p-c-a says this permit is still fairly new...how it will be regulated is yet to be determined. more information about this permit can be found on our website, northlandsnewscenter.com laura>> the first ocean-going vessel of the twin port's 2010

Fox 8's Morning Call at 5am



[Play Media](#)
[Direct Link](#)

Entry #8



[Play Media](#)
[Direct Link](#)

Entry #9

WVUE (Fox)New Orleans, LA DMA: 51
Apr 08 2010 5:17AM CDT
Programming Type: News
Est. Households/Views: 10667
Est. Publicity Value: \$85 (30 Seconds) \$170 (Total)

creating the law first surfaced eight months ago.. but died when the process became bogged down with legal questions. today, council members will re-introduce the ordinance. there is one other item of note on today's council agenda. council members will consider over-riding the mayor's veto of an ordinance that restricts the city from doing work with convicted felons new orleans new mayor takes office in less than a month. today we'll learn more about mitch landrieu's inauguration ceremony. he'll hold a news conference at 11 a-m to talk about the specifics. landrieu says his transition team is still on track to pick a new police chief by the may 3rd inauguration date, despite a shake-up that led to the departure of four n-o-p-d task force members. this weekend.. mitch landrieu's transition team will get a visit from some members of the president's cabinet. **lisa jackson** of the **epa** and sean donovan with housing and urban

Fox 4 Rising
WFTX (Fox)Ft. Myers, FL DMA: 64
Apr 08 2010 6:11AM EDT
Programming Type: News
Est. Households/Views: 11766
Est. Publicity Value: \$164 (30 Seconds) \$328 (Total)

is a form of recycling. but we wanted to know what the **environmental protection agency** had to say...and asked them is burning... true recycling? 15:42:44 not per se. we think of electricity from solid waste basically as an alternative. 15:45:22 recycled material is usually taken out and not put into the burning waste stream. poojah says she called close taken out and not put into the burning waste stream. poojah says she called close to a dozen other **environmental** agencies and nobody was able to give her any clear numbers on how much energy...burni ng.. actually creates. all

Eyewitness News at 5:30



[Play Media](#)

[Direct Link](#)

KYW (CBS)Philadelphia, PA DMA: 4
Apr 08 2010 5:44AM EDT
Programming Type: News
Est. Households/Views: 47059
Est. Publicity Value: \$970 (30 Seconds)
\$1940 (Total)

expressway, ukee, back to you. >>> many of **us** are making repairs and doing renovations around the house but you might need to do homework before hiring any within to do work in your home. in this week's angie's list report, three on your side's jim donovan explains how a new government regulation could impact you. >> reporter: new rule from the **epa** requires any contractor that runs the risk of disturbing lead based paint to be certified in proper safety technique. >> this is good news for consumers because majority lives in houses built before 1979 when the government passed i ban on lead based paint report report before this rule was if place contractors had to give homeowners a pamphlet about the risk associated with lead based paint. >> now the contract will to have get certified in these safety techniques. this is a step in the right direction. >> reporter: make sure the contractor you choose has proven their certification. >> consumers should in the take for grant that had all contractors are certified in

Total Number of Clips: 9

Cumulative Est. Audience: 246,614

Cumulative Est. Publicity Value: \$9,366 (Sum of Clip Totals)

BROADCAST CLIPS

February 1, 2010

URL: <http://www.criticalmention.com/report/10607x117462.htm>

National

Entry #8

FNC (FNC - Indoor Air Pollution)

Entry #10

CSPAN (CSPAN – unemployment)

KRXI (Fox)Reno, NV

Entry #1

KRXI (Fox)Reno, NV - The budget includes cuts to the Environmental Protection Agency.

KTVU (Fox)San Francisco, CA

Entry #2

KTVU (Fox)San Francisco, CA - The budget includes cuts to the Environmental Protection Agency.

KSWB (Fox)San Diego, CA

Entry #3

KSWB (Fox)San Diego, CA - Both the Environmental Protection Agency and the california department of health now say they will investigate the situation in kettleman city.

KMSP (Fox)Minneapolis-St. Paul, MN

Entry #4

KMSP (Fox)Minneapolis-St. Paul, MN - Birth defects in this city are off the charts.

WFXW (Fox)Terre Haute, IN

Entry #5

WFXW (Fox)Terre Haute, IN - Smartway, from the U.S. Environmental Protection Agency, is changing the way america drives.

KTRK (ABC)Houston, TX

Entry #6

KTRK (ABC)Houston, TX - air pollution

WBRC (Fox)Birmingham, AL

Entry #7

WBRC (Fox)Birmingham, AL - the Environmental Protection Agency and the california department of health now say they will investigate the situation in kettleman city.

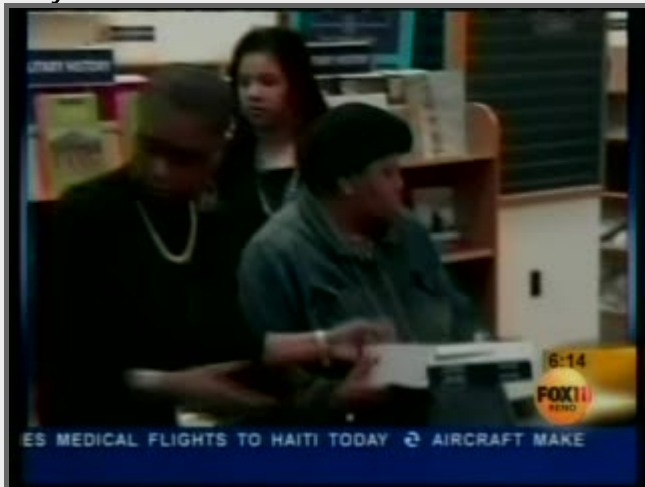
KWCH (CBS)Wichita, KS

Entry #9

KWCH (CBS)Wichita, KS - things that are safe for a food supply and safe for the environment

Total Number of Clips: Cumulative Est. Audience:
10 1,510,890

Entry #1



[Play Media](#)
[Direct Link](#)

6AM News on Fox
KRXI (Fox)Reno, NV DMA: 108
Feb 01 2010 6:15AM PST
Programming Type: News
Est. Households/Views: 1494
Est. Publicity Value: \$8 (30 Seconds) \$16 (Total)

right now. this is a look at the government printing office bookstore just a few blocks away from us where the president's budget proposal is being released this hour. it is a \$3.8 trillion plan that anticipates an even worse deficit this year, the red ink expected to reach a record \$1.6 trillion, as always there are clear winners and losers. for the winners his budget increases funding for education, clean energy initiatives and veterans, the losers, the budget includes cuts to the **environmental protection agency**, the elimination of tax breaks for families making over \$250,000, and new fees on the country's biggest banks. another key focus in the president's budget is job creation, including new spending on roads and other building projects and new tax cuts for small businesses. i will have more on how congress is reacting during my

Entry #2



KTVU Morning News
KTVU (Fox)San Francisco, CA DMA: 6
Feb 01 2010 6:15AM PST
Programming Type: News
Est. Households/Views: 119451
Est. Publicity Value: \$1526 (30 Seconds) \$3052 (Total)

president's budget proposal is being released this hour. it is a \$3.8 trillion plan that anticipates an even worse deficit this year, the red ink expected to reach a record \$1.6 trillion, as always there are clear winners and losers. for the winners his budget increases funding for education, clean energy initiatives and veterans, the losers, the budget includes cuts to the **environmental protection agency**, the elimination of tax breaks for families making over \$250,000, and new fees on the country's biggest banks. another key focus in the president's budget is job creation, including new spending on roads and other building projects and new tax cuts for small businesses. i will have

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more on how congress is reacting during my update next hour. reportic live from washington, d.c., alison burns, ktvu channel 2 news. >> well, the white house now

Entry #3



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FOX 5 Morning News at 5am
KSWB (Fox)San Diego, CA DMA: 28
Feb 01 2010 5:35AM PST
Programming Type: News
Est. Households/Views: 7275
Est. Publicity Value: \$42 (30 Seconds) \$84 (Total)

interstate. activists and residents blame this lands fill three miles outside of town. >> we have babies dying for some reason, don't know why. some **environmental** pollution. >> reporter: the city lands phil is the largest toxic waste facility west of the rockies. officials say the site is strictly regulated and no evidence of ground water contamination. >> we got record of 30 years in business here. we have a clean record. >> reporter: both the **environmental protection agency** and the california department of health now say they will investigate the situation in kettleman city but neither **agency** will commit to taking soil or samples, that's not enough for locals who say they will go ahead with a lawsuit to block expansion of the landfill. >>> we have an update on the 16-

Entry #4



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FOX 9 News at 9
KMSP (Fox)Minneapolis-St. Paul, MN DMA: 15
Feb 01 2010 2:47AM CST
Programming Type: News
Est. Households/Views: 6607
Est. Publicity Value: \$30 (30 Seconds) \$60 (Total)

born this way. >> the doctor told herlofsky baby might have been born this way because she must have been exposed to chemicals or pest sides. >> statistically birth defects in this city are off the charts. **environmental** activists and some residents blame this landfill. >> we have a toxic and radioactive time bomb. we have babies detailing for some reason, we don't know why. >> the city landphyllis the largest toxic waste facility west of the rockies. the site is strictly regulated and there is no evidence of groundwater contamination. >> we've got a record of 30 years doing business here. we have a clean record which we stand by. >> both the **environmental protection agency** and the

Entry #5

Bounce



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WFXW (Fox)Terre Haute, IN DMA: 152
Jan 31 2010 1:21PM EST
Programming Type: Romance
Est. Households/Views: 11070
Est. Publicity Value: \$10 (30 Seconds) \$20 (Total)

all that wool, the milk, the eggs... turn into [4mincome ... for medicine, school, clothing, a better home, a sustainable livelihood. it even produces... fertilizer for crops. and of course, it makes more [4mlivestock ... 'cause animals make baby animals - that's what they do. next thing you know, the family you gave your gift to is "passing on the gift" of the animal's offspring to another family who does the same thing... and so on and so on until, pretty soon, you've helped lift an entire community out of poverty. all with [4myour gift to heifer international. that is a recipe for lasting change. ? america is turning over a new leaf... the smartway leaf. smartway, from the u.s. **environmental protection agency**, is changing the way america drives. look for the smartway leaf

Entry #6



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Viva Houston
KTRK (ABC)Houston, TX DMA: 10
Jan 31 2010 11:01AM CST
Programming Type: Talk
Est. Households/Views: 36900
Est. Publicity Value: \$119 (30 Seconds) \$238 (Total)

the houston region doing when it comes to ozone and air pollution? what's the latest from the **environmental protection agency** as it regulates efforts to clean up ore here, here to address these questions, i want to welcome matthew tejada, executive direct for of the galveston houston association for smog prevention, known as g.h.a.s.p., and with the east harris county manufacturers association, marise textor. can we start this program by defining and explaining ozone. matthew? >> ozone is a very specific chemical term. it is three at at that -- atoms of oxygen. we feed it in our atmosphere, not at theground level, and we don't actually emit ozone, we emit substances that create ozone. >> what creates ozone.

Entry #7

FOX6 News Sunday



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WBRC (Fox) Birmingham, AL DMA: 40
Jan 31 2010 7:49AM CST
Programming Type: News
Est. Households/Views: 76752
Est. Publicity Value: \$596 (30 Seconds)
\$1192 (Total)

dying for some reason we dont know why. we happen to think it is from some **environmental** pollution " the kettlemen city landfill is the largest toxic waste facility west of the rockies. but company officials say the site is strictly regulated and there is no evidence of ground water contamination herrerra says: "we have got a record of thirty years of doing business here we have got a clean record which we stand by" both the **environmental protection agency** and the california department of health have now said they will investigate the situation in kettleman. but neither will comit to taking soil or air samples, and that's not enough for locals who are going ahead with their lawsuit to block expansion of the landfill. in los angeles, anita vogel fox news. the wizard of oz...it's truly a classic. and, it's coming to the b-j-c-c this march. joining us this morning is barry david with broadway across america to talk more about the production. good moing, david.

Entry #8



[Play Media](#)
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Glenn Beck
FNC (FNC) National Programming, DMA: 0
Jan 31 2010 2:17AM EST
Programming Type: Talk News
Est. Households/Views: 1251341
Est. Publicity Value: \$0 (30 Seconds) \$0
(Total)

valentine's. what you went through is tougher than that. i want you to walk **us** through what it takes to forgive something as dep as what you've experienced. the book is called "why i stayed." by the way, all of the members of the studio audience will get a copy of gayle's book "why i stayed." i hope you get yours as well. coming up, we're going to ask gayle how some of the reaction she got from her and ted's appearance on oprah earlier in week. we'll be right back. according to the **epa**, the air in your home can be two to five times more polluted than the air outside. smoke, germs, viruses, allergens, pet dander, even smelly and potentially harmful voc compounds can actually be floating in the air you're breathing! but now you can clean that air with the incredible oreck xl professional air purifier. and if you call and order now you'll pay no interest ever! the secret to oreck's effectiveness is its patented truman cell filter. the oreck air purifier constantly moves the air in the room through its powerful six-stage filtration system.

Entry #9

Ag PhD



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KWCH (CBS)Wichita, KS DMA: 69
Jan 30 2010 5:34AM CST
Programming Type: Bus./financial
Agriculture

things that are safe for a food supply and safe for the environment. b: just don't ever forget, in the united states we've got the safest and most abundant food and water supplies in the world. there is nobody that even competes with **us** and a lot of that is thanks to the **epa** and the **fda** and also the american farmers. so just don't forget that. d: well one of the reasons why our food supply is great is because we've eliminated weeds that rob our yields. we'll show you how to control this tough

Entry #10



[Play Media](#)
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Today in Washington
CSPAN (CSPAN)National Programming, DMA: 0

Jan 30 2010 5:48AM EST
Programming Type: News Politics Public affairs

the budget numbers, all right? >> thank you for joining **us**. as you said in your state of the union address, jobs and the economy are number one. i agree with you on that. i represent their state of west virginia. we are resource-rich. we have a lot of coal and a lot of natural gas. my miners and the folks that are working and those are -- who are unemployed are very concerned by your policies in these areas, cap and trade, an aggressive **epa**, and the looming prospect of higher taxes. in our minds, these are job killing policies. i'm asking you if you would be willing to add some of these policies with the highest unemployment and the ensure economy that we have now, to assure west virginians that you are listening. >> i listen all the time

BROADCAST CLIPS

February 17, 2010

URL: <http://www.criticalmention.com/report/10607x121113.htm>

National

Entry #2

CFLN (CFLN) - The Federal Environmental Protection agency is holding an all day public hearing today in orlando on proposed water quality rules.

KXII (CBS)Sherman, TX

Entry #1

KXII (CBS)Sherman, TX - In December, the EPA issued an "endangerment" finding about carbon dioxide and other greenhouse gases, saying the pollutants can harm people.

WXXA (Fox)Albany, NY

Entry #3

WXXA (Fox)Albany, NY - Just how successful has the Hudson River dredging project been?

WTEN (ABC)Albany, NY

Entry #4

WTEN (ABC)Albany, NY - The phase one peer review panel for The Hudson River dredging project will hold an introductory session today.

WNYT (NBC)Albany, NY

Entry #5

WNYT (NBC)Albany, NY - The p- c-b dredging in the Hudson River will be reviewed.

KAUZ (CBS)Wichita Falls, TX

Entry #6

KAUZ (CBS)Wichita Falls, TX - The state of Texas is taking the feds to court. They are challenging the Environmental Protection Agency's endangerment finding for greenhouse gases.

KTRK (ABC)Houston, TX

Entry #7

KTRK (ABC)Houston, TX - The EPA says the gasses which are blamed for global warming pose a threat to health and the acknowledge wants to regulate carbon dioxide and other traffic acid as pollution under the clean Air Act.

WSAZ (NBC)Charleston, WV

Entry #8

WSAZ (NBC)Charleston, WV - Yesterday, the west virginia coal association told a house committee that the review of 20 coal ming permits by the u-s Environmental Protection Agency is jeopardizing 13- hundred jobs in the state.

Total Number of Clips: Cumulative Est. Audience:
8 235,497

Entry #1



[Play Media](#)
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First News AM
KXII (CBS) Sherman, TX DMA: 161
Feb 17 2010 6:36AM CST
Programming Type: News
Est. Households/Views: 17921
Est. Publicity Value: \$514 (30 Seconds)
\$1028 (Total)
danger to human health. governor rick perry and other state officials announced that texas has filed an appeal in federal court and plans to formally ask the **environmental protection agency** to reconsider its decision. texas leads the nation in greenhouse gas emissions. perry says that the state's industry and its agriculture would be harmed by the epa's actions. in december, the epa issued an "endangerment" finding about carbon dioxide and other greenhouse gases, saying the pollutants can harm people. the ruling set the stage for future rules restricting emissions. perry had this to say about the appeal. "the epa's findings for co2 and other greenhouse gases, and we are taking it to the federal courthouse. this legal action is being taken to protect the texas economy, and the jobs that go with it, and defend texas **environmental** successes, against federal overreach." " epa officials

Entry #2



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News 13 Morning News at 7:00
CFLN (CFLN) National Programming, DMA: 0
Feb 17 2010 7:15AM EST
Programming Type: News
a few odd and ends from the interactive desk this morning... as news 13's scott harris brings us a few notes of interesting events from around central florida events of interest the federal environmental protection agency is holding an all day public hearing today in orlando on proposed water quality rules . there is some controversy, the state claiming the **epa** rules don't really take into account the uniqueness of florida's streams and rivers. kevin spear of the orlando sentinel gave a good account of the dispute earlier this week. we thought it was

Entry #3

FOX23 News Daybreak at 7:00a



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WXXA (Fox)Albany, NY DMA: 57
Feb 17 2010 7:02AM EST
Programming Type: News
Est. Households/Views: 8304
Est. Publicity Value: \$47 (30 Seconds) \$94 (Total)

medical care supporters also wan congress to finish a health care bill that would give coverage t millions of uninsured americ. mark when governo paterson formally kicks off his campaign this weekend.. you'll be paying to help him do it... vo according to the new york post.. the governor will be billin taxpayers to use a state plane for a stop upstate on saturday his office claims the governor already had an even scheduled.. allowing him to bill the cost of the trip to ne yorkers. on sunday, the governor wil be using a commercial flight to return to new york city. after a campaign sto outside of buffalo. sot mark in saratog county.. ?just how successful has the hudson river dredging project been? it's a questio engineers will start diggin into today.. vo today's the first of a two day meeting at saratoga state park.. both the **environmental protection agency** and general electric will give presentations on the project.. which aims t remove tainted sediment fro the hudson. g-e is payin nearly 800- million dollars for the six year project. preliminary reports earlier this year showed mor p-c-b's were found than expected. dredging may not resume until next year. mark in massachusetts.

Entry #4



[Play Media](#)
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News10 at 6:00AM
WTEN (ABC)Albany, NY DMA: 57
Feb 17 2010 6:55AM EST
Programming Type: Talk News
Est. Households/Views: 24253
Est. Publicity Value: \$152 (30 Seconds) \$304 (Total)

the option would help close a current year budget gap. governor paterson is expected to make a final decision in the coming weeks. and the phase one peer review panel for the hudson river dredging project will hold an introductory session today. the focus of the meeting will be to hear presentations from the **environmental protection agency** and general electric, regarding information gained during phase one of the project. the meeting will be held at 7-30 this morning in saratoga springs and go until 5-30 tonight. at 4-45 this afternoon, they will open the floor up for public comments. even though we all saw some accumulating snow yesterday, we haven't had a whole lot of it so far this winter. but that's not hurting local ski areas. mountains haven't been waiting for mother nature to provide the fluffy white stuff.nstead, they've been making their own. resorts includingunter, windham, and west mountain say their business has been booming, and is up from last year. west mountain has been offering a package deal to encourage people to stay for more than one day.

Entry #5

NewsChannel 13 Today



[Play Media](#)
[Direct Link](#)

WNYT (NBC)Albany, NY DMA: 57
Feb 17 2010 6:55AM EST
Programming Type: News
Est. Households/Views: 53665
Est. Publicity Value: \$398 (30 Seconds) \$796 (Total)

5 or 6 shots. for the next 2 days in saratoga springs: the p- c-b dredging in the hudson river will be reviewed to see what happens next. both the **environmental protection agency** and general electric will deliver their extensive take on the first phase of dredging occuring last summer. the evaluation reports will be reviewed to determine how the next phase of dredging will be undertaken. there is a new report out just this morning listing new york state's healthiest counties. and saratoga county comes out as one of the best places to live in the state! the report is based on data collected by the new york state health department. the first set of rankings look at factors affecting your health such as the use of tobacco and alcohol, diet and exercise. saratoga county is number 5. schenectady county, albany county, and warren county are ranked in the top twenty. the second set of rankings is based on length of life and quality of life. saratoga county is number 2. warren county is ranked 14th and schoharie county is number 20. the report was issued by the robert wood institute and

Entry #6



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KAUZ Channel 6 News This Morning
KAUZ (CBS)Wichita Falls, TX DMA: 149
Feb 17 2010 5:40AM CST
Programming Type: News
Est. Households/Views: 1024
Est. Publicity Value: \$11 (30 Seconds) \$22 (Total)

the state of texas is taking the feds to court. they are challenging the **environmental protection agency's** endangerment finding for greenhouse gases. texas governor rick perry, attorney general greg abbott and agriculture commissioner todd staples announced the filing of appeal yesterday. they say the epa's endangerment finding is legally unsupported because the **agency** outsoued its scientific assessment to the international panel on climate change. a grim search continues in san antonio. police are combing a landfill for a missing arizona baby. gabriel johnson has not been seen since late december. authorities say a scottsdale, arizona woman who wanted to adopt gabriel has been indicted. tammi smith is charged with conspiracy to commit custodial interference and forgery. she denies any involvement in the baby's disaearance. the government is demanding answers from toyota about its recent recalls over gas pedal and brake problems. federal officials asked the automaker to turn over documents showing when and how it first discovered the safety defects. if regulators determine toyota did not act in a

Entry #7

13 Eyewitness News at 5:30am



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[Direct Link](#)

KTRK (ABC)Houston, TX DMA: 10
Feb 17 2010 5:34AM CST
Programming Type: News
Est. Households/Views: 96722
Est. Publicity Value: \$484 (30 Seconds) \$968 (Total)

hail. emergency management was notified but an hour gap between when the chemical leaked and when the shelter in place was ordered -- and when the shelter in place was ordered. >> there is always room for improvement. i apologize to the folks that we did cause some inconvenience. >> three people who drove through the orange cloud went to the hospital saying they had trouble breathing. >> the governor perry and other officials challenge the **environmental protection agency** rule on greenhouse gasses. the epa says the gasses which are blamed for global warming pose a threat to health and the acknowledge wants to regulate carbon dioxide and other traffic acid as pollution under the clean air act. the governor says the science is flawed and rulation the hurt the state's economy. >> we are challenging the epa findings for co and other dprows gasses and we are taking it to the federal courthouse. this legal action is being taken to protect the texas economy. >> epa is firing back pointing

Entry #8



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WSAZ NewsChannel 3 at Sunrise
WSAZ (NBC)Charleston, WV DMA: 63
Feb 17 2010 5:38AM EST
Programming Type: News
Est. Households/Views: 33608
Est. Publicity Value: \$524 (30 Seconds) \$1048 (Total)

necessary to save jobs. yesterday, the west virginia coal association told a house committee that the review of 20 coal ming permits by the u- **environmental protection agency** is jeopardizing 13- hundred jobs in the state. the group says the obama administration is odds with the west virginia e- p-a... and the u-s army corps of engineers over the **environmental** impact of mountaintop mining. lawmakers were also told that the e-p-a is holding up the permits to protect a species of mayfly. **environmental** lobbyists say the concerns run much deeper than that.... and plan to present their side of the story. a bill cracking down on people who pass a stopped school bus is advancing in the west virginia legislature. yesterday, the house judiciary committee approved the bill, which increases the fine from 50- dollars for a first time offense... to 150-dollars, and suspension of the driver's license for a year. the bill was introduced by delegate kelli sobonya of cabell county, at the request of haven mccarthy's grandmother. haven was hit and killed while

Total Number of Clips: 8

Cumulative Est. Audience: 235,497

Cumulative Est. Publicity Value: \$4,260 (Sum of Clip Totals)

BROADCAST CLIPS

February 23, 2010

URL: <http://www.criticalmention.com/report/10607x122339.htm>

NATIONAL

CSPAN2 (CSPAN2)

Entry #8

CSPAN2 (CSPAN2) - We know that cap and trade, with you ration energy, at a time when we need cheap abundant energy and when you make businesses less competitive because they're having to deal with regulations from the Environmental Protection Agency and other unelected bureaucracies, instead of creating jobs and being able to compete with our foreign competitors.

TRAV (TRAV)National Programming

Entry #9

TRAV (TRAV)National Programming - Sears joined forces with the EPA to make sure it's recycled the right way.

WALA (Fox)Mobile, AL

Entry #1

WALA (Fox)Mobile, AL - plumbing manufacturer kohler was just named EPA partner of the year for the second year in a row, thanks to their efficient plumbing fixtures and active promotion of EPA watersense labeled products on the trade show circuit, on its web site, and through noteworthy publicity events.

KBGFLP (NBC)Great Falls, MT

Entry #2

KBGFLP (NBC)Great Falls, MT - Senator max baucus of montana is joining seven other democratic senators from industrial states who are challenging the Environmental Protection Agency's authority to regulate pollution blamed for global warming.

KXTV (ABC)Sacramento, CA

Entry #3

KXTV (ABC)Sacramento, CA - 3 3 news ten got word the California Environmental Protection agency was removing waterless urinals from their headquarters.

KBJR (NBC)Duluth, MN

Entry #4

KBJR (NBC)Duluth, MN - The U.S. Environmental Protection Agency has developed an action plan to clean up and restore the great lakes.

KDLH (CBS)Duluth, MN

Entry #5

KDLH (CBS)Duluth, MN - the U-S Environmental Protection Agency has developed an action plan to clean-up and restore the great lakes.

KBJR (NBC)Duluth, MN

Entry #6

KBJR (NBC)Duluth, MN - The U-S Environmental Protection Agency has developed an action plan to clean-up and restore the great lakes.

WDSU (NBC)New Orleans, LA

Entry #7

WDSU (NBC)New Orleans, LA - This is a report from the 'Environment America Research and Policy Center'. It was released in late 2009 - and analyzes information reported directly to the Environmental Protection Agency.

Total Number of Clips: Cumulative Est. Audience:
9 472,551

Entry #1



[Play Media](#)
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FOX Ten News at 6am
WALA (Fox)Mobile, AL DMA: 60
Feb 23 2010 7:55AM CST
Programming Type: News
Est. Households/Views: 29998
Est. Publicity Value: \$209 (30 Seconds) \$418 (Total)

recycled the water used to make potato chips, saving 570 million gallons a year - that's the amount of water to fill 865 olympic swimming pools. and plumbing manufacturer kohler was just named **epa** partner of the year for the second year in a row, thanks to their efficient plumbing fixtures and active promotion of **epa** watersense labeled products on the trade show circuit, on its web site, and through noteworthy publicity events. i'm jill cordes reporting. in international headlines this morning .. france steps up security measures at a "paris" airport... in international headlines this morning .. france steps up security measures at a "paris" airport... a major german airline suffers a pilot strike... and a bomber targets security forces in pakistan. these stories and more as fox's shepard smith takes **us** around the world in 80 seconds. pakistan ... the blast -- ripping apart some shops in the northwestern swat valley. witnesses say the

Entry #2



[Play Media](#)
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Beartooth News at 10
KBGFLP (NBC)Great Falls, MT DMA: 192
Feb 23 2010 6:31AM MST
Programming Type: News

mary caferro when you cut provider rates or don't increase the funds for provides rates or medicade then what you do is cut services to people who need them at a time when they need th the most according to a recent montana legislative fiscal division analysis, the state could be facing a \$370 million deficit moving into the 2013 biennial budget. senator lewis says d-p-h-h-s could be in the red as much as \$76 million. senator max baucus of montana is joining seven other democratic senators from industrial states who are challenging the **environmental protection** agency's authority to regulate pollution blamed for global warming. in a letter written by senator jay rockefeller of west virginia, the lawmakers said the **agency** lacks the power to restrict greenhouse gases. their opposition could po a blow to the obama administration's anti-pollution efforts. last month, three democrats signed onto a similar senate resolution that

Entry #3

News 10 Good Morning



[Play Media](#)
[Direct Link](#)

KXTV (ABC) Sacramento, CA DMA: 20
Feb 23 2010 5:08AM PST
Programming Type: News
Est. Households/Views: 8464
Est. Publicity Value: \$37 (30 Seconds) \$74 (Total)

to san joaquin county general hospital. 3 3 news ten got word the california **environmental protection agency** was removing waterless urinals from their headquarters. the headquarters they call the greenest high rise in the country. 3 six years ago, cal-epa held a ceremony to dedicate the installation of the first waterless urinals in the building. the building would save a million gallons of water each year by the time all 25 floors were equipped with the fixtures. now, all of those waterless urinals have disappeared. cal-epa says it because of a issues with the units. 3 just last week, maintenance crews finished replacing all 56 waterless urinals with new urinals...that use one-third less water than the original

Entry #4



[Play Media](#)
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NewsCenter Today
KBJR (NBC) Duluth, MN DMA: 139
Feb 23 2010 6:54AM CST
Programming Type: News
Est. Households/Views: 8477
Est. Publicity Value: \$212 (30 Seconds) \$424 (Total)

today. >>> and the u.s. **environmental protection agency** has developed an action plan to clean up and restore the great lakes. the ambitious five-year plan focuses on protecting and cleaning up the most polluted areas in the lakes, combatting invasive species, and restoring species and restoring wetlands. president obama has committed \$450 million for the initiative, saying protecting the resource is essential. meteorologist jeff edmondson joins us for a pre-view of the weather forecast. we were looking at the sky cam in superior, it looked ugly out there >> road conditions are getting worse over the next couple hours, probably the next hour, most areas in wisconsin will see the roads getting more compromised, least. we'll talk about where the roads will be the worst and where they are the best in just a bit.

Entry #5

NewsCenter Morning Plus



[Play Media](#)
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KDLH (CBS)Duluth, MN DMA: 139
Feb 23 2010 6:48AM CST
Programming Type: News
Est. Households/Views: 2539
Est. Publicity Value: \$72 (30 Seconds) \$144 (Total)

laura>> president obama says the great lakes are one of the greatest resources in the nation and he's putting federal money where his mouth is. the u-s **environmental protection agency** has developed an action plan to clean-up and restore the great lakes. the ambitious five year plan focuses on protecting and cleaning up the most polluted areas in the lakes, combating invasive species, and restoring wetlands. president barack obama has already committed 475-million-dollars for the initiative saying protecting this resource is essential. the great lakes supports a multi-billion dollar fishing, boating, and recreational economy, plus provides fresh water for thousands of communities near its shores. laura>> the telemark lodge in cable wisconsin could become home to some of the best cross country ski competitors in the nation. telemark partners, based out of minnesota, recently agreed to a deal to purchase the resort from the telemark interval owners association which has owned the property for a little over ten

Entry #6



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NewsCenter Today
KBJR (NBC)Duluth, MN DMA: 139
Feb 23 2010 5:50AM CST
Programming Type: News
Est. Households/Views: 3867
Est. Publicity Value: \$129 (30 Seconds) \$258 (Total)

took up the bill pawlenty announced plans to veto the bonding bill later today. /// the u-s **environmental protection agency** has developed an action plan to clean-up and restore the great lakes. the ambitious five year plan focuses on protecting and cleaning up the most polluted areas in the lakes, combating invasive species and restoring wetlands. president barack obama has already committed 475-million -dollars for the initiative... saying protecting this resource is essential. laura>> still ahead... we'll take a look at today's business

Entry #7

WDSU News Early This Morning



[Play Media](#)
[Direct Link](#)

WDSU (NBC)New Orleans, LA DMA: 51
Feb 23 2010 5:44AM CST
Programming Type: News
Est. Households/Views: 28742
Est. Publicity Value: \$174 (30 Seconds) \$348 (Total)

watchdog groups say the river is now badly contaminated, endangering the livelihood and health of the community. w-d-s-u anchor rachel wulff looks at what's polluting the river and where it's coming from, in this i-team investigation. - rachel look live- this is a report from the 'environment america research and policy center'. it was released in late 2009 - and analyzes information reported directly to the **environmental protection agency**. that data allowed the epa to evaluate 1900 u.s. rivers, lakes and streams. graphic the 3 most toxic waterways in the country: the ohio river, the new river and the mississippi... and watchdog groups say our state isn't doing enough to stop it --pkg--- man playing harmonica along river the muddy mississippi river has shaped culture and commerce in louisiana for generations. paddleboat steam engine but **environmental** groups worry about

Entry #8



[Play Media](#)
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Today in Washington
CSPAN2 (CSPAN2)National Programming,
DMA: 0
Feb 23 2010 6:07AM EST
Programming Type: News Politics Public affairs

the private sector. now, notice i said private sector. because their goal is to create jobs where? yeah, they want jobs. they just want jobs paid for withour tax dollars or with more debt to build a bigger organization for the long haul to push their agenda from the left. but all three of their agenda items, the three biggest agenda items they have, kill jobs in the private sector. demonstrably. we know what happens when union become stronger and have special privileges. we know that it kills jobs and chokes of off opportunity. look at great states like michigan, and new jersey, that are struggling under the weight of this union agenda. we know that cap and trade, with you ration energy, at a time when we need cheap abundant energy and when you make businesses less competitive because they're having to deal with regulations from the **environmental protection agency** and other unelected bureaucracies, instead of creating jobs and being able to compete with our foreign competitors, we know it kills jobs and with you have a health

Entry #9

Ghost Adventures



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TRAV (TRAV)National Programming, DMA: 0
Feb 23 2010 12:45AM EST
Programming Type: Paranormal
Est. Households/Views: 390464
Est. Publicity Value: \$5563 (30 Seconds)
\$11126 (Total)

your new energy star qualified kenmore elite is ready to go. so, you just gonna dump the old one into the ocean somewhere? - dylan! - actually, dylan, sears joined forces with the **epa** to make sure it's recycled the right way. that's rad. it is rad. it's called responsible appliance disposal. so it's rad... literally. literally. sears. the only retailer recognized by the **epa**... for responsible appliance disposal. get up to 20% off all appliances. sears. life. well spent. yeah, this trip is way overdue. i just can't wait to see all those crunchy flakes in action. i hope i get a chance to put two scoops!? of raisins in some boxes. you know what will really get **us** in the spirit? ? 99 boxes of raisin bran crunch ? ? if you're nice to me i'll share some with you ? ? you take one down (and pass it around) ? ? 98 boxes of raisin bran crunch ? three tasty ingredients,

Total Number of Clips: 9

Cumulative Est. Audience: 472,551

Cumulative Est. Publicity Value: \$12,792 (Sum of Clip Totals)

BROADCAST CLIPS

January 21, 2010

URL: <http://www.criticalmention.com/report/10607x115156.htm>

National

Entry #9

CSPAN3 (CSPAN3) – EPA Administrator Lisa Jackson

Entry #10

BRAVO (BRAVO) – Energy Report

Lincoln, NE

Entry #1

KLKN (ABC)Lincoln, NE - High level of radium in Dentons water.

Entry #3

KLKN (ABC)Lincoln, NE - Radium levels in the town of denton's water

Providence, RI

Entry #2

WNAC (Fox)Providence, RI - Lead paint inside four apartment buildings

Entry #5

WPRI (CBS)Providence, RI - Lead paint inside apartment buildings

Entry #6

WPRI (CBS)Providence, RI – Lead paint inside apartment buildings

Wichita, KS

Entry #4

KSNW (NBC)Wichita, KS - Radon inside your house

Cincinnati, OH

Entry #7

WLWT (NBC)Cincinnati, OH - removing bedbugs

Knoxville, TN

Entry #8

WBIR (NBC)Knoxville, TN – water pollution

Total Number of Clips: 10
Cumulative Est. Audience: 507,840

Entry #1



[Play Media](#)
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Channel 8 Eyewitness News This Morning
KLKN (ABC) Lincoln, NE DMA: 105
Jan 21 2010 6:31AM CST
Programming Type: News
Est. Households/Views: 7955
Est. Publicity Value: \$31 (30 Seconds) \$62 (Total)

of denton's water-- are forcing the small town to come up with a plan to clean it up... because long term exposure at high levels-- can increase the risk of developing diseases related to bone cancer. channel 8 eyewitness news reporter ashley larson has more. patrick norris has called denton home for more than 35 years...and he's never had a problem with the drinking water... ((nats)) but now the **environmental protection agency** says the water has too high a level of radium in the water. i think it's an alarming thing for some people. but after asking some questions, norris says he's not worried and either is bill edwards, who sits on the village board. bill edwards wanted denton residents to know the water you're drinking is the same water you've been drinking for years it isn't the radium levels that have changed but rather the epa standards that have. we can still drink the water, it's the same water we've always had its just that the epa has

Entry #2



[Play Media](#)
[Direct Link](#)

Eyewitness News at 7
WNAC (Fox) Providence, RI DMA: 53
Jan 21 2010 7:23AM EST
Programming Type: News
Est. Households/Views: 5020
Est. Publicity Value: \$50 (30 Seconds) \$100 (Total)

disclosure laws. according to the **environmental protection agency** -- john laughter failed to give tenants information about lead paint inside four apartment buildings. he owns 15 units in three buildings in woonsocket. the e--p--a has asked for a 44- thousand dollar fine. (eh) providence's board of licenses has no has not yet reached a decision about the fate of club elements. it's been closed since a huge brawl erupted inside the club and spilled into the street new year's day. the hearing is expected to continue tomorrow. (eh) providence mayor david cilline is joining mayors from across the country in meeting this week with president obama and his cabinet members. the winter meeting of the u-s conference of mayors starts today and runs through friday. cilline is also part of a small group that will meet with education secretary arne duncan about educational reform initiatives. (vince) we have a news alert to tell you about this morning more than one point five million strollers made by graco children's products have been recalled. the manufacturer

Entry #3

Channel 8 Eyewitness News This Morning



[Play Media](#)
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KLKN (ABC) Lincoln, NE DMA: 105
Jan 21 2010 6:02AM CST
Programming Type: News
Est. Households/Views: 7955
Est. Publicity Value: \$31 (30 Seconds) \$62 (Total)

eight eyewitness news this morning ... a small town tries to decide what to do about health hazard in their drinking water. plus, the beatrice state developmental center's staff faces new challenges. ->> closed captioning is brought to you by nebraska ent. . ---o>> radium levels in the town of denton's water-- are forcing the small town to come up with a plan to clean it up... because long term exposure at high levels-- can increase the risk of developing diseases related to bone cancer. channel 8 eyewitness news reporter ashley larson has more. patrick norris has called denton home for more than 35 years...and he's never had a problem with the drinking water... ((nats)) but now the **environmental protection agency** says the water has too high a level of radium in the water. i think it's an alarming thing

Entry #4



[Play Media](#)
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KSN Today
KSNW (NBC) Wichita, KS DMA: 69
Jan 21 2010 5:38AM CST
Programming Type: News
Est. Households/Views: 4332
Est. Publicity Value: \$121 (30 Seconds) \$242 (Total)

gas will get in... <it seeps right through the concrete.> radon is produced through the natural deterioration of radioactive uranium in soil... prolonged exposure can be deadly... < we breathe that and those particles stick to our lungs, the second leading cause of lung cancer in the us is radon... next to cigarette smoking.> in fact, according to the **environmental protection agency** radon gas causes more than 20,000 deaths annually... that's more people than are killed every year by drunk drivers... < once you've determined you have radon inside your house you have to get it outside of your house... and that's really just a matter of ventilation... but it get all that gas out of the house you've got to go to the source.> <we will core drill the basement floor, remove about 5 gallons of dirt and create our own little space.> radon, like any gas, will follow the path of least resistance... a radon mitigation system works by sinking a large pipe into the soil underneath the

Entry #5

Eyewitness News This Morning



[Play Media](#)
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Entry #6



[Play Media](#)
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Entry #7

WPRI (CBS) Providence, RI DMA: 53
Jan 21 2010 6:21AM EST
Programming Type: News
Est. Households/Views: 24292
Est. Publicity Value: \$160 (30 Seconds) \$320 (Total)

it's x:xx --- a local landlord is facing big fines from the federal government. he's accused of breaking lead paint disclosure laws. according to the **environmental protection agency** -- john laughter failed to give tenants information about lead paint inside four apartment buildings. he owns 15 units in three buildings in woonsocket. the e--p--a has asked for a 44- thousand dollar fine. (eh) providence's board of licenses has not yet reached a decision about the fate of club elements. it's been closed since a huge brawl erupted inside the club and spilled into the street new year's day. the hearing is expected to continue tomorrow. (eh) providence mayor david cilline is joining mayors from across the country in meeting this week with president obam president obama and his cabinet members. the winter meeting of the u-s conference of mayors starts today and runs through friday. cilline is also part of a small

Eyewitness News at 5AM
WPRI (CBS) Providence, RI DMA: 53
Jan 21 2010 5:21AM EST
Programming Type: News
Est. Households/Views: 16028
Est. Publicity Value: \$123 (30 Seconds) \$246 (Total)

traffic here's jamcam traffic reporter bob hannah, live. (eh) it's x:xx --- a local landlord is facing big fines from the federal government. he's accused of breaking lead paint disclosure laws. according to the **environmental protection agency** -- john laughter failed to give tenants information about lead paint inside four apartment buildings. he owns 15 units in three buildings in woonsocket. the e--p--a has asked for a 44- thousand dollar

News 5 at 11:00



[Play Media](#)
[Direct Link](#)

WLWT (NBC) Cincinnati, OH DMA: 33
Jan 20 2010 11:17PM EST
Programming Type: News
Est. Households/Views: 56542
Est. Publicity Value: \$759 (30 Seconds)
\$1518 (Total)

permit wider use ... of a banned ... bug killer. eric kearney ... testified before a senate committee ... he wants the **environmental protection agency**... to okay... pro-pox-ur. used by -- exterminators -- for years... it's said to work wonders in removing bedbugs.. but it was banned from home use... back in the 90's. still unclear when the e-p-a will decide .. people are having a lot of fun.. with the late night fight between jay leno.. and conan o'brien. take a look... at the latest.. jib- jab creation,. ("music and conan and jay ice skating.") the winter olympics... are just a few weeks away .. but i don't think jay and

Entry #8



[Play Media](#)
[Direct Link](#)

10 News Nightbeat
WBIR (NBC) Knoxville, TN DMA: 59
Jan 20 2010 11:05PM EST
Programming Type: News
Est. Households/Views: 38719
Est. Publicity Value: \$576 (30 Seconds)
\$1152 (Total)

keeps pollution levels stagnant when the plant can do better."it does not come up to the standards of the clean water act of 1972, and to me that is unacceptable."if north carolina passes the current draft, mcmahan says the e-p-a should intervene instead of letting north carolina decide how much its plant can pollute tennessee."it's sort of like letting the fox manage the hen ho **use**. people's well-being depends on having clean water." " **epa** headed a technical work group that came up with this plan that is in this permit, so **epa** has been involved since the very beginning.""i think we all want the same thing, we want a nice place to live and the beauty around **us**."jim matheny, ten news.the public meeting with north carolina

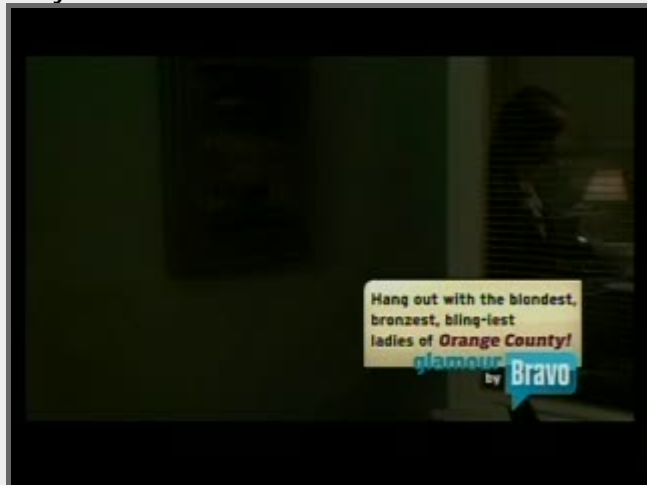
Entry #9

Today in Washington



[Play Media](#)
[Direct Link](#)

Entry #10



[Play Media](#)
[Direct Link](#)

CSPAN3 (CSPAN3)National Programming, DMA: 0
Jan 20 2010 4:55PM EST
Programming Type: News Politics Public affairs

economically. we also know at **epa** and amongst government and mayors know as well that **sustainability** is much broader than we can afford to build on one day and what sells in the marketplace. building new housing developments on the very edges of town, on the edges of cities, far from transportation, far from commercial centers, or building new shopping centers and office buildings with larger parking lots than the buildings themselves. the boom in residential and commercial real estate drove **us**, and it was very good. it was a large part of our economic growth and many communities benefited from it. we know and we now know there are **sustainability** impacts, impacts to **sustainability** from that kind of growth. now our nation has gone into financial crisis. it was the result of an overextension on lending and building and the result is the worst time since world war ii. now, we continue to do the hard work of pulling ourselves up out

The West Wing
BRAVO (BRAVO)National Programming, DMA: 0

Jan 20 2010 9:18AM EST
Programming Type: Drama
Est. Households/Views: 346997
Est. Publicity Value: \$2531 (30 Seconds)
\$5062 (Total)

will be introduced next week. drop it back in congress's lap. why is the president dragging his feet on naming a new chairman of the joint chiefs? the president is making his decision. admiral fitzwallace is still on the job-- one chairman at a time. what else? reuters has a report that we scrubbed two paragraphs from an **epa** report. scrubbed two paragraphs? the **epa's** report on energy needs. reuters is saying the white house scrubbed language critical of the coal industry. what midlevel lackey tampers with an independent report? you're looking at him. i didn't mean to... are we defending coal? reuters has the original draft. we have to do a total mea culpa. make it a one-day story. we're not "culpa-ing" anything. "the report will reflect administration views." that's not going to fly if they have the draft. there's a threshold... "the report will reflect administration views." that's the line. what else? great. thanks. you worried about that **epa** thing? i'm worried about anything that takes **us** off our new message. now that we've officially settled on our new message. right.

BROADCAST CLIPS

January 25, 2010

URL: <http://www.criticalmention.com/report/10607x115872.htm>

National

Entry #2

WNYC (NPR) - New York at age twenty one the environmental protection agency has proposed tightening the standard for a small the goal is cleaner air and improved human health but due to a quirk in atmospheric chemistry the move would likely increase global warming.

Entry #5

FNC (FNC)National Programming - Senior advisor-ued a warning to congress where the house approved a cap and trade bill to curve greenhouse gasses but the senate has not.

Entry #5

CSPAN3 (CSPAN3) – Environmental regulations

New Haven, CT

Entry #1

WTIC (Fox)Hartford & New Haven, CT - Governor Rell is urging the " environmental protection agency" to quickly adopt the more stringent smog standard the agency has proposed.

Columbus, MS

Entry #3

WTVA (NBC)Columbus, MS - The Clarion-Ledger reports E-P- A Administrator Lisa Jackson heard from a group of residents saturday at jackson state university to open her environmental justice tour.

Terre Haute, IN

Entry #4

WFXW (Fox)Terre Haute, IN - Smartway, from the U.S. Environmental Protection Agency, is changing the way america drives.

Las Vegas, NV

Entry #7

KVBC (NBC)Las Vegas, NV - Sears. the only retailer recognized by the epa... for responsible appliance disposal.

Jackson, MS

Entry #8

WAPT (ABC)Jackson, MS - JSU's president Rnal Mason, Congressman Benni Thompson and Jackson mayor Harvey Johnson joined th environmental protection agenc to lead a town- wide disc ussio on the environment clean air and clean water were the biggest concerns there.

Knoxville, TN

Entry #9

WATE (ABC)Knoxville, TN - Pigeon river is still polluted.

El Paso, TX

Entry #10

KVIA (ABC)El Paso, TX - Chimneys are working overtime during th overtime during the cold weather. but a dirty one can pollute the air and ca use health problems.

Total Number of Clips: Cumulative Est. Audience:
10 1,327,524

Entry #1



[Play Media](#)
[Direct Link](#)

FOX 61 Morning News at 8
WTIC (Fox)Hartford & New Haven, CT DMA: 30
Jan 25 2010 8:35AM EST
Programming Type: News
Est. Households/Views: 13292
Est. Publicity Value: \$64 (30 Seconds) \$128 (Total)

after last week's u-s supreme court decision about public campaign financing. national advocates says it's crucial to have "state-run" public financing programs in place. connecticut's law remains unclear -- but a group of state legislators have been working on ways to fix it since a federal judge ruled it unconstitutional last august. a forum is being held in hartford tomorrow -- to discuss the rights of grandparents to contact their grandchildren. in several court rulings -- grandparents can only override parents' wishes under very specific conditions. lawmakers also want to focus in on a recent state supreme court ruling... which said grandparents can't be forced to pay parents' attorney fees -- in visitation lawsuits, even if they lose. governor rell is urging the "**environmental protection agency**" to quickly adopt the more stringent smog standard the **agency** has proposed. rell says -- the move would improve air quality.. in the northeast. she also says -- it would sanction

Entry #2



[Play Media](#)
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Morning Edition
WNYC (NPR)National Programming, DMA: 0
Jan 25 2010 8:20AM EST
Programming Type: News

for year day highs in the upper fifties a winds could occasionally gust over forty miles per hour we could get one to two inches of rain right now it 's fifty three degrees and raining windy as well w. n. y . c. new york at age twenty one the **environmental protection agency** has proposed tightening the standard for a small the goal is cleaner air and improved human health but due to a quirk in atmospheric chemistry the move would likely increase global warming n. p. r . 's richard harris explains smog is n't just ugly e. p. a. official lydia wegman says ozone smog kills so setting a new lower limit for ground level ozone is a good thing they are very significant human health benefits that can be achieved less smog means fewer asthma attacks fewer kids in the hospital and fewer days of lost school and we also believe that we can reduce the risk of early death for people with heart and lung disease but it turns out that fixing this problem is likely to make another one works

Entry #3

WTVA News Today

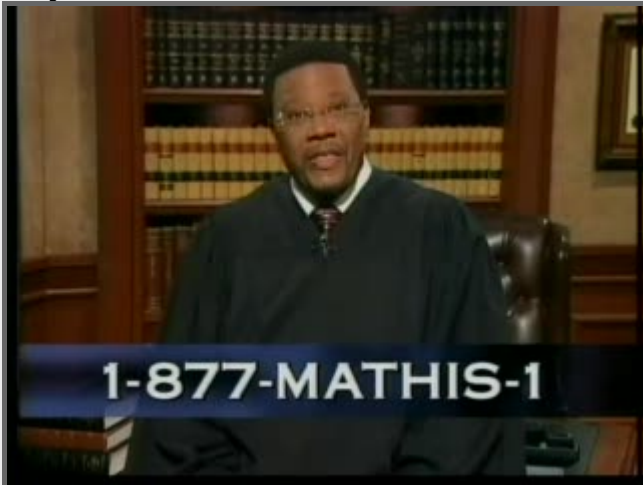


[Play Media](#)
[Direct Link](#)

WTVA (NBC)Columbus, MS DMA: 133
Jan 25 2010 6:33AM CST
Programming Type: News
Est. Households/Views: 26696
Est. Publicity Value: \$516 (30 Seconds)
\$1032 (Total)

october that the companies glaxosmithkline, novartis and astrazeneca did not defraud the state in pricing medicaid prescription drugs. the court on friday tned down the state's petition asking for a rehearing of the three cases. the three were among more than 70 the state filed in 2005 accusing drug companies of causing the state's medicaid program to pay too much for prescription drugs. a group of hattiesburg residents are voicing concerns about a former creosote site near their homes...and the head of the **environmental protection agency** is listening. the clarion-ledger reports e-p- a administrator lisa jackson heard from a group of residents saturday at jackson state university to open her **environmental** justice tour. nearly 100 people from around the state attended th townhall meeting, including one resident who brought pictures showing a suspicious liquid spewinfrom the old creoste site. the resident says state officials have not been able to identify the substance. jackson said she could not promise to solve the residents' problems, but was willing to listen to the concerns. the state of

Entry #4



[Play Media](#)
[Direct Link](#)

WTWO Today on WFXW
WFXW (Fox)Terre Haute, IN DMA: 152
Jan 25 2010 7:14AM EST
Programming Type: News
Est. Households/Views: 1649
Est. Publicity Value: \$20 (30 Seconds) \$40 (Total)

evict a tenant they suspect is doing drugs. let me know what you think. 1-887 mathis 1 to ? the smartway leaf. smartway, from the u.s. **environmental protection agency**, is changing the way america drives. look for the smartway leaf to help you identify environmentally friendlier cars and trucks. smartway certified cars and trucks are more fuel efficient, produce fewer greenhouse gases, and can save you money. and when you're helping the environment, it's a nice reflection on you. smartway. because it's time america turned over a new leaf.

Entry #5

Red Eye



[Play Media](#)
[Direct Link](#)

FNC (FNC)National Programming, DMA: 0
 Jan 25 2010 12:46AM EST
 Programming Type: News
 Est. Households/Views: 1161360
 Est. Publicity Value: \$0 (30 Seconds) \$0
 (Total)

disappear. that is when the days in america dragged their feet on the issue are over. >> make cynical claims that contradict the overwhelming scientific evidence when it comes to climate change. claims was only purpose was to defeat or delay the change that was we know is necessary. >> we are going to have to work on those folks. >> senior advisor-ued a warning to congress where the house approved a cap and trade bill to curve greenhouse gasses but the senate has not. if you don't pass the legislation the **environmental protection agency** or epa is going to regulate in this area. >> ass the world's largest economy and as the world's second largest emitter, america bears our responsibility to address climb gnat change. we intend to meet that

Entry #6



[Play Media](#)
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History

CSPAN3 (CSPAN3)National Programming, DMA: 0

Jan 24 2010 8:51PM EST

Programming Type: Public affairs

his air over at -- it was chaos. it went on that way. so anyway, he finally decided on -- he looked at the d **epartment** of environment of d **epartment** of natural resources and at **epa**. and the reason we went to **epa**, jeff alluded to it, there was a law then that no longer -- the president has this authority. but there was a law in those days that said if the president proposes an agency, not a d **epartment** but an agency, meaning something smaller than a d **epartment**, and congress doesn't do something about it in 60 days, it becomes law. that's how we got **epa** done and that's how we got the national oceanographic and atmospheric d **epartment**. well, what were the nixon highlights? what were the main things he really accomplished? we got -- he signed bills which gave **us** a fresh clean water act, which is still on the books and a clean air act.

Entry #7

Figure Skating



[Play Media](#)
[Direct Link](#)

KVBC (NBC) Las Vegas, NV DMA: 42
Jan 23 2010 10:08PM PST
Programming Type: Sports event Figure skating
Est. Households/Views: 45286
Est. Publicity Value: \$3821 (30 Seconds)
\$7642 (Total)

sears. the only retailer recognized by the **epa**... for responsible appliance disposal. get 10-20% off all appliances. sears. life. well spent. ce trying be good your het? so is campbe's hethy regut soup. loin fat a cholestol, heart hethy levels of sodium, and taste you'll love. guy: mmmm! chef: we're kd of exciteabout it announcer: campbell's healthy request. - at quken loan - we're changing the way americans get a home loan. - for the better. - will close your loan atyour owno **use** if u want. you don't have to comto **us**. we' come too. - that's what we're all abou - and that why i le... - iove... - i love bei a home loaexpert. ? ("sleigh de" playg) prey. (laugh) thre we go (phone rings, laughter) ? (phone rings) victory starts now. with the special k challenge, you c lose upo 6 pounds... in 2 eks. now witho many delicio **us**

Entry #8



[Play Media](#)
[Direct Link](#)

WAPT 10p News
WAPT (ABC) Jackson, MS DMA: 90
Jan 23 2010 10:03PM CST
Programming Type: News
Est. Households/Views: 20744
Est. Publicity Value: \$460 (30 Seconds) \$920 (Total)

line at 601-960- 111 tonight, jsu's president ronah mason, congressman benni thompson and jackson mayor harvey johnson joined th environmental protection agenc to lead a town- wide disc **ussio** on the environment clean air and clean water were the biggest concerns there. th **epa** travelled across mississippi today. the tour is meant t highlight the impact o environmental issues on under- served communities new at ten... three people are in jail tonight, after mbn agents and newton county sheriff's deputies raided a meth lab at a home in hickory mississippi... officers say they found a 21 month old baby inside the home.. friday, authorities arrested two men and a 19 year old woma on s **uspicion** of meth possession and child endangerment. thes are pictures of what they call an active meth lab with active ingredients to cook the drug louisiana state police arreste a man acc **used** of shooting his ex girlfriend and killing her boyfriend at a pearl apartment complex. police tell **us** the shootin happened around 1 this morning at crosswind apartments on crosswind drive in pearl

Entry #9

WATE 6 News at 11



[Play Media](#)
[Direct Link](#)

WATE (ABC) Knoxville, TN DMA: 59
Jan 22 2010 11:09PM EST
Programming Type: News
Est. Households/Views: 36307
Est. Publicity Value: \$481 (30 Seconds) \$962 (Total)

the pigeon river is still polluted. they feel blue ridge paper products, a paper mill in canton, needs to do more to protect the river. they agree a lot of progress has been accomplished, but feel more needs to be done. one of cwee cweet's members, who is also a rafting guide on the river, hopes more people will get involved to make sure the river gets the attention it needs. john bowers, cweet co- supervisor and rafting instructor: "what we are here to do is assure those people it has not and it is their right to expect clean water and if no one else is going to stand up and fight for it, they have too, because it's their county and property. there are no restrictions on catching or eating fish in the pigeon river. rafting has also become very popular. 6 news contacted officials with the paper mill today... in a statement they tell us... "this proposed permit was drafted by a work group made up of people from the north carolina division of water quality, epa and tdec. it will require the plant to further reduce the... amount of color. a non toxic material from wood. that is released into the river. and

Entry #10



[Play Media](#)
[Direct Link](#)

ABC 7 News at 6
KVIA (ABC) El Paso, TX DMA: 98
Jan 22 2010 6:14PM MST
Programming Type: News
Est. Households/Views: 22190
Est. Publicity Value: \$235 (30 Seconds) \$470 (Total)

chimneys are working overtime during the overtime during the cold weather. but a dirty one can pollute the air and cause health problems. "most of the pollution of concern, mostly in the wintertime, is carbon monoxide. so when we do have the fireplaces fireplaces, that does increase the carbon monoxide concentration." so officials at the city of el paso urge residents to keep their fireplaces and chimneys clean. and if you're considering a new fireplace... "what we'd like for citizens to do - if they could help us is in purchasing environmentally safe fireplaces from epa." "they make a more efficient burn and you have less smoke coming out of your chimney." and here's a telltale sign your chimney isn't working efficiently... "if you see smoke coming out of your chimney, that means you're not getting a good burn from your fuel, from your wood." weather is also important in keeping the outside air clean. if it's a cold day and the air is stagnant, experts recommend you don't use your fireplace. "the reason being is that if it's

BROADCAST CLIPS

March 11, 2010

URL: <http://www.criticalmention.com/report/10607x126153.htm>

WVAH (Fox)Charleston, WV

Entry #1

WVAH (Fox)Charleston, WV - Governor Manchin has added his signature to a letter to not let the E-P-A regulate green house gases.

WSAZ (NBC)Charleston, WV

Entry #2

WSAZ (NBC)Charleston, WV - West Virginia Governor Joe Manchin is once again at odds with the Obama administration over environmental policy.

WLS (ABC)Chicago, IL

Entry #3

WLS (ABC)Chicago, IL - You don't want any cyanide in the water. cyanide is extremely toxic, no matter how one is exposed to it.

KOAM (CBS)Joplin, MO

Entry #4

KOAM (CBS)Joplin, MO - Environmental Protection Agency tonight hosted an update on the Tar Creek Superfund site. the meeting, which included tribal landowners, was held at the Peoria tribal building in Miami, Oklahoma.

KXXV (ABC)Waco, TX

Entry #5

KXXV (ABC)Waco, TX - The Environmental Protection Agency is looking at having farmers get a permit to spray their crops with pesticides.

WCAX (CBS)Burlington, VT**Entry #6**

WCAX (CBS)Burlington, VT - Vermont has spent 106-million dollars -- on cleaning up Lake Champlain -- since Vermont, New York, and the Environmental Protection Agency agreed on a plan in 2002. But now, the EPA will look into whether the plan was adequate or not.

Total Number of Clips: Cumulative Est. Audience:
6 530,153

Entry #1



[Play Media](#)
[Direct Link](#)

Eyewitness News This Morning on Fox
WVAH (Fox)Charleston, WV DMA: 63
Mar 11 2010 7:34AM EST
Programming Type: News
Est. Households/Views: 3175
Est. Publicity Value: \$38 (30 Seconds) \$76 (Total)

lawmakers say they will try again with both bills in the next legislative session. stingerstinger governor manchin has added his signature to a letter to not let the e-p-a regulate green house gases. gases.manchin, and governor steve beshear from kentucky join that group of governors. in the letter to congress, they say "the **environmental protection agency** regulations of greenhouse gases linked to climate change could harm the country's economic competitiveness." meanwhile, international coal group, that's located in scott depot, gets its mine permit for a mine near grafton, in taylor county.the permit was first denied due to an "inadequate water treatment plan," so the company made some changes and now the permit has been reinstated. i-c-g hopes to start construction on the tygart number one underground mine in mid-20-11, they also hope to be in production by late 20-12. a leading conservative voice visits the mountain state and weighs in on coal. eyewitness news reporter kennie bass talks with mike

Entry #2



[Play Media](#)
[Direct Link](#)

WSAZ NewsChannel 3 Today
WSAZ (NBC)Charleston, WV DMA: 63
Mar 11 2010 6:35AM EST
Programming Type: News
Est. Households/Views: 73259
Est. Publicity Value: \$1171 (30 Seconds) \$2342 (Total)

licenses. west virginia governor joe manchin is once again at odds with the obama administration over **environmental** policy... and this time, he's not alone. yesterday, he joined 18 other governors in signing a letter... asking lawmakers to stop a plan giving the **environmental protection agency** the authority to regulate greenhouse gasses. kentucky governor steve beshear also signed the letter. the e- p-a is expected to take over regulation later this month... it has indicated that cap and trade policies would be part of the program. governor manchin says the e-p-a should offer input... but that the **agency** isn't equipped to understand the economic impact of its policies. this year's west virginia

Entry #3

ABC7 News



[Play Media](#)
[Direct Link](#)

WLS (ABC)Chicago, IL DMA: 3
Mar 10 2010 10:16PM CST
Programming Type: News
Est. Households/Views: 387829
Est. Publicity Value: \$14835 (30 Seconds)
\$29670 (Total)

mississippi to lake michigan. when companies detected small quantities in factory waste water, they knew there was potential for a big problem. >> you don't want any cyanide in the water. cyanide is extremely toxic, no matter how one is exposed to it. it is so toxic that it was the chemical of choice in gas chambers for executions. >> they shut down their water treatment facility and cut off the flow into the river and began pumping it into a storage tank. two days later company officials notified the **environmental protection agency** of the appearance of cyanide in the waste water. they have filled an additional eight multimillion gallon tanks with contaminated water. >> we are able to treat it on

Entry #4



[Play Media](#)
[Direct Link](#)

KOAM News at Ten
KOAM (CBS)Joplin, MO DMA: 147
Mar 10 2010 10:07PM CST
Programming Type: News
Est. Households/Views: 28386
Est. Publicity Value: \$437 (30 Seconds) \$874 (Total)

environmental protection agency tonight hosted an update on the tar creek superfund site. the meeting, which included tribal landowners, was held at the peoria tribal building in miam-uh, oklahoma. recent controversy over ownership of chat piles, and who is benefitting from the sales of the chat, were not part of the agenda. we had an audience that kind of fell through the cracks in terms of not knowing what actions the epa is implementing there has been some confusion about chat being moved and is it indian owned chat and things of that sort. so our intention tonight is to lay a solid foundation for these owners of chat as well as the land and bring them up to speed. one tribal member said the chat issue is still being worked out. a court order recently forced owners to re-open a padlocked gate, and owners want to hear more from the contractor about his official paperwork to haul the chat out.

Entry #5

News Channel 25 Nightbeat



[Play Media](#)
[Direct Link](#)

KXXV (ABC)Waco, TX DMA: 89
Mar 10 2010 10:05PM CST
Programming Type: News
Est. Households/Views: 21347
Est. Publicity Value: \$234 (30 Seconds) \$468 (Total)

out the blaze. damage to the church is estimated at 15 million dollars. investigators say they are continuing to follow leads - but no arrests have been made. a recent court decision could affect farmers, ranchers and even you. the **environmental protection agency** is looking at having farmers get a permit to spray their crops with pesticides-- telling news channel 25 they're drafting a permit for may followed by public comment. but texas farm bureau says this permitting issue could cause problems for area farmers. they say it's unclear just how long the permitting process will take and how many times a rancher will have to get a permit to spray pesticides on their field. "caldwell3: you might have to go through the permitting process each time and you could have a lot of crop damage that could infect the crop, affect the yield, for food purposes, etc." the e-p-a told news channel 25 anyone who applies a pesticide in, over, or near waters of the u-s will need to be

Entry #6



[Play Media](#)
[Direct Link](#)

Channel 3 News at 11
WCAX (CBS)Burlington, VT DMA: 94
Mar 10 2010 11:04PM EST
Programming Type: News
Est. Households/Views: 16157
Est. Publicity Value: \$203 (30 Seconds) \$406 (Total)

what we feel to be a very environmentally benign technology, is a great opportunity and we look forward to letting the communities know about this in the future.") if approved, the company says will take 3 years to bury the lines from montreal to manhattan. and they're seeking input to avoid the lake's historic shipwrecks and environmentally sensitive areas. a public meeting will also be held in the plattsburgh area in the coming months. vermont has spent 106-million dollars -- on cleaning up lake champlain -- since vermont, new york, and the **environmental protection agency** agreed on a plan in 2002. but now, the epa will look into whether the plan was adequate or not -- as the result of a lawsuit filed by the conservation law foundation. andy potter reports. at issue is phosphorus pollution -- from sewer plants, known as point pollution -- and stormwater runoff, known as non-point pollution.clf lead attorney

Total Number of Clips: 6

Cumulative Est. Audience: 530,153

Cumulative Est. Publicity Value: \$33,836 (Sum of Clip Totals)

BROADCAST CLIPS

March 12, 2010

URL: <http://www.criticalmention.com/report/10607x126439.htm>

NATIONAL

CSPAN2 (CSPAN2)

Entry #2

CSPAN2 (CSPAN2) - On the recent tiger grants that were awarded as part of the recovery act, we had Hud staff and EPA staff actively involved in the process, first time it's ever happened of evaluating tiger grants to look at the connection of those to housing.

CSPAN3 (CSPAN3)

Entry #5

CSPAN3 (CSPAN3) - Thank you for your time, Administrator Jackson. as there is no surprise here, there are numerous questions dealing with climate change.

LOCAL

KSFX (Fox)Springfield, MO

Entry #1

KSFX (Fox)Springfield, MO - new fuel economy standards could make cars more expensive... but save drivers twice as much in gas... the obama administration is finalizing the new economy standards.

KYTV (NBC)Springfield, MO

Entry #3

KYTV (NBC)Springfield, MO - The Environmental Protection Agency is enforcing the law that requires contractors that disturb lead based painted in homes built before 1978 to follow specific work practices to prevent lead contamination.

KING (NBC)Seattle, WA**Entry #4**

KING (NBC)Seattle, WA - The Environmental Protection Agency says it it will consider ways that states like Washington can address rising levels of carbon dioxide in oceans.

Total Number of Clips: 5
Cumulative Est. Audience: 258,299

Entry #1



[Play Media](#)
[Direct Link](#)

Ozarks FOX in the Morning
KSEFX (Fox)Springfield, MO DMA: 74
Mar 12 2010 7:04AM CST
Programming Type: News
Est. Households/Views: 3285
Est. Publicity Value: \$68 (30 Seconds) \$136 (Total)

construction crews will close the northbound 65 to eastbound 60 ramp today. from 9-am until noon crews will work on the bridge over the closed ramp. detours will be marked. and morning commuters will want to watch out for a street closure in downtown springfield. jefferson avenue between walnut street and elm street will close at seven a-m. crews will be working on utilities in the area. the street should be back open by one p-m. new fuel economy standards could make cars more expensive... but save drivers twice as much in gas... the obama administration is finalizing the new economy standards. the transportation department and the **environmental protection agency** have proposed that new cars and trucks get an average of 35-miles per gallon by 20-16. the plan could save one-point- eight billion barrels of oil and reduce greenhouse gas pollution by 9-hundred-million metric tons. a new line of investigation has been launched into auto safety in the u-s. "the national highway traffic safety administration unfortunately has not been a

Entry #2



[Play Media](#)
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Today in Washington
CSPAN2 (CSPAN2)National Programming,
DMA: 0
Mar 12 2010 6:57AM EST
Programming Type: News Politics Public affairs

very closely with the department of transportation with d.o.e., department of energy and environmental protection administration just to give an example. on the recent tiger grants that were awarded as part of the recovery act, we had hud staff and **epa** staff actively involved in the process, first time it's ever happened of evaluating tiger grants to look at the connection of those to housing. so that's an example of that. on the state and local piece of this, we believe very strongly that this is not a one-size-fits-all and so the very first initiative we're undertaking in our sustainable communities initiative is to provide, thanks to the committee's leadership, planning grants for local communities to be able to decide how they want to coordinate housing and transportation. this is not about **us** telling them. this is **us** providing help to them so that they can do the kind of planning and coordination, provide technical

Entry #3

KY3 News at Ten



[Play Media](#)
[Direct Link](#)

KYTV (NBC) Springfield, MO DMA: 74
Mar 11 2010 10:06PM CST
Programming Type: News
Est. Households/Views: 108271
Est. Publicity Value: \$3323 (30 Seconds)
\$6646 (Total)

your home was built before 1978, you'll have to hire a contractor who is certified to work in a lead safe environment. >> about a third of all renovation projects are going to be affected by this. >> the **environmental protection agency** is enforcing the law that requires contractors that disturb lead based painted in homes built before 1978 to follow specific work practices to prevent lead contamination. >> when you have lead based paint in a house, that can start to break down and create a fine dust over the house that you may not see. >> that dust can cause health effects especially in children. symptoms of lead poisoning include learning disabilities, behavioral problems, hearing loss, and even organ failure. >> anything that we can put in place that would protect children from possible negative side effects of something like lead, i think it's a great idea. >> but some contractors are more hesitant pointing to

Entry #4



[Play Media](#)
[Direct Link](#)

KING 5 News
KING (NBC) Seattle, WA DMA: 13
Mar 11 2010 5:35PM PST
Programming Type: News
Est. Households/Views: 146743
Est. Publicity Value: \$1227 (30 Seconds)
\$2454 (Total)

>>> the **environmental protection agency** says it will consider ways that states like washington can address rising levels of carbon dioxide in oceans. the **agency** has settled a lawsuit filed last year by the center for biological diversity in san francisco. that lawsuit accused the epa of acting improperly when it approved a list of impaired waters in washington state that omitted the state's coastal waters. carbon dioxide raises the acid dee of water. it seriously threatens shellfish. >>> a series strong aftershocks including one measuring 6.9 rocks chile today. the nine aftershocks swayed buildings and sent people running into the streets. three of the quakes were over magnitude 6 and six more above magnitude 5, and they all hit within five hour.

Entry #5

Today in Washington



[Play Media](#)

[Direct Link](#)

**CSPAN3 (CSPAN3)National Programming,
DMA: 0
Mar 11 2010 6:28PM EST
Programming Type: News Politics Public
affairs**

>> thank you for your time, administrator jackson. as there is no surprise here, there are numerous questions dealing with climate change. the first question, if you'll step up here and we'll address the audience. christine todd whitman was on c-span this morning. she was saying the climate change debate is so politicized at this point the argument for legislation should be entirely about clean air and not about climate change. are you concerned that recent controversy about climate change science with hurt chances for legislation this year and do you think the climate message needs to be downplayed in favor of clean air? >> as head of the **environmental protection agency**, i'm not in favor of giving the best science to the american people. the science is absolutely crystal clear. there is certainly an organized effort to sew doubt in people's minds and is there some

**Total Number of
Clips: 5**

Cumulative Est. Audience: 258,299

**Cumulative Est. Publicity Value: \$9,236 (Sum of
Clip Totals)**

BROADCAST CLIPS

March 15, 2010

URL: <http://www.criticalmention.com/report/10607x126832.htm>

National

POTUS (POTUS)

Entry #3

POTUS (POTUS) - as head of the environmental protection agency and i'm not going to be in favor of not getting the best science you can to the American people .

POTUS (POTUS)

Entry #4

POTUS (POTUS) - EPA Administrator Lisa Jackson and her remarks to the National Press Club on March eight.

Local

WCYB (NBC)Tri-Cities (TN-VA), VA

Entry #1

WCYB (NBC)Tri-Cities (TN-VA), VA - The U.S. Environmental Protection Agency says the removal of ash from the Emory River has moved to dredging along the riverbed.

WRCB (NBC)Chattanooga, TN

Entry #2

WRCB (NBC)Chattanooga, TN - Federal regulators have concluded it is technologically impossible to remove all the coal ash from the Emory River and an undetermined amount will stay in the water when the Kingston ash spill is complete.

CGEM (Fox)Quincy, IL

Entry #5

CGEM (Fox)Quincy, IL - Smartway, from the U.S. Environmental Protection Agency, is changing the way America drives.

WFXW (Fox)Terre Haute, IN

Entry #6

WFXW (Fox)Terre Haute, IN - Smartway, from the U.S. Environmental Protection Agency, is changing the way America drives.

WFAA (ABC)Dallas, TX

Entry #7

WFAA (ABC)Dallas, TX - New information in the governor's lawsuit against the Environmental Protection Agency. the state attorney general's office went to court to try to stop tighter restrictions on greenhouse gases which scientists say contribute to global warming.

Total Number of Clips: Cumulative Est. Audience:
7 126,854

Entry #1



[Play Media](#)
[Direct Link](#)

News 5 Today

WCYB (NBC)Tri-Cities (TN-VA), VA DMA: 93
Mar 15 2010 6:32AM EDT
Programming Type: News
Est. Households/Views: 48036
Est. Publicity Value: \$396 (30 Seconds) \$792
(Total)

tarah taylor this morning at the update desk with the traffic report.. tarah.. tarah checking this morning's traffic report. milling is beginning on clinchfield street today in kingsport and will continue throughout the week. crews are preparing the road to be paved and will begin on the section between sullivan and stone drive. this may cause some delays in traffic. also, bridge work continues this week on interstate 81 in smyth county. route 690 in atkins is closed for crews to paint the interstate bridge. in the nexfew weeks they'll to the same to bridges above route 16, matson drive and exit 44. tarah federal regulators have concluded that it is technologically impossible to remove all the coal ash from the emory river. they say an undetermined amount will stay in the water when the kingston ash spill is complete. the u.s. **environmental protection agency** says the removal of ash from the emory river has moved to dredging along the riverbed. they say the goal is to remove as much

Entry #2



[Play Media](#)
[Direct Link](#)

Eyewitness News Today

WRCB (NBC)Chattanooga, TN DMA: 86
Mar 15 2010 5:06AM EDT
Programming Type: News
Est. Households/Views: 8877
Est. Publicity Value: \$49 (30 Seconds) \$98
(Total)

grabs. they will make presentations today to peer reviewers evaluating the applications. we will not know which states will get the money until next month. new this morning... federal regulators have concluded it is technologically impossible to remove all the coal ash from the emory river and an undetermined amount will stay in the water when the kingston ash spill is complete. the knoxville news-sentinel reports a memorandum written by leo francendese, who oversees the emergency cleanup operation for the u.s. **environmental protection agency**, states the removal of ash from the emory river has moved to dredging along the riverbed. the december 2008 spill dumped over 5 million cubic yards of coal ash sludge from the federal utility's kingston fossil plant into the emory river and surrounding area. many states are recovering this area. many states are recovering this morning after this weekend's brutal northeast rainstorm which is being blamed for the deaths of at least seven people in five states. this is a look at crews rescuing

Entry #3

FoxNews Sunday

P.O.T.U.S | '08
Audio Clip

[Play Media](#)
[Direct Link](#)

POTUS (POTUS)National Programming, DMA: 0

Mar 15 2010 12:28AM EDT

Programming Type: News

can you step up here not him address the audience on christine todd whitman i think and this morning and that she was saying the climate change the date is so politicized at this point that the argument for legislation should be entirely but we are not about climate change are you concerned that recent controversy about climate change science will hurt chances for legislation this year and do you think that the client that message needs to be downplayed in favor of clean air them . but it as head of the **environmental protection agency** and i'm not going to be in favor of not getting the best science you can to the american people . and the science is absolutely crystal clear there is certainly in organized efforts to slowdown and people's minds and in some indication that it may be working on some level but is an epa had to leave that to continue to stand here and make it crystal clear that the science is an unsettled that we do now that time our emissions of greenhouse gases are accumulating in iraq .

Entry #4

P.O.T.U.S | '08
Audio Clip

[Play Media](#)
[Direct Link](#)

FoxNews Sunday

POTUS (POTUS)National Programming, DMA: 0

Mar 15 2010 12:04AM EDT

Programming Type: News

everybody with those issues that was serious and it's by no more serious dot com or a family and rock scene that i know it's here at the earliest and washington and welcomed the roth you think she's joining us and pageantry is entering the sedition the one here from **epa administrator lisa jackson** and her remarks to the national press club on march eight she was introduced by alan geared up from the national press loves him lin thanks so much that that provocative and done soon . hi good afternoon everyone have the density in a little bit late to drive this afternoon like a lot of new islands of lies and yes this last night at the elite some nights later he denied predicted avatars the wind is concerned the guy is .

Entry #5

MLB Preseason Baseball



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[Direct Link](#)

CGEM (Fox)Quincy, IL DMA: 171

Mar 13 2010 1:55PM CST

Programming Type: Sports event Baseball

Est. Households/Views: 177

Est. Publicity Value: \$7 (30 Seconds) \$14 (Total)

a new leaf... the smartway leaf. smartway, from the u.s. **environmental protection agency**, is changing the way america drives. look for the smartway leaf to help you identify environmentally friendlier cars and trucks. smartway certified cars and trucks are more fuel efficient, produce fewer greenhouse gases, and can save you money. and when you're helping the environment, it's a nice reflection on you. smartway. because it's time america turned over a new leaf. follow the leaf. go to www.epa.gov/smartway narrator: we can all

Entry #6



[Play Media](#)

[Direct Link](#)

Phone Booth

WFXW (Fox)Terre Haute, IN DMA: 152

Mar 13 2010 2:55PM EST

Programming Type: Suspense

Est. Households/Views: 1142

Est. Publicity Value: \$24 (30 Seconds) \$48 (Total)

a new leaf... the smartway leaf. smartway, from the u.s. **environmental protection agency**, is changing the way america drives. look for the smartway leaf to help you identify environmentally friendlier cars and trucks. smartway certified cars and trucks are more fuel efficient, produce fewer greenhouse gases, and can save you money. and when you're helping the environment, it's a nice reflection on you. smartway. because it's time america turned over a new leaf. follow the leaf. go to www.epa.gov/smartway narrator: we can all

Entry #7

News 8 Daybreak Saturday



[Play Media](#)

[Direct Link](#)

WFAA (ABC) Dallas, TX DMA: 5
Mar 13 2010 8:32AM CST
Programming Type: News
Est. Households/Views: 68622
Est. Publicity Value: \$1263 (30 Seconds)
\$2526 (Total)

operations, the rest were taken at other places, such as the fire station. now, none of these samples revealed elevated levels of ben scene. elevated levels of another toxin, however, were found in a few samples but officials say there's -- they're still too low to affect anyone's health. >>> new information in the governor's lawsuit against the **environmental protection agency**. the state attorney general's office went to court to try to stop tighter restrictions on greenhouse gases which scientists say contribute to global warming. yesterday the texas railroad commission voted to join that court battle saying the rough posed epa restrictions could 30s natural gas industry. >>> south lakes received its first application for a gas well and pipeline in that city. the proposed well site is near the intersection of state highway 26 and mustang court. that's about a mile from southlake's dragon stadium. the pipeline taking gas from the site would run west of it. three town hall meetings will be held, the first on march

Total Number of Clips: 7

Cumulative Est. Audience: 126,854

Cumulative Est. Publicity Value: \$3,478 (Sum of Clip Totals)

BROADCAST CLIPS

March 22, 2010

URL: <http://www.criticalmention.com/report/10607x128263.htm>

National

TNT (TNT

Entry #9

TNT (TNT - Sears -- the only retailer recognized by the EPA... for responsible appliance disposal.

Local

WREX (NBC)Rockford, IL

Entry #1

WREX (NBC) Rockford, IL - Americans are notorious for throwing water down the drain. but how much is that costing us? according to the EPA, an average U.S. household uses about 100 - 150 gallons of water a day per person.

WOWK (CBS)Charleston, WV

Entry #2

WOWK (CBS) Charleston, WV - The U-S Environmental Protection Agency is ordering Dupont to review environmental safety procedures at it's belle plant.

WCMH (NBC)Columbus, OH

Entry #3

WCMH (NBC) Columbus, OH - The Environmental Protection Agency is developing stricter guidelines for flea and tick treatments after an increase in injuries and deaths of dogs and cats.

WTVA (NBC)Columbus, MS**Entry #4**

WTVA (NBC)Columbus, MS - Governor Haley Barbour adds Mississippi to a lawsuit against what he says is an Environmental Protection Agency regulatory scheme.

WLOV (Fox)Columbus, MS**Entry #5**

WLOV (Fox) Columbus, MS - Governor Haley Barbour adds Mississippi to a lawsuit against what he says is an Environmental Protection Agency regulatory scheme.

KING (NBC)Seattle, WA**Entry #6**

KING (NBC)Seattle, WA - America is turning over a new leaf... the smartway leaf from the U.S. Environmental Protection Agency. the smartway leaf will help you identify environmentally friendlier cars and trucks that can save you money.

WPTA (ABC)Ft. Wayne, IN**Entry #7**

WPTA (ABC)Ft. Wayne, IN - After four years of continuous monitoring, the Environmental Protection Agency has notified lake and porter counties they are now in compliance with the 1997 clean air act and, effective April 12, the region will lose their "non-attainment" status, which could provide a big boost for economic development efforts.

WFLA (NBC)Tampa, FL**Entry #8**

WFLA (NBC) Tampa, FL - For years dogs and cats have suffered seizures, rashes, and hundreds have died. This week the agency responsible for regulating flea and tick products took steps to make the market safer for consumers.

Total Number of Clips: Cumulative Est. Audience:
9 1,616,530

Entry #1



[Play Media](#)
[Direct Link](#)

13 News Today

WREX (NBC)Rockford, IL DMA: 134
Mar 22 2010 6:11AM CDT
Programming Type: News
Est. Households/Views: 10023
Est. Publicity Value: \$81 (30 Seconds) \$162 (Total)

on a frequent basis, americans are notorious for throwing water down the drain. but how much is that costing us? according to the epa, an average u.s. household uses about 100 - 150 gallons of water a day per person. in fact, water demand has tripled over the last 30 years while the population has grown just 50%. while water costs are currently subsidized in our nation, there's no guarantee it'll stay that way. according to

Entry #2



[Play Media](#)
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13 News at 6a

WOWK (CBS)Charleston, WV DMA: 63
Mar 22 2010 6:34AM EDT
Programming Type: News
Est. Households/Views: 4952
Est. Publicity Value: \$40 (30 Seconds) \$80 (Total)

locate the suspect.he's described as a large-stature right-handed black man. he was seen driving a dark-colored vehicle with ohio tags. the u-s environmental protection agency is ordering dupont to review environmental safety procedures at it's belle plant. the plant was the site of a phosgene gas release in january that led to the death of a dupont employee. the order is the result of an epa inspection of the facility -- following three chemical releases in january -- including the one that caused the worker's death. the epa has determined that the facility has not satisfied clean air act requirements -- designed to help +prevent+ accidental releases -- and + (minimize+ the consequences of releases that do occur. now to our hometown business report this morning... there are fewer chemical companies with fewer employees in west virginia these days. but, the industry is still an important part of the state's economy. in the past, there were a few large, global companies but, as kevin digregorio of the chemical alliance points out, that has changed.

Entry #3

NBC 4 at 11



[Play Media](#)
[Direct Link](#)

WCMH (NBC)Columbus, OH DMA: 34
Mar 21 2010 11:16PM EDT
Programming Type: News
Est. Households/Views: 76875
Est. Publicity Value: \$646 (30 Seconds)
\$1292 (Total)

>> the **environmental protection agency** is developing stricter guidelines for flea and tick treatments after an increase in injuries and deaths of dogs and cats. here's why it matters. >> veterinarians here in worthington have seen the effects of flea and tick treatments gone wrong. >> they come in with uncontrollable muscle tremor. a lot of clients will think their pets are seizing, they have that much muscle tremor. >> it's not truly a seizure but one of the possible reactions to many over-the-counter

Entry #4



[Play Media](#)
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WTVA News at Ten
WTVA (NBC)Columbus, MS DMA: 133
Mar 21 2010 10:04PM CDT
Programming Type: News
Est. Households/Views: 25011
Est. Publicity Value: \$666 (30 Seconds)
\$1332 (Total)

said. if you want to be part of the spring into green conference you still have time to register the event ends tuesday. governor haley barbour adds mississippi to a lawsuit against what he says is an **environmental protection agency** regulatory scheme. eleven other states also support challenging the ruling that greenhouse gases are a threat to public health and should be regulated under the clean air act. e-p-a indicates the findings will lead to regulating motor vehicles, electricity generators and petroleum refineries.governor barbour says more regulation of those industries will drive up energy and consumer product prices. ((robert))this month's "no dead authors" literary reading at the columbus visitors bureau featured the co- director of the creative writing program at m-s-u. michael kardos unveiled a book entitled "surreal south '09." the book is comprised of both fiction and non-fiction stories that are set in the

Entry #5

WLOV News at Nine

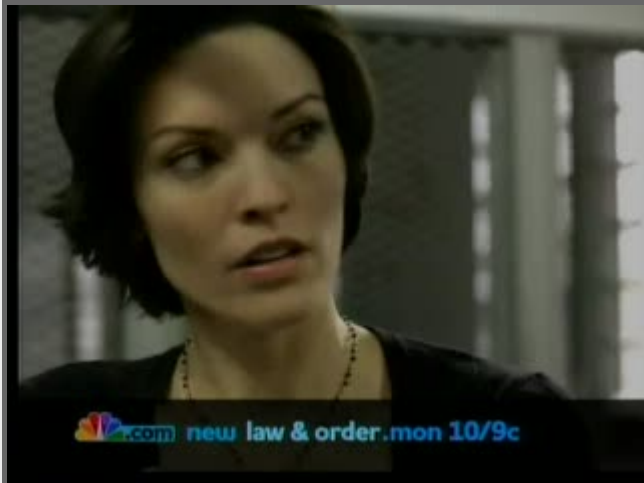


[Play Media](#)
[Direct Link](#)

WLOV (Fox)Columbus, MS DMA: 133
Mar 21 2010 9:04PM CDT
Programming Type: News
Est. Households/Views: 2950
Est. Publicity Value: \$154 (30 Seconds) \$308 (Total)

if you want to be part of the spring into green conference you still have time to register...the event ends tuesday. governor haley barbour adds mississippi to a lawsuit against what he says is an **environmental protection agency** regulatory scheme. eleven other states also support challenging the ruling that greenhouse gases are a threat to public health and should be regulated under the clean air act.e-p-a indicates the findings will lead to regulating motor vehicles, electricity generators and petroleum refineries.governor barbour says more regulation of those industries will drive up energy and consumer product prices.this months "no dead authors" literary reading at the columbus visitors bureau featured the co-director of the creative writing program at mississippi state university. the author unveil a book entitled "surreal south '09" which is an anthology of short fiction. the book includes non-fiction stories about the south and fiction stories that are set in the south.the author says

Entry #6



[Play Media](#)
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Upfront
KING (NBC)Seattle, WA DMA: 13
Mar 21 2010 4:30PM PDT
Programming Type: Talk
Est. Households/Views: 79831
Est. Publicity Value: \$851 (30 Seconds) \$1702 (Total)

up front ? america is turning over a new leaf... the smartway leaf from the u.s. **environmental protection agency**. the smartway leaf will help you identify environmentally friendlier cars and trucks that can save you money. these vehicles are certified to be more fuel efficient and produce fewer greenhouse gases. and look for renewable fuels to improve our energy independence. follow the leaf to epa.gov/smartway >>> jim furyk hit this, it seems

Entry #7

Inside Indiana Business



[Play Media](#)
[Direct Link](#)

WPTA (ABC)Ft. Wayne, IN DMA: 107
Mar 21 2010 11:03AM EDT
Programming Type: Bus./financial
Est. Households/Views: 1811
Est. Publicity Value: \$5 (30 Seconds) \$10 (Total)

>> to our top story now. major news for northwest indiana and potentially other areas of the state as well. after four years of continuous monitoring, the **environmental protection agency** has notified lake and porter counties they are now in compliance with the 1997 clean air act and, effective april 12, the region will lose their "non-attainment" status, which could provide a big boost for economic development efforts. >> how did it happen? business and industry stepped up in a big way, according to the northwest indiana forum. arcelor mittal, with the help of a matching grant. invested more than \$300,000 in a clean diesel program reducing some 30 tons of emissions annually. >> bp's whiting refinery project is a multi billion dollar investment, which is reducing regulated air emissions by another seven percent. >> nipsco has invested some \$300 million in installing equipment at 3 coal-fired electric plants, resulting in more than a 70 percent reduction in emissions, according to the company. >> mark maassel is the president and ceo of the northwest indiana forum joins me now in studio with

Entry #8



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NewsChannel 8 Weekend Morning Edition
WFLA (NBC)Tampa, FL DMA: 14
Mar 21 2010 9:25AM EDT
Programming Type: News
Est. Households/Views: 54115
Est. Publicity Value: \$403 (30 Seconds) \$806 (Total)

flee treatment has landed under a government microscope. for years dogs and cats have suffered seizures, rashes, and hundreds have died. this week the **agency** responsible for regulating flea and tick products took steps to make the market safer for consumers. jackie barron has details in today's "8 on your side" consumer alert. >>reporter: it's spring which means the beginning of flea season. as many pet owners run to grab an over-the-counter topical flea treatment the **environmental protection agency** has rolled out new rules pet owners need to know. the reason, in 2008 the **agency** received more than 44,000 complaints of adverse reactions in dogs and cats to be flea

Entry #9

Dreamgirls



[Play Media](#)
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**TNT (TNT)National Programming, DMA: 0
 Mar 20 2010 11:06PM EDT
 Programming Type: Musical Drama
 Est. Households/Views: 1360962
 Est. Publicity Value: \$40410 (30 Seconds)
 \$80820 (Total)**

planning company. meet **us** today at ameriprise.com. your new energy star qualified kenmore elite is ready to go. so, you just gonna dump the old one into the ocean somewhere? **dylan!** actually, dylan, sears joined forces with the **epa** to make sure it's recycled the right way. that's rad. it is rad. it's called responsible appliance disposal. so it's rad... literally. literally. sears -- the only retailer recognized by the **epa**... for responsible appliance disposal. get up to 20% off all appliances. thank you for making sears energy star partner of the year. sears. life. well spent. when i grow up, i want to fix up old houses. ?? [woman] when i grow up, i want to take him on his first flight. i want to run a marathon. i'm gointo work with kids. i'm going to own my own restaurant. when i grow up, i'm going to start a band. [female announcer] at aarp we believe you're never done growing. thanks, mom. i just want to get my car back. [female announcer]

Total Number of Clips: 9

Cumulative Est. Audience: 1,616,530

Cumulative Est. Publicity Value: \$86,512 (Sum of Clip Totals)

BROADCAST CLIPS

March 25, 2010

URL: <http://www.criticalmention.com/report/10607x129482.htm>

NATIONAL

NBC (NBC)

Entry #2

NBC (NBC) - Bogus room air cleaner

LOCAL

WDAF (Fox)Kansas City, MO

Entry #1

WDAF (Fox)Kansas City, MO - The Environmental Protection Agency says a project to remove asbestos from a Topeka prison did not follow safety regulations.

WOWK (CBS)Charleston, WV

Entry #3

WOWK (CBS)Charleston, WV - Hundreds of West Virginia jobs hang in the balance -- as state lawmakers and coal miners eagerly await a crucial decision by the Environmental Protection Agency -- on the future of a Logan county mine.

WRBL (CBS)Columbus, GA

Entry #4

WRBL (CBS)Columbus, GA - The Environmental Protection Agency released a report this week that says some pets are experiencing allergic reactions or even dying from their flea treatments.

KSNT (NBC)Topeka, KS

Entry #5

KSNT (NBC)Topeka, KS - Federal environmental officials say an asbestos removal project at the Topeka women's prison failed to follow safety regulations.

WOWK (CBS)Charleston, WV

Entry #6

WOWK (CBS)Charleston, WV - Hundreds of West Virginia jobs hang in the balance as state representatives and coal miners eagerly wait on a crucial decision by the Environmental Protection Agency.

WNBC (NBC)New York, NY

Entry #7

WNBC (NBC)New York, NY - Everyone has seen the little marks on when you buy appliances. >> sure. >> they are given out by the Environmental Protection Agency, but a congressional says that bogus products could be given an energy star.

KSEE (NBC)Fresno, CA

Entry #8

KSEE (NBC)Fresno, CA - The California Environmental Protection Agency, and the state's health department tried to keep order in Kettleman City. They wanted to present a draft plan, and get feedback so they can conduct a thorough investigation.

Total Number of Clips: Cumulative Est. Audience:
8 7,807,640

Entry #1



[Play Media](#)
[Direct Link](#)

FOX 4 News Morning Show
WDAF (Fox)Kansas City, MO DMA: 32
Mar 26 2010 7:41AM CDT
Programming Type: News
Est. Households/Views: 84537
Est. Publicity Value: \$2221 (30 Seconds)
\$4442 (Total)
? ba da ba ba ba ? the missouri senate passed legislation that could help the kansas city zoo. the bill would pave the way for a regional sales tax. that money would go to support the zoo. the house still has to approve the bill. if it passes there, voters would have to approve it. the environmental protection agency says a project to remove asbestos from a teka prison did not follow safety regulations. the e-p-a issued a compliance order against the kansas department of corrections. the order says thdepartment did not have a proper inspection before renovations at the topeka women's prison in 2005. the

Entry #2



[Play Media](#)
[Direct Link](#)

Today
NBC (NBC)National Programming, DMA: 0
Mar 26 2010 8:04AM EDT
Programming Type: Talk News
Est. Households/Views: 7621558
Est. Publicity Value: \$520559 (30 Seconds)
\$1041118 (Total)
did not even look at this bogus room air cleaner. actually, just a space heater with a feather duster. before certifying it. it wasn't own gao's appliances that were fake. it also managed to get four companies certified as energy star partners and they were fake, too. other recent investigations also questioned the reliability of the ratings. one refrigerator bearing the energy star designation was found to use twice as much energy as claimed. another report concluded the government cannot be certain energy star products are the more energy efficient and cost effective choice. >> the most important thing they need to do is to require independent testing of all products. >> reporter: officials running the program operated jointly by the department of energy and the environmental protection agency, now say they are developing a system for independent testing of all products. they insist that most products

Entry #3

13 News at 6a



[Play Media](#)
[Direct Link](#)

WOWK (CBS)Charleston, WV DMA: 63
Mar 26 2010 6:31AM EDT
Programming Type: News
Est. Households/Views: 3616
Est. Publicity Value: \$110 (30 Seconds) \$220 (Total)

half-hour... hundreds of west virginia jobs hang in the balance -- as state lawmakers and coal miners eagerly await a crucial decision by the **environmental protection agency** -- on the future of a logan county mine. state senators are asking the e-p-a to reconsider mining operations in southern west virginia -- and 13 news matthew earle has the story. 18 <the fate of hundreds of coal mining job rests in the hands of the e-p-a. "premiere mining operations in the state that has permit for 3 years....scrutinized permit." in an unprecedented move state senators say the epa may revoke logan countys spruce number one permit.

Entry #4



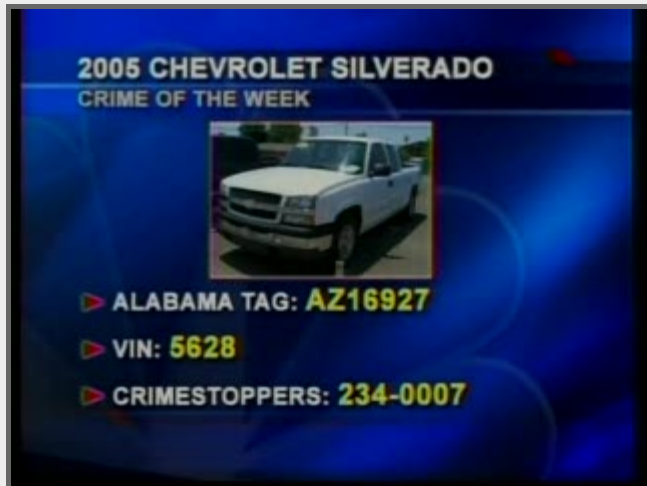
[Play Media](#)
[Direct Link](#)

News 3 This Morning
WRBL (CBS)Columbus, GA DMA: 128
Mar 26 2010 6:15AM EDT
Programming Type: News
Est. Households/Views: 6027
Est. Publicity Value: \$39 (30 Seconds) \$78 (Total)

subway is joining the breakfast club. starting april 5th the sandwich chain will offer omelet sandwiches, coffee and other breakfast items at all 22- thousand shops. subway hopes to bring in new customers and compete with existing breakfast items at mcdonalds and wendy's honda is ramping up its incentives to better compete with rivals. through may 3rd the auto company is offering leases with no downpayment and the first month free. the move follows toyota's popular discount programs after recalling millions of vehicles. the **environmental protection agency** released a report this week that says some pets are experiencing allergic reactions or even dying from their flea treatments. news threes meredith armstrong is on your side with what you need to know about protecting your pets. every day pet owners file

Entry #5

KSNT 27 News at Ten



[Play Media](#)
[Direct Link](#)

KSNT (NBC)Topeka, KS DMA: 136
Mar 26 2010 4:07AM CDT
Programming Type: News
Est. Households/Views: 1243
Est. Publicity Value: \$15 (30 Seconds) \$30 (Total)

is asked to call crime stoppers at 2-3-4-triple-zero-7 the kansas city royals say a fan's lawsuit against the team should be dismissed..because e it was filed in the wrong place. "john coomer" is suing the royals for more than 25 thousand dollars. he claims he was injured after the royal's mascot.. "sluggerrr" threw a hot dog into the stands, and hit him in the eye. but the royals want the lawsuit dismissed..because the suit was filed in the jackson county circuit court..when it should have been filed at the court's office in kansas city ..rather than the one in independence.### federal **environmental** officials say an asbestos removal project at the topeka women's prison failed to follow safety regulations. the **environmental protection agency** issued a compliance order todayagainst the kansas department of corrections. the order says the department failed to conduct a required asbestos inspection in 2005 before starting dormitory renovations at the topeka correctional facility. no fine was issued by the e-p-a, but it ordered corrections officials to comply with

Entry #6



[Play Media](#)
[Direct Link](#)

13 News at 5a
WOWK (CBS)Charleston, WV DMA: 63
Mar 26 2010 5:06AM EDT
Programming Type: News
Est. Households/Views: 1420
Est. Publicity Value: \$42 (30 Seconds) \$84 (Total)

proposal. hundreds of west virginia jobs hang in the balance as state representatives and coal miners eagerly wait on a crucial decision by the **environmental protection agency**. state lawmakers expect the e-p-a to announce today --- whether or not it will veto a coal ming permit for logan county's spruce number one mine. the mining operation represents one of the largest authorized mountain top removal permits in appalachia. state senator truman chafin says the e-p-a could take unprecedented steps to veto an existing permit. <put sot verbatim in here> state senators say if the e-p-a vetoes or revokes the permit -- the state will then consider a legal course of action. several hundred verizon customers in charleston are still without phone service this morning -- three days after a state crew cut into a

Entry #7

Today in New York



[Play Media](#)
[Direct Link](#)

WNBC (NBC) New York, NY DMA: 1
Mar 26 2010 4:52AM EDT
Programming Type: News
Est. Households/Views: 64306
Est. Publicity Value: \$1105 (30 Seconds)
\$2210 (Total)

everybody in the midst of the global warming, some could have a colder than normal winter. >> thank you, professor. >> it brings me to something else. in the "times," for people interested in trying to save energy, the energy star program. everyone has seen the little marks on when you buy appliances. >> sure. >> they are given out by the **environmental protection agency**, but a congressman says that bogus products could be given an energy star. it makes me think of the healthy green checks, that they were given out too easily. these programs are open to fraud and we have to do better research. >> i think they mentioned an alarm clock. >> a gasoline-powered alarm

Entry #8



[Play Media](#)
[Direct Link](#)

KSEE 24 News at 11:00
KSEE (NBC) Fresno, CA DMA: 55
Mar 25 2010 11:01PM PDT
Programming Type: News
Est. Households/Views: 24933
Est. Publicity Value: \$487 (30 Seconds) \$974 (Total)

feedback. our story tonight at 11.. justin willis has the latest. the california **environmental protection agency**, and the state's health department tried to keep order in kettleman city. they wanted to present a draft plan, and get feedback so they can conduct a thorough investigation. there have been 11 reported birth defects and deaths here. people are tired of asking "why?" the e-p-a is looking for a link to the defects. so far, they've identified 28 chemicals that can cause birth defects. officials say these could be present in the area, but can't attribute them to a source. they'll continue to test the soil and water, and take air samples. arsenic and benzene have been noted, but not linked to the nearby waste management facility. officials there say they're in full support of an investigation, and released this statement. "the health and safety of kettleman city residents, and

Total Number of Clips: 8

Cumulative Est. Audience: 7,807,640

Cumulative Est. Publicity Value: \$1,049,156 (Sum of Clip Totals)

BROADCAST CLIPS

March 29, 2010

URL: <http://www.criticalmention.com/report/10607x129784.htm>

Local

KJCT (ABC)Grand Junction, CO

Entry #1

KJCT (ABC)Grand Junction, CO - A plan to clean up Colorado's air is pitting two powerful industries-- natural gas and coal-- against each other. the plan would require Ecel Energy to either replace several aging coal-fired power plant units with cleaner natural gas plants...or re-fit smokestacks with emissions- restricting technology.

KWQC (NBC)Davenport, IA

Entry #2

KWQC (NBC)Davenport, IA - One refrigerator bearing the energy star designation was found to use twice as much energy as claimed. Another report concluded the government "cannot be certain energy star products are the more energy-efficient and cost-e and cost-effective choice."

WCAX (CBS)Burlington, VT

Entry #3

WCAX (CBS)Burlington, VT - The Environmental Protection Agency has issued rules on remodeling older homes - to reduce contact with the deadly chemical.

WNCT (CBS)Greenville, NC

Entry #4

WNCT (CBS)Greenville, NC - You might want to think twice about trusting a product with an energy star label. The general accountability office found some bogus products are getting the favorable energy rating.

WOWK (CBS)Charleston, WV

Entry #5

WOWK (CBS)Charleston, WV - The Environmental Protection Agency announced its decision to formally begin a veto process for one of the states largest mining operations permits.

WOWK (CBS)Charleston, WV

Entry #6

WOWK (CBS)Charleston, WV - The Environmental Protection Agency announced its decision Friday to formally begin a water quality veto process for one of the region's largest mining operations. The surface permit granted by the army corps of engineers to the spruce number one mine in Logan county may now be revoked.

WTTA (MNT)Tampa, FL

Entry #7

WTTA (MNT)Tampa, FL - Over the past, you know, 20, 30 years we have made significant progress and in cleaning up our air.

WJLA (ABC)Washington, DC

Entry #8

WJLA (ABC)Washington, DC EPA Administrator Lisa Jackson told water suppliers the agency wants to streamline drinking water regulations and make its water protection processes more efficient.

Total Number of Clips: Cumulative Est. Audience:
8 105,513

Entry #1



[Play Media](#)
[Direct Link](#)

KJCT News 8 This Morning
KJCT (ABC)Grand Junction, CO DMA: 184
Mar 29 2010 6:24AM MDT
Programming Type: News
Est. Households/Views: 3917
Est. Publicity Value: \$0 (30 Seconds) \$0
(Total)

april called money month. one hundred volunteers have gotten together to go to classrooms to teach kids kay through 12th in district 51. the programs kicks off at suplizio field on april 17th. tickets are on sale and can be purchased at any district 51 school or u-s bank. <xxxxxxx> a plan to clean up colorado's air is pitting twopowerful industries-- natural gas and coal-- against each other. the plan would require xcel energy to either replace several aging coal-fired power plant units with cleaner natural gasplants...or re-fit smokestacks withemissions- restricting technology. these changes would need to be in place by 2018...before the **environmental protection agency** imposes new air quality rules. <xxx>if you or your child goes to the university of colorado...we have some news to share...tuition payments might be going up next year. the university is considering a 9 percent tuition increase for in-state students. cu's board of regents is set to vote on the hike this morning. under the proposal...tuition

Entry #2



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KWQC TV6 Quad Cities Today
KWQC (NBC)Davenport, IA DMA: 99
Mar 29 2010 6:42AM CDT
Programming Type: News
Est. Households/Views: 31642
Est. Publicity Value: \$348 (30 Seconds) \$696
(Total)

partners, and they were fake too! other recent investigations also questioned the reliab the reliability of the ratings. one refrigerator bearing the energy star designation was found to use twice as much energy as claimed. another report concluded the government "cannot be certain energy star products are the more energy-efficient and cost-e and cost-effective choice." sot steven nadel/executive director/american council for an energy-efficient economy 1:47 - 1:50 "the most important thing they need to do is require independent testing of all products." officials running the program -- operated jointly by the department of energy and the **environmental protection agency** -- now say they are developing a system for independent testing of all products. they insist that most products meet or exceed standards, but promise more rigorous screening of products and manufacturers. energy star officials say the program has been an overwhelming success and has saved consumers billions of dollars on energy. the "national hurricane conference"... kicks off in orlando today. the week-long conference... is

Entry #3

Channel 3 News Early Morning



[Play Media](#)
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WCAX (CBS)Burlington, VT DMA: 94
Mar 29 2010 6:35AM EDT
Programming Type: News
Est. Households/Views: 30117
Est. Publicity Value: \$227 (30 Seconds) \$454 (Total)

in the u-s still contain lead- based paint...so the **environmental protection agency** has issued rules on remodeling older homes - to reduce contact with the deadly chemical. melinda davenport has the details. next month, the epa will implement new work practice standards for remodelers of older homes in an effort to reduce lead paint exposure, especially among children. (tape 000 02: 35:58) ((scott/contractor "the rules for containing the work area and containing the dust that results from the work being done, are a lot more strict now and a lot more clear than they've ever been.")) the new standards will extend to builders, painters, plumbers, and electricians working in all rental housing built before 1978, as well as in older non-rental homes inhabited by children under age six or pregnant women. (tape 000 02: 35: 25) ((scott/contractor "in our

Entry #4



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Eyewitness News 9 Morning Edition II
WNCN (CBS)Greenville, NC DMA: 103
Mar 29 2010 6:14AM EDT
Programming Type: News
Est. Households/Views: 13326
Est. Publicity Value: \$409 (30 Seconds) \$818 (Total)

general motors issued another recall for thousands of its vans. it covers five- thousand chevrolet express and g-m-c savana models. the company stopped selling the vans yesterday because of a problem with the alternators. owners should stop driving them immediately. g-m says the vans need to be to parked outside away from cars and buildings. the company says no injuries have been reported so far. you might want to think twice about trusting a product with an energy star label. the general accountability office found some bogus products are getting the favorable energy rating. government investigators submitted at least 20 phony products that got certified as energy efficient. it raises concerns of fraud and abuse in the program run by the energy department and **environmental protection agency**. both departments vowed to improve their certification standards. if you have any old electronics you are looking to get rid of -- some stores would like to take it off your hands.. a growing number of stores like best buy, radio shack, office depot and staples are taking in old and

Entry #5

13 News at 6a



[Play Media](#)
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WOWK (CBS)Charleston, WV DMA: 63
Mar 29 2010 6:06AM EDT
Programming Type: News
Est. Households/Views: 4952
Est. Publicity Value: \$40 (30 Seconds) \$80 (Total)

for the latest information just head to our website at wowk-tv-dot-com. in other news this morning... huntington police are investigating after a shooting last night. it was reported just after 11:30 p-m. cabell county dispatchers tell 13news a female called and said she was with the victim who was reportedly shot in the head in the 1400 block of 28th street. the victim was taken to an area hospital --- no word on his condition at this time. police are looking for a gold dodge charger in connection with the shooting. this morning we're following up on mine operations in logan county. friday... the **environmental protection agency** announced its decision to formally begin a veto process for one of the states largest ming operations permits. in what industry insiders say is an unprecedented move... the **agency** intends to veto the mining permit for the spruce

Entry #6



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13 News at 5a
WOWK (CBS)Charleston, WV DMA: 63
Mar 29 2010 5:33AM EDT
Programming Type: News
Est. Households/Views: 1472
Est. Publicity Value: \$42 (30 Seconds) \$84 (Total)

a native of point pleasant, jones was hired as the 27th head hoops coach in herd history on april 7th, 2007. he compiled a 55-41 record over a three-year span. for more information just head to our website at wowk-tv- dot-com. now to our 13news follow-up file this morning... the **environmental protection agency** announced its decision friday to formally begin a water quality veto process for one of the region's largest mining operations.the surface permit granted by the army corps of engineers to the spruce number one mine in logan county may now be revoked. the mining operation authorized mountain top removal permits in appalachia -- employing hundreds of people in logan, mingo and boone counties. <put sot verbatim in here> state leaders are looking at some sort of legal action to reverse or stop the veto process.

Entry #7

The Scoop



[Play Media](#)
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WTTA (MNT)Tampa, FL DMA: 14
Mar 28 2010 10:12PM EDT
Programming Type: Community Public affairs
Est. Households/Views: 1711
Est. Publicity Value: \$105 (30 Seconds) \$210 (Total)

what happened with that? >> well, again, there is we're trying to make the distinction and make people understand that there is a difference between clean air and healthy air. over the past, you know, 20, 30 years we have made significant progress and in cleaning up our air. unfortunately it is not as healthy as it could be, and we work with doctors, scientists, and the acceptable level of o zone and particulate matter that the **epa** had deemed acceptable. it was different than what our medical experts have told **us**, really, truly is healthy, and so we -- >> and the **epa** has a fine or not licensed certain things? >> there are a lot of things related to the air quality and in a county and i don't know if people remember years ago atlanta had terrible air

Entry #8



[Play Media](#)
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Clean Skies Sunday
WJLA (ABC)Washington, DC DMA: 9
Mar 28 2010 9:39AM EDT
Programming Type: Public affairs
Est. Households/Views: 18376
Est. Publicity Value: \$78 (30 Seconds) \$156 (Total)

water crisis that is worsening because of climate change. the **epa** took the opportunity this past week to announce a new strategy for protecting drinking water. **epa** administrator lisa jackson told water suppliers the agency wants to streamline drinking water regulations and make its water protection processes more efficient. jackson says she wants to address four major carcinogens that contaminate drinking water in the same water standards instead of creating standards for one chemical at a time. jackson said the agency will begin using better water treatment technologies and work more closely with states to monitor water quality. while we've cut the flow of many conventional pollutants into our tap water sources, we now face challenges from other pollutants from less conventional sources. not the visible oil slicks and industrial waste of the past but the invisible pollutants that have only recently been available for **us** to see, thanks to advanced science. meanwhile, battle lines have been drawn over water lines

Total Number of Clips: 8

Cumulative Est. Audience: 105,513

Cumulative Est. Publicity Value: \$2,498 (Sum of Clip Totals)

BROADCAST CLIPS

March 31, 2010

URL: <http://www.criticalmention.com/report/10607x130399.htm>

Local

WSMV (NBC)Nashville, TN

Entry #1

WSMV (NBC)Nashville, TN - The Environmental Protection Agency has added b-p-a.. a compound in many household products.. to its list of "chemicals of concern." Animal studies have suggested that b-p-a may be behind some cases of cancer and heart disease.

KXAN (NBC)Austin, TX

Entry #2

KXAN (NBC)Austin, TX - The Environmental Protection Agency has added b-p-a -- a compound in many household products -- to its list of "chemicals of concern."

KTAL (NBC)Shreveport, LA

Entry #3

KTAL (NBC)Shreveport, LA - According to the " Environmental Protection Agency", stormwater runoff is the leading cause of water pollution in most of the country. that's why the "e-p-a-" is coming up with stiffer regulations.

KOAA (NBC)Colorado Springs, CO

Entry #4

KOAA (NBC)Colorado Springs, CO - A final vote is set to take place today on a bill that would clear the way for natural gas to be used to reduce emissions - from coal fired power plants.

KTAL (NBC)Shreveport, LA

Entry #5

KTAL (NBC)Shreveport, LA - The Environmental Protection Agency has added b-p-a -- a compound in many household products -- to its list of "chemicals of concern."

WAFF (NBC)Huntsville, AL

Entry #6

WAFF (NBC)Huntsville, AL - Environmental Protection Agency has added b-p-a,...a compound in many household products... to its list of " chemicals of concern."

WTEN (ABC)Albany, NY

Entry #7

WTEN (ABC)Albany, NY - Ever since the Hudson River dredging began last spring, people who get their drinking water from the river have had concerns. Now, the Environmental Protection Agency is again trying to reassure homeowners.

Total Number of Clips: Cumulative Est. Audience:
7 186,636

Entry #1



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Channel 4 News Today
WSMV (NBC)Nashville, TN DMA: 29
Mar 31 2010 6:54AM CDT
Programming Type: News
Est. Households/Views: 85743
Est. Publicity Value: \$1506 (30 Seconds)
\$3012 (Total)

the 3 the **environmental protection agency** has added b-p-a.. a compound in many household products.. to its list of "chemicals of concern." animal studies have suggested that b-p-a may be behind some cases of cancer and heart disease. right now.. the chemical is used in plastics.. soda cans and food containers. according to the f-d-a.. the chemical is of "some concern" to infants and children.. but more studies are need. the e-p-a's new label will lead to more animal testing. 3 he's been america's favorite clown for decades. but now ronald mcdonald is under fire. in a report due out today.. a group called "corporate accountabili international" is asking mcdonald's to fire its famous clown. this is the same group that helped take down cigarette mascot "joe camel." now they're taking aim at ronald mcdonald.. claiming he markets unhealthy food to kids. as a sign of

Entry #2



[Play Media](#)
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Austin News Today
KXAN (NBC)Austin, TX DMA: 48
Mar 31 2010 6:24AM CDT
Programming Type: News
Est. Households/Views: 31189
Est. Publicity Value: \$165 (30 Seconds) **\$330 (Total)**

3 the **environmental protection agency** has added b-p-a -- a compound in many household products -- to its list of "chemicals of concern." concern."b-p-a is used as an additive in plastics, also found in soda cans and food containers. animal studies have suggested b-p-a may be behind some cancer and heart disease cases, and f-d-a officials say the chemical is of "some concern" to infants and children, but that more studies are needed. adding b-p-a to the e-p-a's "chemicals of concern" list will not spark any new regulation ... but it will lead to .further testing of b-p-a exposure in fuanimals. 3 3 f-d-a advisors are discussing menthol cigarettes - and what risks are linked to the mint- flavored smokes. the new fda tobacco advisory committee discussed all topics related to menthol I cigarettes - including marketing and consumer perception, health effects, and whether menthols

Entry #3

KTAL News Today



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KTAL (NBC)Shreveport, LA DMA: 82
Mar 31 2010 6:09AM CDT
Programming Type: News
Est. Households/Views: 10224
Est. Publicity Value: \$209 (30 Seconds) \$418 (Total)

texarkana gazette the building and standards commission made an offer to the neighborhoods landlord --- either pull permits and begin work on nine of the properties or they will be condemned in thirty days. according to the " **environmental protection agency**", stormwater runoff is the leading cause of water pollution in most of the country. that's why the "e-p-a-" is coming up with stiffer regulations. mike strong, director of operational services in shreveport, says the city already regulates stormwater runoff. though new standards and regulations would be good for the area, it might force residents to pay more on their utility bill. "it could very well be fees in the future that's going to come out depending on the amount of time and number of people you're going to need to enforce the regulations." according to "operational services" director "mike strong", the new "e-p-a" regulations won't kick in for another two years. he says in the meantime, shreveport city

Entry #4



[Play Media](#)
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News First Today at 5am
KOAA (NBC)Colorado Springs, CO DMA: 92
Mar 31 2010 5:03AM MDT
Programming Type: News
Est. Households/Views: 6814
Est. Publicity Value: \$101 (30 Seconds) \$202 (Total)

yesterday. he made it clear that it was the last option - but essential for a balanced budget. the governor also addressed the need for infrastructure upgrades and job creation - across the state. in our look at news around our state - a pair of colorado legislators are coming together - to offer budget fixes for future lawmakers. house majority leader paul weissmann - and minority leader mike may - say that their package of bills would help ease lingering budget crises. the package would require municipalities to participate in transportation projects and a plan to streamline admissions for higher education. a final vote is set to take place today on a bill that would clear the way for natural gas to be used to reduce emissions - from coal fired power plants. the colorado senate voted 20 to 13 to back the measure. it's intended to prevent the **environmental protection agency** from imposing its own emissions rules on colorado. state regulators would have the final say on the plan. a c-dot employee and two others

Entry #5

KTAL News Early Today



[Play Media](#)
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KTAL (NBC)Shreveport, LA DMA: 82
Mar 31 2010 5:54AM CDT
Programming Type: News
Est. Households/Views: 4523
Est. Publicity Value: \$106 (30 Seconds) \$212 (Total)

pregnancy. most women who exercised were in their first trimester. the **environmental protection agency** has added b-p-a -- a compound in many household products -- to its list of "chemicals of concern." b-p-a is used as an additive in plastics. it's also used in soda cans and food containers. studies have suggested b-p-a may be behind some cancer and heart disease cases. there are many ways to beat stress and one of them is, in a sense, to beat it out - very gently, of course. the way to do that is through something called emotional freedom technique. its roots are in acupuncture and mind - body medicine. it focuses on meridians, the paths energy takes to flow through our body. (sot: kerri kannon, e.f.t. practioner)"it's helping people identify the conflict so that they can release that and just relax and be free of whatever the conflicting thought, is."e-f-t can be done

Entry #6



[Play Media](#)
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WAFF 48 News Today
WAFF (NBC)Huntsville, AL DMA: 81
Mar 31 2010 5:51AM CDT
Programming Type: News
Est. Households/Views: 23890
Est. Publicity Value: \$153 (30 Seconds) \$306 (Total)

environmental protection agency has added b-p-a,...a compound in many household products... to its list of "chemicals of concern." b-p-a is used as an additive in plastics. it's also used in soda cans and food containers. animal studies have suggested b-p-a may be behind some cancer and heart disease cases, and f-d-a officials say the chemical is of "some concern" to infants and children, but that more studies are need. restaurants are cooking up ways to take a bite out of big portions.. and prices. casual chains like cheesecake factory, california pizza kitchen and houlihan's are rolling out smaller plates of shareable items, according to usa today. cheesecake factory introduced it's "small plates and snacks" a year ago. the folks at california pizza kitchen took notice, and last month unveiled a "small cravings" menu... with prices lower than the average appetizer. according to the paper, it's working.. bringing in business and increasing check averages. a redesigned c-note should

Entry #7

News10 at 6:00AM



[Play Media](#)
[Direct Link](#)

WTEN (ABC)Albany, NY DMA: 57
Mar 31 2010 6:36AM EDT
Programming Type: Talk News
Est. Households/Views: 24253
Est. Publicity Value: \$152 (30 Seconds) \$304 (Total)

legion on grooms road. ever since the hudson river dredging began last spring, people who get thr drinking water from the river have had concerns. now, the the **environmental protection agency** is again trying to reassure homeowners. the e-p-a, g-e, and homeowners turned out for the "hudson river community advisory group" meeting tuesday afternoon in fort edward. the focus was a large spike in the p-c-b's found in the water near the thompson island area. the findings led the town of halfmoon to use troy for its tap water. g-e acknowledged the concern, but maintains by the time the water made it down to halfmoon, the p-c-b levels would be lower and it would be safe. g-e continues to monitor the water on a weekly basis, but says it takes three weeks to get on a weekly basis, but says it takes three weeks to get those

Total Number of Clips: 7

Cumulative Est. Audience: 186,636

Cumulative Est. Publicity Value: \$4,784 (Sum of Clip Totals)

BROADCAST CLIPS

March 4, 2010

URL: <http://www.criticalmention.com/report/10607x124505.htm>

KWTV Oklahoma City, OK

[Clearing the Haze Could Mean Rate Hikes for Electric Bills](#)

KPHO (CBS)Phoenix, AZ

Entry #1

KPHO (CBS)Phoenix, AZ - some phoenix residents living next to the old motorola plant could finally find out if they've been living with toxic chemicals inside their homes.

WXXA (Fox)Albany, NY

Entry #2

WXXA (Fox)Albany, NY - late last year.. the e-p-a identified four chemicals that will be subject to increased regulation.

WVLT (CBS)Knoxville, TN

Entry #3

WVLT (CBS)Knoxville, TN - The Environmental Protection Agency says the old smokey mountain smelter site in south knoxville is among the nation's most toxic.

KPHO (CBS)Phoenix, AZ

Entry #4

KPHO (CBS)Phoenix, AZ - Working-class families. and the Environmental Protection Agency is close to an investigation that would finally tell them if they're living with poisoned air.

KOTV (CBS)Tulsa, OK

Entry #5

KOTV (CBS)Tulsa, OK - Eleven years ago, as part of the clean air act, the Environmental Protection Agency finalized what's know as the regional haze rule.

KWTV (CBS)Oklahoma City, OK

Entry #6

KWTV (CBS)Oklahoma City, OK - A government push to go green.. could end up costing each and every one of us. We may have to pay the price to clean the air in America's National Parks.

KRCG (CBS)Columbia, MO

Entry #7

KRCG (CBS)Columbia, MO - The Environmental Protection Agency has proposed adding three public drinking wells in Vienna Missouri to its superfund priorities list.

WIBW (CBS)Topeka, KS

Entry #8

WIBW (CBS)Topeka, KS - Kansas Moran is sponsoring overturn an Environmental Protection Agency rule that calls for regulation of so-called greenhouse gases (like carbon dioxide and methane) under the clean air act.

Total Number of Clips: 8 Cumulative Est. Audience: 391,730 Cumulative Est. Publicity Value: \$22,156 (Sum of Clip Totals)

Entry #1



[Play Media](#)
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CBS 5 News at 5AM
KPHO (CBS)Phoenix, AZ DMA: 12
Mar 04 2010 5:03AM MST
Programming Type: News
Est. Households/Views: 12499
Est. Publicity Value: \$236 (30 Seconds) \$472 (Total)

they say they are still investigating. some phoenix residents living next to the old motorola plant could finally find out if they've been living with toxic chemicals inside their homes. the **environmental protection agency** says they are working on an agreement to test the soil in the neighborhood next to the old plant near 52nd street and mcdowell. **environmental** watchdogs say the state department of **environmental** quality was in charge of this superfund site for years and never did a proper investigation to find out the chemicals were seeping into their homes. says, "to me they knew they would find a problem so they made sure they never looked" the adeq says the proper technology didn't exist until recently. three los angeles school teachers are not allowed in their classroom this morning they are accused of giving pictures of o-j simpson... dennis roadman... and ru-paul to students to carry during a black history parade. according to the district... other classes carried "more appropriate" pictures of nelson mandela and president

Entry #2



[Play Media](#)
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FOX23 News Daybreak at 6:00a
WXXA (Fox)Albany, NY DMA: 57
Mar 04 2010 6:34AM EST
Programming Type: News
Est. Households/Views: 4347
Est. Publicity Value: \$41 (30 Seconds) \$82 (Total)

should.. tucke would have been sent to jail and would still be alive. he's accused of hitting an officer with his vehicle while trying to flee a traffic stop on quail street a police spokesman tells the pape he was pulled over because of an equipment violation. the department has said it believes the officers acted appropriately. mark we also have new details this morning on the future o nyra... th organization says it may have to make some major cuts to stay afloat. vo the ideas being discussed are. cutting the training seaso at aqueduct.. or eve cutting the number of races at track like saratoga race course. nyra is hoping video lotter terminals at aqueduct are the solution t its financial woes.. if not, officials says it's a very real possibility nyra will be bankrupt again mark senator chuc schumer says he's wonderi why the **environmental protection agency** isn't doing enough to protect new yorkers from a dangerou chemical. vo schumer is asking the e-p-a to develop an action plan for b-p-a.. which ha been linked to reproductive and neurological disorder studies. late last year.. the e-p-a identified four chemicals that will be subject to increased

Entry #3



[Play Media](#)

[Direct Link](#)

Entry #4



[Play Media](#)

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Entry #5

regulation. b-p-a was no among them..

East Tennessee This Morning
WVLT (CBS)Knoxville, TN DMA: 59
Mar 04 2010 6:12AM EST
Programming Type: News
Est. Households/Views: 21923
Est. Publicity Value: \$116 (30 Seconds) \$232 (Total)

has halted work for the time being at the kingston fossil plant coal ash spill site -- after a worker was seriously injured. the worker was hurt after falling about six feet from a filter press. work won't start up again until workers attend a safety refresher course tomorrow. the victims name and injuries haven't been released. at last report, they were being treated at methodist medical center in oak ridge. meanwhile the **environmental protection agency** says the old smokey mountain smelter site in south knoxville is among the nation's most toxic. they announced wednesday that they are trying to get millions in federal "superfund" grants to start cleaning it up. the smelter was abandoned about 16 years ago. while it operated, its owners apparently buried around 27 hundred cubic yards of toxic aluminum by-products in the soil. crews will start removing the toxic materials in the near future. they also plan to demolish the old burned out smelter building. an m-t-s-u poll suggests most tennesseans are not sure who is running for governor later

CBS 5 News at 10
KPHO (CBS)Phoenix, AZ DMA: 12
Mar 03 2010 10:05PM MST
Programming Type: News
Est. Households/Views: 116053
Est. Publicity Value: \$4923 (30 Seconds) \$9846 (Total)

between 52nd street and the 143 from mcdowell to roosevelt. cbs 5's peter busch is live there tonight with the straight story. peter? >> sean, this fence is the dividing line between the commercial property and the neighborhood. now, for 21 years, investigators have done safety tests on that side but they've never taken a close look at the soil on this side where there are hundreds of homes and apartments. it's the kind of neighborhood where moms wait on the sidewalk as the kids stream home from school. working-class families. and the **environmental protection agency** is close to an investigation that would finally tell them if they're living with poisoned air. >> i'm delighted. it's way overdue. >> steve is an **environmental** watchdog that's been pushing for a vapor-intrusion investigation for year. here's how vapor-intrusion works. previous studies has shown the

The News on 6 at Ten



[Play Media](#)
[Direct Link](#)

KOTV (CBS)Tulsa, OK DMA: 61
Mar 03 2010 10:06PM CST
Programming Type: News
Est. Households/Views: 64443
Est. Publicity Value: \$898 (30 Seconds)
\$1796 (Total)

office of sustainability, which bartlett created with an executive order wednesday. brett fidler, office of sustainability "the four million or so, is that enough?" "it's enough to get a lot of them started." brett fidler will be in charge of ensuring that the effort to become more efficient remains efficient itself. brett fidler, office of sustainability "there's a lot of transparency and a lot of accountability involved with the grant. nteverything we say we're going to do with it is going to be public knowledge." le " this project was set in motion by former mayor kathy taylor. to ta give you an idea of how much the city spends on energy... its ne ..electric bills topped 12 million dollars last year. chris wright, the news on six tonight. team coverage tonight. a push to go green could end up costing each and every oklahoman. you may have to pay the price to clean the air in america's national parks. the oklahoma impact team explains what's going on. here's alex cameron. eleven years ago, as part of the clean air act, the **environmental protection agency** finalized what's know as the regional haze rule. the rule requires each state come up with a plan to

Entry #6



[Play Media](#)
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News 9 at 10 PM
KWTV (CBS)Oklahoma City, OK DMA: 45
Mar 03 2010 10:05PM CST
Programming Type: News
Est. Households/Views: 127958
Est. Publicity Value: \$3138 (30 Seconds)
\$6276 (Total)

and i think it's for the overall good. today's agreement frees up emergency cash for public safety.. prisons and schools. the budget bills now move to the house. a government push to go green.. could end up costing each and every one of us. we may have to pay the price to clean the air in america's national parks. our oklahoma impact team shows us what's going on...here's alex cameron. eleven years ago, as part of the clean air act, the **environmental protection agency** finalized what's know as the regional haze rule. the rule requires each state come up with a plan to reduce the emissions that cause haze, so that, by 2064, visibility at america's 156 class one wilderness areas will be back to natural conditions. oklahoma's plan was due two weeks ago. you may not see it at first...there's so much else to see...the rugged beauty of one of the oldest geologic formations on earth...the equally rugged and stunning wildlife...and yet from atop mount scott, the haze hovering

Entry #7

KRCG News Live at Five

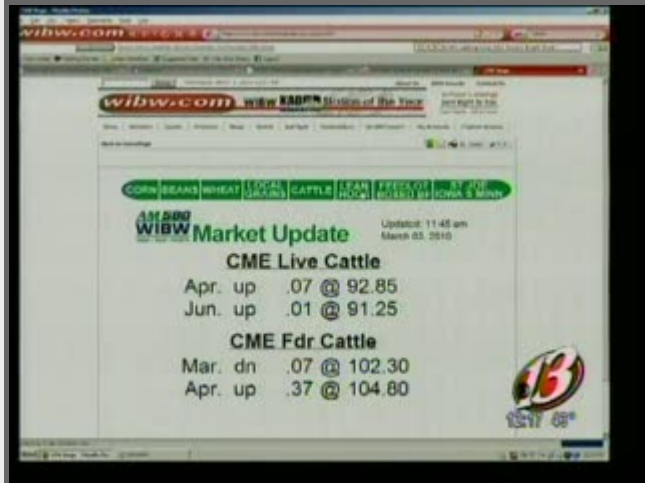


[Play Media](#)
[Direct Link](#)

KRCG (CBS)Columbia, MO DMA: 137
Mar 03 2010 5:05PM CST
Programming Type: News
Est. Households/Views: 20197
Est. Publicity Value: \$1616 (30 Seconds)
\$3232 (Total)

involve removing and replacing the contaminated soil. the **environmental protection agency** has proposed adding three public drinking wells in vienna missouri to its superfund priorities list. the wells, about 30 miles south of jefferson city are contaminated with a toxin known as p-c-e. the substance is used in dry- cleaning and metal degreasing and is a possible carcinogen. if the site makes it on the superfund list, it will be eligible for federal funds to deal with the contamination. good news for one mid-missouri school. the rolla district is getting a grant to burn wood for heating at its junior high school. the school is in a heavily wooded area and the grant will pay for a new wood burning furnace. seven schools in the state to won the "fuels for schools" grant. and if you plan to do any outside burning this weekend firefighters have this warning about following the law. if you're a jefferson city resident, you only have a few more weeks to burn. the season ends march 15th. this

Entry #8



[Play Media](#)
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Mid-Day in Kansas
WIBW (CBS)Topeka, KS DMA: 136
Mar 03 2010 12:18PM CST
Programming Type: News
Est. Households/Views: 24310
Est. Publicity Value: \$110 (30 Seconds) \$220 (Total)

in agriculture news.... kansas moran is sponsoring overturn an **environmental protection agency** rule that calls for regulation of so-called greenhouse gases (like carbon dioxide and methane) under the clean air act. the legislation, sponsored by moran and 80 other house invalidates the current epa rule...and prevents the **agency** from proposing a similar rule, unless congress passes a law authorizing such a regulation.

Total Number of Clips: 8

Cumulative Est. Audience: 391,730

Cumulative Est. Publicity Value: \$22,156 (Sum of Clip Totals)

BROADCAST CLIPS

March 8, 2010

URL: <http://www.criticalmention.com/report/10607x125174.htm>

NATIONAL

CSPAN (CSPAN)

Entry #1

CSPAN (CSPAN) - Environmental Protection Agency administrator lee said Jackson today talks about climate change, cutting carbon emissions and more. she is speaking at the national press club live at 1:00 p.m. on c-span.

CSPAN (CSPAN)

Entry #2

CSPAN (CSPAN) - March 8th, we have Lisa Jackson the Administrator for the Environmental Protection Agency.

LOCAL

KWTX (CBS)Waco, TX

Entry #3

KWTX (CBS)Waco, TX - March 8th, we have Lisa Jackson the Administrator for the Environmental Protection Agency.

KCRG (ABC)Cedar Rapids, IA

Entry #4

KCRG (ABC) Cedar Rapids, IA - You've probably heard of radon. According to the EPA, it's the second largest cause of lung cancer, and it's estimated that 1 in 15 homes has a high level of indoor radon.

WJLA (ABC) Washington, DC**Entry #5**

WJLA (ABC) Washington, DC – EPA says the new rules will reduce nitrogen oxide emissions by about 800,000 tons and particulate matter emissions by 27,000 tons a year by 2030.

WEAR (ABC) Mobile, AL**Entry #6**

WEAR (ABC) Mobile, AL - Tests of water quality at fairhope public beach and mary ann nelson park show excessive levels of bacteria considered by the Environmental Protection Agency to be unsafe for full-body contact.

WTKR (CBS) Norfolk, VA**Entry #7**

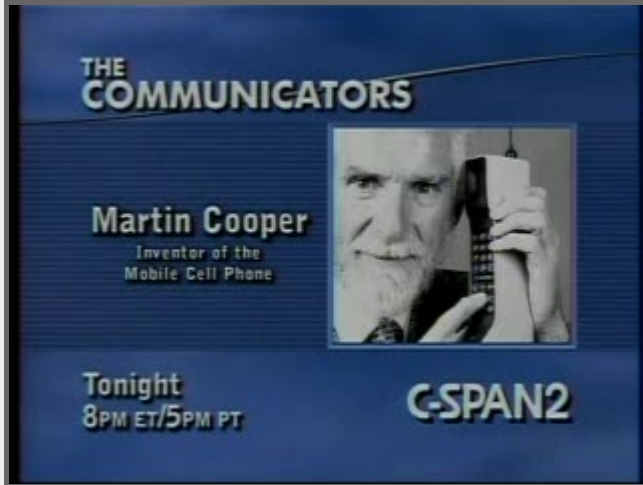
WTKR (CBS) Norfolk, VA - For the past few months we've been telling you about a new plan by the Environmental Protection Agency to place new restrictions on farmers as part of the Chesapeake Bay cleanup program.

WCOV (Fox) Montgomery, AL**Entry #8**

WCOV (Fox) Montgomery, AL - Cars lined Cramton Bowl waiting unload everything from computers and televisions to vcrs and phones... all equipment will be recycled to U-S Environmental Protection Agency standards.

Total Number of Clips: Cumulative Est. Audience:
8 42,832

Entry #1



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Washington Journal

CSPAN (CSPAN)National Programming, DMA:
0

Mar 08 2010 7:46AM EST

Programming Type: Talk News Politics
Interview Public affairs

engineer at motorola martin cooper led the team that developed the first hand-held mobile phone. a look at the history and future of the wireless the industry on "the communicator's." >> president obama starts this week talking about efforts to pass health insurance reform. he is in philadelphia this morning and we will have live coverage of his comments beginning at 11:00 a.m. eastern on c-span. **environmental protection agency** administrator lee said jackson today talks about climate change, cutting carbon emissions and more. she is speaking at the national press club live at 1:00 p.m. on c-span. greek prime minister in washington, part of a four-city tour seeking firmer in you and u.s. support for new austerity measures in greece to deal with their financial troubles. he will meet with president obama tomorrow. today he is speaking at the brookings and -- brookings

Entry #2



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C-SPAN Weekend

CSPAN (CSPAN)National Programming, DMA:
0

Mar 07 2010 12:37PM EST

Programming Type: News Public affairs

thank you again for the time spent with us today. before asking the last question we have some important matters to take care of. on march 8th, we have lisa jackson the administrator for the **environmental protection agency**. on march 9th, we have ambassador ron kirk who is the trade ambassador. on march 15th, we have dick arney chairman of the freedom works. second, i'd like to present our speaker, this is always the most exciting part of the program, with the traditional national press club mug. [applause] >> thank you. >> the final question has to do with looking ahead. i know you have been very busy, governor, with your book tour and believe in time for reflection and your family. vacation spots possibly in 2009.

Entry #3

College Basketball



[Play Media](#)
[Direct Link](#)

KWTX (CBS)Waco, TX DMA: 89
Mar 07 2010 11:37AM CST
Programming Type: Sports event Basketball
Est. Households/Views: 2151
Est. Publicity Value: \$4 (30 Seconds) \$8 (Total)

thank you again for the time spent with us today. before asking the last question we have some important matters to take care of. on march 8th, we have lisa jackson the administrator for the **environmental protection agency**. on march 9th, we have ambassador ron kirk who is the trade ambassador. on march 15th, we have dick army chairman of the freedom works. second, i'd like to present our speaker, this is always the most exciting part of the program, with the traditional national press club mug. [applause] >> thank you. >> the final question has to do with looking ahead. i know you have been very busy, governor, with your book tour and believe in time for reflection and your family. vacation spots possibly in 2009.

Entry #4



[Play Media](#)
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Alliant Powerhouse
KCRG (ABC)Cedar Rapids, IA DMA: 88
Mar 07 2010 11:24AM CST
Est. Households/Views: 3329
Est. Publicity Value: \$9 (30 Seconds) \$18 (Total)

>> turner: welcome back to powerhouse. you've probably heard of radon. according to the **epa**, it's the second largest cause of lung cancer, and it's estimated that 1 in 15 homes has a high level of indoor radon. now, the good news is, homes with a high radon level can be fixed, and joining **us** today is jim doolittle with some details about radon. okay, jim, let's start really simple: what is radon? >> radon is a radioactive gas that originates in the soil, and it kind of--it's all over, so you can't really tell where it is, but then it gets into our houses. we will then breathe it and its decay products, and we can develop a lung cancer from that. >> turner: well, that sounds terrible, and we hear about this a lot in the midwest, but is this a problem that's everywhere? >> the midwest has a larger problem than many areas, but it is a worldwide problem.

Entry #5

Clean Skies Sunday



[Play Media](#)
[Direct Link](#)

WJLA (ABC) Washington, DC DMA: 9
Mar 07 2010 9:57AM EST
Programming Type: Public affairs
Est. Households/Views: 18376
Est. Publicity Value: \$78 (30 Seconds) \$156 (Total)

like this one, working on the railroad will be a clean, green future ahead. for clean skies news, i'm dan goldstein. those tier-2 standards are part of the epa's national clean diesel campaign that started in 2008. epa says the new rules will reduce nitrogen oxide emissions by about 800,000 tons and particulate matter emissions by 27,000 tons a year by 2030. and that does it for us for this edition of "clean skies sunday." i'm susan mcginnis. just a reminder, you can see the full version of all interviews from today's show on our web site. enjoy the rest of your weekend. we'll see right here next sunday morning, and until then, we'll see you at cleanskies.com. you can also follow us on facebook and twitter. have a great day.

Entry #6



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3 in the Morning
WEAR (ABC) Mobile, AL DMA: 60
Mar 07 2010 6:05AM CST
Programming Type: News
Est. Households/Views: 2176
Est. Publicity Value: \$35 (30 Seconds) \$70 (Total)

better. on monday, the 62 year old was unloading pine-straw from a trailer at a lowe's store, when the snake crawled out and she grabbed it. she was treated at sacred heart hospital because it's one of the only hospitals in the area with the anti-venom treatment. 3 volunteer fire fighters in baldwin county are getting some much need cash from the federal government. the barnwell station in fairhope was awarded over 28-thousand dollars by alabama senator richard shelby. the money is coming from the homeland security and to firefighters grant program. the barnwell volunteers will use the money to help with every day operations and new equipment. 3 the state department of public health is warning swimmers not to go in the waters of mobile bay in fairhope. tests of water quality at fairhope public beach and mary ann nelson park show excessive levels of bacteria considered by the **environmental protection agency** to be unsafe for full-body contact. state officials say the high levels of bacteria could be attributed to run off from heavy rain earlier in the week. no sewage spills have been reported in the area. 3 people enjoyed barbecue and family fun, while helping out local charities this weekend. the milton knights of

Entry #7

Down Home Virginia



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WTKR (CBS)Norfolk, VA DMA: 43
Mar 07 2010 4:33AM EST
Programming Type: Agriculture
Est. Households/Views: 3823
Est. Publicity Value: \$57 (30 Seconds) \$114 (Total)

they'll work on the bale and then they'll start laying down on it, and that's kind of wasteful, but that's kind of what you've got to do in the snow. >> hyde: on top of all their work on the farm, many virginia cattlemen are part-time farmers, so they and their families have have to get in to school and work, like the rest of us after a snowstorm. that means full-time farmers like croushorn stay busy helping out their neighbors... and their cell phone is their best friend. >> croushorn: i've been on the phone nonstop since sunday, pretty much, talking to other farmers and my cousins and stuff and just trying, you know, if they're stuck in a driveway, or if i'm stuck in a driveway, see who's got what equipment and where, and try and help people get out. >> hyde: farmers face lots of extra work when winter storms hit. and they're always glad to help out a neighbor. >> for the past few months we've been telling you about a new plan by the **environmental protection agency** to place new restrictions on farmers as part of the chesapeake bay cleanup program. but what many people don't realize is just how many farmers this could affect. last fall, the epa announced

Entry #8



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FOX News at Nine
WCOV (Fox)Montgomery, AL DMA: 118
Mar 06 2010 9:14PM CST
Programming Type: News
Est. Households/Views: 12977
Est. Publicity Value: \$637 (30 Seconds) \$1274 (Total)

montgomery... cars lined cramton bowl waiting unload everything from computers and televisions to vcrs and phones... all equipment will be recycled to u-s **environmental protection agency** standards... and folks say they feel good knowing their old "junk" is getting taken care of the right way... the event was sponsored by montgomery clean city commission, e-covery and partners in **environmental** education... dan atkinson joins us now.. with a look at weather.

Total Number of Clips: 8

Cumulative Est. Audience: 42,832

Cumulative Est. Publicity Value: \$1,640 (Sum of Clip Totals)

BROADCAST CLIPS

March 9, 2010

URL: <http://www.criticalmention.com/report/10607x125528.htm>

NATIONAL

CSPAN2 (CSPAN2)

Entry #1

CSPAN2 (CSPAN2) - I truly am grateful for the opportunity to speak about how the good people at the Environmental Protection Agency have been making history.

CSPAN3 (CSPAN3)

Entry #4

CSPAN3 (CSPAN3) - The head of the Environmental Protection Agency said today that regulating greenhouse gas emissions would not have a negative impact on the u.s. economy. Lisa Jackson spoke at the national press club about climate change and regulating the chemical industry and she took questions from the audience.

FNC (FNC)

Entry #5

FNC (FNC) - According to the EPA, the air in your home can be two to five times more polluted than the air outside.

CSPAN2 (CSPAN2)

Entry #6

CSPAN2 (CSPAN2) – EPA Administrator Jackson, who declared greenhouse gas emissions a threat to the public welfare, is being criticized by senators and congressmen from both parties and is being sued by a least three states.

LOCAL

WMTW (ABC)Portland, ME

Entry #2

WMTW (ABC)Portland, ME - Congresswoman Chellie Pingree and E-P-A Regional Administrator Curt Spalding toured the North Dam Mill. Developers used funding from the E- P- A to help restore the facility.

WAGT (NBC)Augusta, GA

Entry #3

WAGT (NBC)Augusta, GA - Norfolk Southern railway will pay more than four million dollars in fines related to the 2005 deadly train wreck and chlorine spill in Graniteville. Along with the fines... the Environmental Protection Agency says the railway company will re-stock Langley pond with fish to replace those killed by the spill.

Total Number of Clips: 6
Cumulative Est. Audience: 706,118

Cumulative Est. Publicity Value: \$348 (Sum of Clip Totals)

Entry #1



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U.S. Senate
CSPAN2 (CSPAN2)National Programming,
DMA: 0
Mar 09 2010 9:31AM EST
Programming Type: Public affairs News
Politics

watching the oscars last night. if any of you so much with your feet, you know i predicted "avatar" to win best picture, so i missed the mark on that one a little bit. but even if the movie with the **environmental** message did not win, i was so proud to see best picture go to the movie with the woman director. today i am happy to have a chance to bring you the best of both of those >> today i'm happy to have a chance to bring you the best of both of those two experiences for our speech today. and as i get into my speech i ask you to remember that the movie with the **environmental** message has actually made a lot of money. [laughter] >> i truly am grateful for the opportunity to speak about how the good people at the **environmental protection agency** have been making history. we've restored the rightful place as size as the first factor in all of our decisions. we developed and implemented rules that will protect children, keep people healthy, and save lives.

Entry #2



[Play Media](#)
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News 8 This Morning
WMTW (ABC)Portland, ME DMA: 77
Mar 09 2010 6:54AM EST
Programming Type: News
Est. Households/Views: 13846
Est. Publicity Value: \$146 (30 Seconds) \$292 (Total)

armed..they were completely unarmed." for her part in the dispute, bunker's daughter -- janan miller -- is standing trial alongside her father on a charge of reckless conduct. the trial is expected to wrap up tomorrow. showing how federal dollars can help clean up former industrial sites... that's what congresswoman chellie pingree and a top official from the **environmental protection agency** talked about yesterday in biddeford. pingree and e-p-a regional administrator curt spalding toured the north dam mill. developers used funding from the e- p-a to help restore the facility. dozens of businesses have moved in and residential units are being developed as well. pingree says this project is an example of how federal funds can develop new business and create jobs. maine game wardens say a man walking his dog in sacco found the carcass of a dangerously venomous snake --- a gaboon viper-- behind the cinematic theater. take a look at this video... wardens say even though the snake

Entry #3

NBC Augusta Morning News



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Entry #4



[Play Media](#)
[Direct Link](#)

Entry #5

WAGT (NBC)Augusta, GA DMA: 114
Mar 09 2010 5:03AM EST
Programming Type: News
Est. Households/Views: 1962
Est. Publicity Value: \$28 (30 Seconds) \$56 (Total)

really thought that gm would come to their senses as far as knowing the impact this dealership would have on aiken county, and as large of a county, not even having a gm dealer in the county 10.29 there's almost 200,000 people in this county, and it's a large area, so why would they not do it? its beyond me. we also learned johnston motor company in edgefield county is another local dealership that did not regain its franchise status. norfolk southern railway will pay more than four million dollars in fines related to the 2005 deadly train wreck and chlorine spill in graniteville. along with the fines... the **environmental protection agency** says the railway company will re-stock langley pond with fish to replace those killed by the spill. norfolk will also plant vegetation to improve water quality on the banks of horse creek. a young child drowned in aiken county yesterday. the coroner says a 17 month old boy died after getting into a gold fish pond at his grandmother's house in windsor. he was found after he went missing while feeding goats in the yard.

History

CSPAN3 (CSPAN3)National Programming,
DMA: 0

Mar 09 2010 3:17AM EST

Programming Type: Public affairs

>>> the headf the **environmental protection agency** said today that regulating greenhouse gas emissions would not have a negative impact on the u.s. economy. lisa jackson spoke at the national press club about climate change and regulating the chemical industry and she took questions from the audience. here's the q&a portion of the event. >> christine todd whitman was on c-span this morning, and she was saying the climate change debate was so politicized at this point that the argument for legislation should be entirely about clean air and not about climate change. are you concerned that recent controversy about climate change science will hurt chances for legislation this year and do you think that the climate message needs to be downplayed in favor of clean air? >> well, as head of the **environmental protection agency**, i'm not going to be in favor of not giving the best science we can to the american people. and the science is absolutely crystal clear. there is certainly an organized

Glenn Beck



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FNC (FNC)National Programming, DMA: 0
Mar 09 2010 2:55AM EST
Programming Type: Talk News
Est. Households/Views: 690310
Est. Publicity Value: \$0 (30 Seconds) \$0
(Total)

no, this guy. yeah. he's the ceo of mcdonald's. jim skinner. he got his first job working at mcdonald's. he now running it. then, of course, there is this guy. he started working in a restaurant when he was 12. or this guy. chris gardner, "pursuit of happines." watch that movie. you know about sleeping in the train session at night? he does. watch that movie. when did any job become beneath any of us? merely 15 million people in this country are out of work. detroit has been particularly hard hit. when i was a kid, grandpa used to have to eat lard sandwiches and i as a kid used to wear bread bag boots. it builds character. there is nothing wrong with it. get the job done! end of story. according to the epa, the air in your home can be two to five times more polluted than the air outside. smoke, germs, viruses, allergens, pet dander, even smelly and potentially harmful voc compounds can actually be floating in the

Entry #6



[Play Media](#)
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Today in Washington
CSPAN2 (CSPAN2)National Programming,
DMA: 0
Mar 09 2010 2:00AM EST
Programming Type: News Politics Public
affairs

center of a lot of interesting issues of today's washington. epa administrator lee said jackson, who declared greenhouse gas emissions a threat to the public welfare, is being criticized by senators and congressmen from both parties and is being sued by a least three states. she is at the center of the debate between those who think the government should require businesses to cut global warming emissions and this is such a move would harm an already fragile economy. senator jay rockefeller and several fellow democrats are asking them to wait two years before regulating carbon emissions is it will harm their coal producing states. republican senators, led by a senator from alaska, one to go further and stop her from ever regulate such missions to the governors of texas, virginia, and alabama have all souter, claiming her plans will kill jobs. in response, she has agreed to

Total Number of
Clips: 6

Cumulative Est. Audience: 706,118

Cumulative Est. Publicity Value: \$348 (Sum of
Clip Totals)

BROADCAST CLIPS

Monday, May 17, 2010

URL: <http://www.criticalmention.com/report/10607x140385.htm>

National

CNN (CNN)

Entry #1

CNN (CNN) - More research is need to ascertain if there is a direct link between exposure to organophosphates and children.

CSPAN3 (CSPAN3)

Entry #3

CSPAN3 (CSPAN3) - It was a case decided by the supreme court in 1984. it evolved its core and regulation adopted by the Environmental Protection Agency or EPA under the clean air act.

ESPN (ESPN)

Entry #7

ESPN (ESPN) – Sears, the only retailer recognized by the EPA for responsible appliance disposal.

Local

WXOW (ABC)La Crosse, WI

Entry #2

WXOW (ABC)La Crosse, WI - On Saturday, the Environmental Protection Agency gave b-p the go- ahead to use chemical dispersants to break the oil into small droplets to keep it from rising to the surface.

WGHP (Fox)Greensboro, NC

Entry #4

WGHP (Fox)Greensboro, NC - A new study by Columbia university found a link between pesticides on some fruits and vegetables and a-d-d.

WSYR (ABC)Syracuse, NY

Entry #5

WSYR (ABC)Syracuse, NY - A 2008 study out of Emory university found children who switched to organically grown fruits and vegetables had virtually undetectable levels of pesticide compounds in their bodies.

KHCW (CW)Houston, TX

Entry #8

KHCW (CW)Houston, TX – EPA estimates that indoor air quality is two to five times worse than outside.

WJAR (NBC)Providence, RI

Entry #9

WJAR (NBC)Providence, RI - The bush administration refused to move forward so the federal court said, EPA you have to look at the data and decide whether greenhouse gasses are a source of air pollution.

Total Number of Clips: Cumulative Est. Audience:
9 1,143,726

Entry #1



[Play Media](#)
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American Morning
CNN (CNN)National Programming, DMA: 0
May 17 2010 7:55AM EDT
Programming Type: Talk News
Est. Households/Views: 385273
Est. Publicity Value: \$0 (30 Seconds) \$0
(Total)

kids who ate high amounts of these pesticides were twice as likely to get adhd. we talked to some scientists. they said, they don't know why this would be true. it might be because these chemicals disrupt some kind of nerve signaling in the brain. here is what they told us. they said, more research is need to ascertain if there is a direct link between exposure to organophosphates and children. when used according to the label, the epa has determined it to be safe. >> what kind of foods are we talking about, celery and blueberries and stuff like that? >> used on all sorts of produce, celery, blueberries, fruits and vegetables of all different kinds this pesticides is used on. >> so exactly the kind of food you want your kid to eat. can you scrub the vegetables and

Entry #2



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News 19 Daybreak
WXOW (ABC)La Crosse, WI DMA: 127
May 17 2010 6:33AM CDT
Programming Type: News
Est. Households/Views: 13873
Est. Publicity Value: \$254 (30 Seconds) \$508
(Total)

not completely stop the leak. on saturday, the environmental protection agency gave b-p the go- ahead to use chemical dispersants to break the oil into small droplets to keep it from rising to the surface. --- "our anticipation is that it will be another seven to ten days to complete all of the preparations that we need to exercise this option and then at that point, we'll pump the kill mud and hopefully have this well killed, and well shut off, and the flow shut off." since the "deep-water horizon" exploded on april 20th, killing eleven crew members, up to two hundred and ten-thousand-gallons of oil a day have been spilling into the gulf. --- authorities say europe's busiest airport is shut down because of ash from iceland's volcano. london's heathrow airport will be out of operation at least through this morning... the british air traffic agency says the cloud has been changing shape and moving south.

Entry #3

History



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CSPAN3 (CSPAN3)National Programming, DMA: 0 May 17 2010 7:33AM EDT

Programming Type: Public affairs

it was a case decided by the supreme court in 1984. it evolved its core and regulation adopted by the **environmental protection agency** or epa under the clean air act. now the case was known as chevron vs. nrdc because both chevron sued epa and the nrdc sued epa over this regulation and the suits got combined and it ended up before the supreme court, chevron versus nrdc. the issue involved in that case centered on how to understand one word in the clean air act, the word "source." the clean air act gave the epa authority to regulate sources of air pollution. but what is a source? the epa regulation defined a

Entry #4



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FOX 8 News at 6:00A

WGHP (Fox)Greensboro, NC DMA: 46

May 17 2010 6:38AM EDT

Programming Type: News

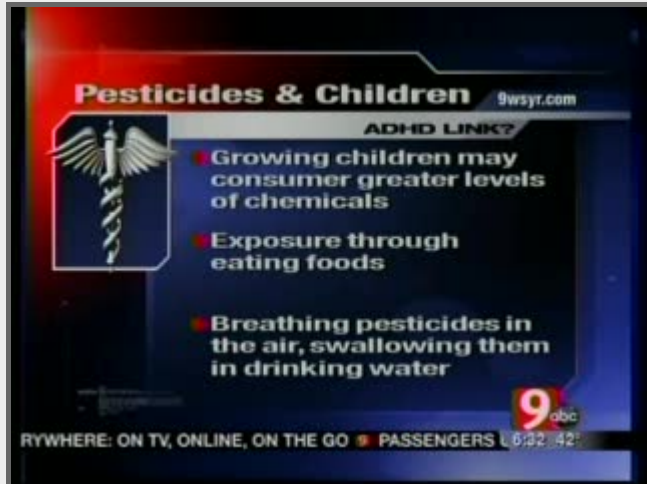
Est. Households/Views: 65968

Est. Publicity Value: \$355 (30 Seconds) \$710 (Total)

carolinas if the conditions are right. what your child eats could contribute to attention deficit disorder...a new study by columbia university found a link between pesticides on some fruits and vegetables and a-d-d.researchers say more tests need to be done before it can be determined if pesticides actually caused a-d- d...but the study does show children may be prone to health risks from pesticides. if you're worried about your child's pesticide exposure... one option to consider is buying organic produce.the **environmental protection agency** limits how much pesticide residue can be on food... but it may have to lower those limits further based on the new study. in winston salem wake forest univ. graduation. traffic in univ. closed at polo and university pkwy unless you have a pass. until 12pm wet roads this morning.

Entry #5

The Morning News on News Channel 9



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WSYR (ABC)Syracuse, NY DMA: 83
May 17 2010 6:33AM EDT
Programming Type: News
Est. Households/Views: 47163
Est. Publicity Value: \$646 (30 Seconds)
\$1292 (Total)

among children who live near farms. people can limit their exposure to pesticides by eating organic produce. a 2008 study out of emory university found children who switched to organically grown fruits and vegetables had virtually undetectable levels of pesticide compounds in their bodies. dan and chrsitie? because there are known dangers of pesticides in humans, the u-s **environmental protection agency** limits how much residue can stay on food. new this morning -- the mothers of three americans hikers being held in iran are getting ready to see their children. the three moms are in new york city and will fly to iran within a few days. their children have been detained for nearly a year, after iranian officials say they are spies who illegally crossed into the country. the moms know their visit will be brief -- but want to make sure their children know they are fighting for their release. and it's totally separate of the politics. we're going there as mothers to bring our children home. we're very determined, it's deeply embedded in me that that's our goal. sinc being detained, only

Entry #6



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TV-5 News/Sports Extra
WNEM (CBS)Flint, MI DMA: 68
May 16 2010 11:08PM EDT
Programming Type: News
Est. Households/Views: 26344
Est. Publicity Value: \$376 (30 Seconds) \$752 (Total)

the floor of the gulf of mexico...and solutions meanwhile remain merely theoretical. the coast guard and **environmental protection agency** approved the use of chemical dispersants on the ocean floor..where it's hoped they will break up the oil before it reaches the surface. . so far so good according to b-p. it appears that the application of the subsea dispersants are actually working however...some worry about the chemicals' **environmental** consequences . we still greatly fear what is it, what does it mean? what is it going to do? how long does it stay in the environment? officials are trying to calm fears. this is a tool that will be analyzed and monitored there's a very strict monitoring protocol in place offshore right now b-p is also attempting to run a six inch metal tube into the leaking well...the idea being the oil could be siphoned up to an oil tanker at the surface. there is also a containment dome...being called a "top hat" that could be used to try to block the oil. i'm pat st. claire

Entry #7

MLB Baseball



[Play Media](#)
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ESPN (ESPN)National Programming, DMA: 0
May 16 2010 10:27PM EDT
Programming Type: Sports event Baseball
Est. Households/Views: 555057
Est. Publicity Value: \$13832 (30 Seconds)
\$27664 (Total)

Oapr for 72 months on 2010 silverado half-ton models. with and average finance savings of around \$6,000. your new energy star qualified kenmore ite is ready to go. so, you're just gonna dump the old one into the ocean somewhere. dillion. actually, dillion... sears joined forces with the **epa** to make sure it's recycled the right way. that's rad. it is rad. it's called responsible appliance disposal. so it's rad...literally. literally. [male announcer] sears. the only retailer recognized by the **epa** for responsible appliance disposal. get up to 20% off all appliances and floor care. sears. life. well spent. okay, one more time. where do we stand? less travel? more video conferences? limit the cell phone minutes. that's not good enough. we're not leaving this room unless we can cut something else. can they really keep **us** here? what about all this stuff? what stuff? all this stuff. what does it cost to create all this? time, effort, people. how much?

Entry #8



[Play Media](#)
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Going Green with Yolanda Green
KHCW (CW)Houston, TX DMA: 10
May 16 2010 10:20AM CDT
Programming Type: Talk Environment
Est. Households/Views: 44581
Est. Publicity Value: \$395 (30 Seconds) \$790 (Total)

it's time to do a little spring cleaning. so i went to the expert and recently spoke with dr. alan green to get some hints. we're happy to have him here with usen. today he's going to give **us** tips tips on how to clean our homes chemically free. tell **us** how unsafe our homes are. >> our homes are a lot less safe than most people think. the consumer product safety commission has estimated that the average american home has 63 products containing chemicals. they often don't stay in the products and get to **us**. the fumes can also get into the air. **epa** estimates that indoor air quality is two to five times worse than outside. >> how dangerous are the cleaning products we're using every day? >> cleaning products in particular are among the most dangerous in the home. there are 200,000 poisenings every year in the united states despite all the warnings. i'm more concerned when they're used as directed. the fumes come out and get into the air. residues are left on countertops and kitchen tables

Entry #9

10 News Conference



[Play Media](#)
[Direct Link](#)

WJAR (NBC) Providence, RI DMA: 53
May 16 2010 6:57AM EDT
Est. Households/Views: 5467
Est. Publicity Value: \$89 (30 Seconds) \$178 (Total)

fining and the federal courts told to **us** do it. the bush administration refused to move forward so the federal court said, **epa** you have to look at the data and decide whether greenhouse gasses are a source of air pollution. an endangerment to public health and safety and when we looked at that, and we looked at everything, it was pretty clear that an endangerment finding was justified and that was the first thing the administrator of **epa** did last fall this december when it first came on board, made the finding, and we are now using the clean air act to address the greenhouse gas problem. and that is what is very controversial in congress. if congress does not act, on some sort of a legislation, the comprehensively deals with the gasses with will move forward using the the clean air act to deal with it. the federal courts have said we must do this. so, the conversation to **us** seems like a sidebar conversation. the way the federal policy is

Total Number of Clips: 9 **Cumulative Est. Audience: 1,143,726**

BROADCAST CLIPS

Wednesday, May 21, 2010

URL: <http://www.criticalmention.com/report/10607x141537.htm>

National

TWC (TWC)

Entry #1

TWC (TWC) - The EPA is giving BP a day to break up the oil. three days to start using it.

CNN (CNN)

Entry #2

CNN (CNN) – EPA and coast guard officials say there's nothing to stop them from using seabrat 4.

TWC (TWC)

Entry #4

TWC (TWC) - The clock is ticking for BP. the EPA is giving the company 24 hours to find a less toxic chemical to break up the oil in the gulf.

CFFR (CFFR)

Entry #7

CFFR (CFFR) - The EPA is cracking down on the dispersed and that bp is using in the gulf of Mexico sink its toxic some scientists tell us it is not only toxic but he can be deadly in marine life in the gulf of Mexico.

MSNBC (MSNBC)

Entry #10

MSNBC (MSNBC) - We trusted BP, the federal government trusted BP, EPA condoned and allowed BP to disperse nearly 1 million gallons of this toxic chemical in the water.

CNN (CNN)**Entry #11**

CNN (CNN) - I spent about five hours yesterday just reading all about dispersants and other stuff related to the spill. what's interesting EPA has apparently lists about 18 dispersants which they have approved. 12 of which are actually less toxic, and some of those 12 are actually even more effective on Louisiana crude than the two types being used by BP.

Local**CFLN (CFLN)Orlando, FL****Entry #3**

CFLN (CFLN)Orlando, FL - School officials say Environmental Protection Agency are bring special equipment to test air quality.

WCCB (Fox)Charlotte, NC**Entry #5**

WCCB (Fox)Charlotte, NC - The Environmental Protection Agency is not happy with the plan seeing the mixture used to break up the oil is too toxic.

KXJB (CBS)Fargo, ND**Entry #6**

KXJB (CBS)Fargo, ND - B-P has until today to come up with a safer way to break up the massive oil spill in the gulf of Mexico.

WWL (CBS)New Orleans, LA**Entry #8**

WWL (CBS)New Orleans, LA - Experts counter the amount of oil is tens of thousands of barrels more than estimated. BP was using a controversial chemical dispersant to break up the oil.

KPSPLP (CBS)Palm Springs, CA

Entry #9

KPSPLP (CBS)Palm Springs, CA - At least 6 million gallons of oil have already leaked into the gulf. and there's new environmental concern about the chemical dispersant b-p's been using to help clean up the spill.

Total Number of Clips: Cumulative Est. Audience:
11 1,903,127

Entry #1



[Play Media](#)
[Direct Link](#)

Your Weather Today With Abrams and Bettes
TWC (TWC)National Programming, DMA: 0
May 21 2010 9:12AM EDT
Programming Type: Weather
Est. Households/Views: 283330
Est. Publicity Value: \$2781 (30 Seconds)
\$5562 (Total)

hail and damaging winds a quarter size hail is possible there. farther north, the main concern is plain old rain. rain in detroit. it's not that bad temperature wise. temperature in the 60s. the rain is here. it's going to head to chicago. it's in green bay. steph. >> to the latest on the disaster in the gulf. the **epa** is giving bp a day to break up the oil. three days to start using it. meantime, there's word this morning the damage, well it could be shut off as early as next week. kristin joins **us** from venice, louisiana. let's check in. my big thing is, if we can get apollo back to earth with the challenges we had with that, i don't understand why this is taking so long. what are the plans from now on if this weekend's thing doesn't work? >> reporter: yeah. hey, steph. we have the technology to watch

Entry #2



[Play Media](#)
[Direct Link](#)

CNN Newsroom
CNN (CNN)National Programming, DMA: 0
May 21 2010 9:06AM EDT
Programming Type: News
Est. Households/Views: 500391
Est. Publicity Value: \$0 (30 Seconds) \$0
(Total)

b.p. did on may 4th. >> this is seabrad. it is in totes ready for delivery. >> do you think it is weird it is sitting here in the houston area? >> it is ridiculous. i think someone is intentionally trying to stop **us** from getting our product to the water. >> reporter: **epa** and coast guard officials say there's nothing to stop them from using seabrat 4. a b.p. spokesman will only say the company had to use what was ready available and stockpiled. it has been asked to find alternatives to the current dispersant corexit. they grilled b.p. executive lamar mckay about the issue. >> who decided which dispersant to use? >> i don't know the individual who decided. >> i didn't ask the individual.

Entry #3

News 13 Morning News at 9:00



[Play Media](#)
[Direct Link](#)

CFLN (CFLN)Orlando, FL DMA: 19
 May 21 2010 9:05AM EDT
 Programming Type: News
 Est. Households/Views: 14340
 Est. Publicity Value: \$171 (30 Seconds) \$342 (Total)

capsules to school on thursday and was trying to sell them for a few dollars. some of those vials broke as students in a classroom played with them. the school was put on lockdown and no one was hurt. exposure to mercury can be dangerous. school officials say **environmental protection agency** are bring special equipment to test air quality. they are coming from orlando and continued clean up efforts will continue around ten this morning. school leaders are out here right now telling any parents that didn't know there is no school. the man we spoke with says they told him his daughter could come on monday to say goodbye to her teacher for summer break. destination space.... and the final spacewalk is happening this morning for the astronauts on board the space shuttle atlantis. the crew is finishing up installing batteries outside the international space station. their work is expected to last until about 1 this afternoon. if all goes according to plan - atlantis will undock from the station on sunday morning....then return to the

Entry #4



[Play Media](#)
[Direct Link](#)

Your Weather Today With Abrams and Bettes
 TWC (TWC)National Programming, DMA: 0
 May 21 2010 8:12AM EDT
 Programming Type: Weather
 Est. Households/Views: 283330
 Est. Publicity Value: \$2781 (30 Seconds) \$5562 (Total)

toledo. chicago, low clouds getting **us** this morning. not out of the woods, a couple more showers are going to continue in your direction throughout the day. >> the clock is ticking for bp. the **epa** is giving the company 24 hours to find a less toxic chemical to break up the oil in the gulf. they're hopeful the leak can be plugged by as early as next week, as it admits the gusher of oil is much larger than it initially believed. with more on this, we want to head to nbc news environmental reporter ann thompson who joins **us** live from venice, louisiana. they thought the top hat thing would work, and it didn't work. is there a backup plan for this? i'm really upset about this. if we can get apollo back to earth, you know, we've got to be able to get this thing plugged. >> reporter: well, you've got every reason to be upset, stephanie. and certainly the people here along the gulf coast are upset. we were out in the marshes yesterday in the wetlands that

Entry #5

Fox News Rising



[Play Media](#)
[Direct Link](#)

WCCB (Fox)Charlotte, NC DMA: 24
May 21 2010 7:34AM EDT
Programming Type: News
Est. Households/Views: 19342
Est. Publicity Value: \$226 (30 Seconds) \$452 (Total)

wilmington spotted the clumps. the coast guard collected about three dozen samples. it does not think it's from the gulf oil leak. >>> bp is trying another solution to plug that gushing oil pipe. they plan to shoot a mixture of drilling mud into the well on sunday. the **environmental protection agency** is not happy with the plan seeing the mixture used to break up the oil is too toxic. it is now time for forecast on the fours. lits check in with tera. friday is just beginning. we want a nice workday here. what about today and the rest of the week. >> this is just an indication dao. clouds, clouds, clouds and more clouds. it's a gloomy start. but we still have slight opportunities rather than major chances for rainfall. thanks for the news update, dao. we'll talk about that forecast here today. several things happening. weak high pressure moving off to the east. it's pulling in nice southern winds. at least the temperatures will be on the mild side. we do already have a bit of

Entry #6



[Play Media](#)
[Direct Link](#)

Valley Today
KXJB (CBS)Fargo, ND DMA: 121
May 21 2010 6:32AM CDT
Programming Type: News
Est. Households/Views: 1923
Est. Publicity Value: \$42 (30 Seconds) \$84 (Total)

a brown ooze is now coating grassland along coast... and the effects oil spill are how wildlife. a pelican was bird sanctuary -- one wing and its b-p is getting ready for a new push to stem the same time is under federal orders to keep the environment team's barbara garrity shows **us** why the company could be running out of time to find a solution. b-p has until today to come up with a safer way to break up the massive oil spill in the gulf of mexico. the **epa** ordered them to switch to less toxic chemicals because of environmental concerns. so far, b-p has used more than 650-thousand gallons of the dispersants. the white house is also turning up the pressure.administration officials want b-p to share additional information about the spill including the

Entry #7

News



[Play Media](#)
[Direct Link](#)

**CFRR (CFRR)National Programming, DMA: 0
May 21 2010 7:20AM EDT
Programming Type: News**

and as louisiana with more they are apparently site hitting up five thousand barrels a day of oil that was the sum total they thought was leaking but more is leaking some scientists are telling us it's up to 40000 maybe even though 100000 barrels a day . that is the **epa** is cracking down on the dispersed and that bp is using in the gulf of mexico sink its toxic some scientists tell us it is not only toxic but he can be deadly in marine life in the gulf of mexico . the white house wants british petroleum to publicly disclose more information about this bill including their measurements of the size of the week . coming up traffic and weather together on the ones and simon cal admits to some horrific mistakes will talking with oprah 6 6 innings on five 20 . it's a . snippets were to write to us that's matt in costs and inward investment you can trade and investment can it right now we did was taking complaints went to being you .

Entry #8



[Play Media](#)
[Direct Link](#)

**Early Edition of Eyewitness News
WWL (CBS)New Orleans, LA DMA: 51
May 21 2010 6:03AM CDT
Programming Type: News**

**Est. Households/Views: 105429
Est. Publicity Value: \$587 (30 Seconds)
\$1174 (Total)**

the surface. experts counter the amount of oil is tens of thousands of barrels more than estimated. bp was using a controversial chemical dispersant to break up the oil. now the **epa** is forcing the company to use a less toxic form. as far as the leak goes, crews hope by sunday they can start the top kill method, pumping heavy mud on top of the well and sealing it with cement. >> we also have options for the junk shot technique. it's still available to us. we have another option to put a valve near the riser. and a new blowout preventer. >> reporter: cleanup crews are now responding to the locations where oil has landed.

Entry #9

KPSP Local 2 News at 11pm



[Play Media](#)
[Direct Link](#)

KPSPLP (CBS)Palm Springs, CA DMA: 142
May 21 2010 2:17AM PDT
Programming Type: News
Est. Households/Views: 34
Est. Publicity Value: \$8 (30 Seconds) \$16
(Total)

lawmakers pressured b-p to make their footage public. the company finally complied. :24-:27 "bp has lost all credibility" :28-:43 at least 6 million gallons of oil have already leaked into the gulf. and there's new environmental concern about the chemical dispersant b-p's been using to help clean up the spill. the **epa** ordered the company to use a "less toxic" chemical to help break up the crude. . but this disaster seems to deepen with each passing day. patches of sludgy, dark brown, smelly oil with the consistency of latex paint have started to coat the beaches of louisiana's barrier islands. too quick to super louisiana) "we are concerned this is just the beginning" the oil slick is also threatening the livelihood of many fisherman. 1:03-1:05 might not ever be the same if the oil gets here" it's a race against time for these oystermen, who are working longer hours hoping to grab whatever oysters they can... while they still can. " any day they could shut **us** down. every oyster counts right now" florida is opening its oyster season friday -- 11 days early - in the hopes of helping the industry. the good news on louisiana's barrier islands-- is that booms are collecting most of the oil.. and the beach is acting as a natural boom and helping to keep the oil out of the marshes. joel brown, cbs news, venice louisiana. this endangered sea turtle was found covered in oil in the gulf of mexico.. it has

Entry #10



[Play Media](#)
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Countdown With Keith Olbermann
MSNBC (MSNBC)National Programming, DMA: 0
May 21 2010 1:59AM EDT
Programming Type: Talk News Interview
Est. Households/Views: 387225
Est. Publicity Value: \$0 (30 Seconds) \$0
(Total)

yet we trusted bp, the federal government trusted bp, **epa** condoned and allowed bp to disperse nearly 1 million gallons of this toxic chemical in the water. >> saying the government will put its own measuring devices on the sea floor as soon it's it figures out how, how do we allow drilling under these companies as a government if we don't know how to fix it if the company screws it up? >> this goes to the point we shouldn't be drilling on the offshore coasts of america. we just don't have the technology to deal with the spill. we know time and time again oil spills, oil rigs spill oil. we saw that in australia, we're seeing that right now in the gulf of mexico. and it's going to cost billions of dollars and it's going to take decades for **us** to clean it up. >> erich pica, thanks for your time. >> thank you, keith. >> that's "countdown," i'm keith olbermann, good night and good

Entry #11

Anderson Cooper 360



[Play Media](#)

[Direct Link](#)

CNN (CNN)National Programming, DMA: 0
May 21 2010 1:21AM EDT
Programming Type: Talk Newsmagazine
Est. Households/Views: 307783
Est. Publicity Value: \$0 (30 Seconds) \$0
(Total)

>> i don't know. >> was it bp who decided or was it the government who decided? >> i don't know. i don't know. >> you don't know. could you find out for **us**, please? >> yes. >> reporter: easier said than done. there's still no word on who's making that call. while 100,000 gallons of potential help sits hundreds of miles away. ed lavandera, cnn, houston. >> so, you know, i'm no expert. i spent about five hours yesterday just reading all about dispersants and other stuff related to the spill. what's interesting, **epa** has apparently lists about 18 dispersants which they have approved. 12 of which are actually less toxic, and some of those 12 are actually even more effective on louisiana crude than the two types being used by bp. so the **epa** has known about the stuff that bp has been using now for four weeks. and they know that there are ones that are less toxic and in some cases even more effective, and yet they haven't demanded until today that bp change the dispersants that they've been using.

Total Number of Clips: 11 Cumulative Est. Audience: 1,903,127

BROADCAST CLIPS

May 7, 2010

URL: <http://www.criticalmention.com/report/10607x138521.htm>

National

TLC (TLC)

Entry #4

TLC (TLC - The Environmental Protection Agency will be watching this implosion closely for pollution.

Local

WBFF (Fox)Baltimore, MD

Entry #1

WBFF (Fox)Baltimore, MD - We will hear from the head of bp. and we will also hear from the head of EPA.

WMTW (ABC)Portland, ME

Entry #2

WMTW (ABC)Portland, ME - The Environmental Protection Agency says nearly 13 percent of all waste in landfills comes from food scraps.

WFIE (NBC)Evansville, IN

Entry #3

WFIE (NBC)Evansville, IN - The national weather service and the U.S. Environmental Protection Agency urge Americans to "be air aware" during air quality awareness week, which runs from may 3 through may 7, 2010.

WEMT (Fox)Tri-Cities (TN-VA), VA

Entry #5

WEMT (Fox)Tri-Cities (TN-VA), VA - Federal regulators temporarily closed six underground coal mines in Kentucky after turning up hundreds of violations during a mid-April inspection blitz following an explosion that killed 29 miners in west Virginia.

WMTW (ABC)Portland, ME

Entry #6

WMTW (ABC)Portland, ME - The Environmental Protection Agency says nearly 13- percent of all waste in landfills comes from food scraps.

WCHS (ABC)Charleston, WV

Entry #7

WCHS (ABC)Charleston, WV - Three coal-state congressmen are asking the Environmental Protection Agency to rethink tight new water quality standards for Appalachian surface coal mining permits.

Total Number of Clips: Cumulative Est. Audience:
7 1,031,543

Entry #1



[Play Media](#)
[Direct Link](#)

Fox 45 Morning News
WBFF (Fox)Baltimore, MD DMA: 27
May 07 2010 6:51AM EDT
Programming Type: News
Est. Households/Views: 27591
Est. Publicity Value: \$192 (30 Seconds) \$384 (Total)

and trying to bring this thing under some type of control. >> what do you think will happen as a result of those hearings? >> we will find out whose fault it was, hopefully, what we could do better. we are going to look at this whole idea of offshore drilling and whether we need to have better safeguards with regard could drilling. the president just announced that some limited drillingand now people are having second thoughts about that. it will give **us** an opportunity to examine it. we will hear from the head of bp. and we will also hear from the head of **epa**. >>> the attempted car bombing at time square, are you satisfied with the way that investigation has gone? many people are criticizing and questioning that this person almost got away on a plane taxiing away. they had to bring it back. >> but he didn't get away. we have all of these people on the sidelines throwing these breaks, of the fbi had him under

Entry #2



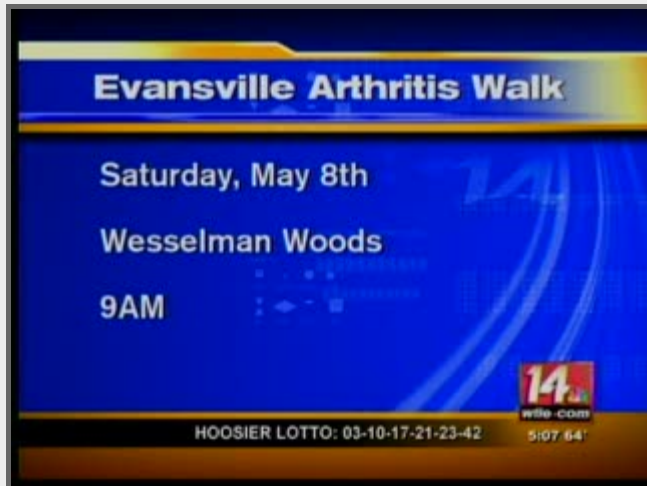
[Play Media](#)
[Direct Link](#)

News 8 This Morning
WMTW (ABC)Portland, ME DMA: 77
May 07 2010 6:46AM EDT
Programming Type: News
Est. Households/Views: 11410
Est. Publicity Value: \$239 (30 Seconds) \$478 (Total)

system will ultimately help city and town budgets - because they need to pick up trash and process it. the **environmental protection agency** says nearly 13 percent of all waste in landfills comes from food scraps. with this morning's project economy report, i'm keith baldi, news 8. educators from across the state will gather at the augusta civic center today for the first ever "financial literacy summit." maine's office of securities and the maine jump start coalition organized today's event in an effort to teach children from kindergarten to twelfth grade about finances. one of the organizers say the summit is about making sure the educator's have the tools they need. "we put great pressure on our teachers to provide education, but perhaps we don't provide them with the tools, and given the economic times and state budgetary issues, we felt that we could step forward as a state **agency** and partner with private businesses and organizations to put together this summit." governor angus

Entry #3

Newswatch 14 Sunrise Early Edition



[Play Media](#)
[Direct Link](#)

WFIE (NBC) Evansville, IN DMA: 102
May 07 2010 5:08AM CDT
Programming Type: News
Est. Households/Views: 19877
Est. Publicity Value: \$386 (30 Seconds) \$772 (Total)

mile course. congressman brad ellsworth is chairman for this years arthritis walk. it gets started at 9am tomorrow morning at wesselman woods. the national weather service and the u.s. **environmental protection agency** urge americans to "be air aware" during air quality awareness week, which runs from may 3 through may 7, 2010. the goal of air quality awareness week is to provide information on outdoor air pollution and its impact on the quality of the air we breathe. a different air quality topic will be addressed each day, from the causes of poor air quality and how air quality predictions are made, to how to protect yourself on poor air quality days, and steps you can take to improve the cleanliness of the air we breathe. still to come on 14 news sunrise....

Entry #4



[Play Media](#)
[Direct Link](#)

The Imploders
TLC (TLC) National Programming, DMA: 0
May 06 2010 11:04PM EDT
Programming Type: Reality Documentary
Est. Households/Views: 862260
Est. Publicity Value: \$12138 (30 Seconds) \$24276 (Total)

is to the river. north is the river? north is the river. we do have a river right behind us, and nothing can go in it. narrator: the **environmental protection agency** will be watching this implosion closely for pollution. if something ends up in this water, the epa will be after us, and we'll have to come out here and possibly dredge the river. we lose hundreds of thousands of dollars, and it's an absolute disaster to the company. pat: as you get around to the back of this stack on the east side, you'll notice, on the very top, it has a dent in it. brick has fallen off of that. eric: it's definitely been losing brick. it's been losing brick, yeah. they've been here for a long time. eric: our biggest concern in the preparation of these smokestacks is on the upper ring, having bricks fall down and potentially hitting somebody in the head -- what they call a widow-maker. a big piece can come down and make your wife a widow. my dad died when he was 39 years old. there was some bricks that went under a conveyor, and he went to reach, and the headframe caught his arm and tore his arm off. it's a damn dangerous job. you can be gone in a heartbeat. narrator: it's dawn

Entry #5

FOX Tri-Cities 10 O'Clock News



[Play Media](#)
[Direct Link](#)

WEMT (Fox)Tri-Cities (TN-VA), VA DMA: 93
May 06 2010 10:20PM EDT
Programming Type: News
Est. Households/Views: 30044
Est. Publicity Value: \$1110 (30 Seconds)
\$2220 (Total)

arrived they noticed bruises on her body... and knew it was more than the roommate assumed. love's former boyfriend has been arrested and charged with first degree murder. pj federal regulators temporarily closed six underground coal mines in kentucky after turning up hundreds of violations during a mid-april inspection blitz following an explosion that killed 29 miners in west virginia. the mine safety and health administration said thursday it has since sued two of the operations for tipping off workers that federal inspectors were on the property. overall, the administration says it issued more than 1,300 citations during the five-day blitz. rebecca 3 coal-state congressmen are asking the **environmental protection agency**... to rethink tight new water quality standards... for appalachian surface coal ming permits... virginia democrat rick boucher is among them... the e-p-a set strict limits on salt levels... in waterways downstream from surface mines on april 1-st... the **agency** argues burying streams with mine waste.... increases salt levels in waterways downstream..

Entry #6



[Play Media](#)
[Direct Link](#)

News 8 WMTW at 6PM
WMTW (ABC)Portland, ME DMA: 77
May 06 2010 6:15PM EDT
Programming Type: News
Est. Households/Views: 32063
Est. Publicity Value: \$615 (30 Seconds)
\$1230 (Total)

of something being creative- bo, boom, boom, that's how restaurants make their money -- what can we make out of the trim that's delicious -- you just can't throw away food." that was news 8's keith baldi reporting keeping food out of the waste system will ultimately help "city and town budgets" -- because they need to pick up trash and process it. the **environmental protection agency** says nearly 13- percent of all waste in landfills comes from food scraps. it started out raining with claps of thunder, but the sun came out and it turned out to be a pretty nice day. a live look tonight at the casco bay bridge -- so tom, what's in store for us tomorrow?

Entry #7

Eyewitness News at 6



[Play Media](#)
[Direct Link](#)

WCHS (ABC)Charleston, WV DMA: 63
May 06 2010 6:06PM EDT
Programming Type: News
Est. Households/Views: 48298
Est. Publicity Value: \$782 (30 Seconds)
\$1564 (Total)

inspection blitz. the mine safety and health administration has since sued two of the operations for tipping off workers that federal inspectors were on the property. msha issued more than 1,300 citations during the five-day blitz. three coal-state congressmen are asking the **environmental protection agency** to rethink tight new water quality standards for appalachian surface coal mining permits. permits.west virginia democrats nick rahall and alan mollohan and virginia democrat rick boucher made the request today in a letter to epa administrator lisa jackson. back on april first...the epa set strict limits on salt levels in waterways downstream from surface mines. the **agency** argues that burying streams increases salt levels, hurting fish and other aquatic life. the congressmen say the epa acted without considering the policy's implications and treats appalachia differently under federal law than other parts of the country. a new report released by the communications workers of

Total Number of
Clips: 7

Cumulative Est. Audience: 1,031,543

Cumulative Est. Publicity Value: \$30,924 (Sum
of Clip Totals)

BROADCAST CLIPS

February 24, 2010

URL: <http://www.criticalmention.com/report/10607x122643.htm>

NATIONAL

Entry #2

CSPAN2 (CSPAN2) - March 8th, Lisa Jackson, Administrator of the Environmental Protection Agency will talk about her agency at a press club luncheon.

Entry #4

WABC (WABC) - climate change

Entry #5

CSPAN3 (CSPAN3) – Environmental Protection Agency Administrator Lisa Jackson discuss the budget for fy 2011.

Entry #6

CNN (CNN) – Chemical testing

Entry #7

CSPAN (CSPAN) - The witnesses Lisa Jackson, EPA Administrator, and the chair of the committee is senator Barbara Boxer of California.

KBJR (NBC)Duluth, MN

Entry #1

KBJR (NBC)Duluth, MN - The federal Environmental Protection Agency has some serious concerns about polymet's plans to open a copper nickel mine on the iron range.

WFLX (Fox)West Palm Beach, FL

Entry #3

WFLX (Fox)West Palm Beach, FL - Save the Water is fighting for tougher laws against big industry and its waste claiming the government isn't really doing its job to fully protect you.

Total Number of Clips: Cumulative Est. Audience:

7

651,821

Entry #1



[Play Media](#)

[Direct Link](#)

NewsCenter Today

KBJR (NBC)Duluth, MN DMA: 139

Feb 24 2010 6:18AM CST

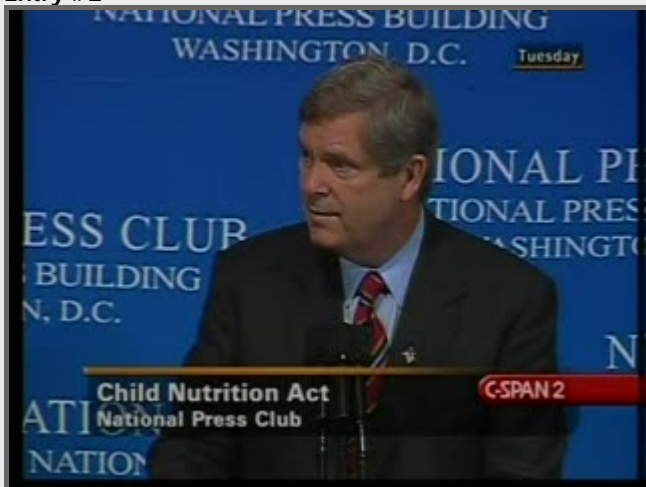
Programming Type: News

Est. Households/Views: 9174

Est. Publicity Value: \$232 (30 Seconds) \$464 (Total)

mayor and hammer out a deal. but afsome says it probably will file an intent to strike with the state bureau of mediation services. the union said the city was not treating them fairly in comparison with other unions. // the federal **environmental protection agency** has some serious concerns about polymet's plans to open a copper nickel mine on the iron range. the minnesota dnr and the corps of engineers approved the draft **environmental** impact statement...but the epa calls it inadequate. concerns include potential impact on water quality and wetlands and increased emissions of mercury into the lake superior watershed. dnr officials say they will review the epa's concerns which will take several months. // jail sale>> the old saint louis county jail could be given the go-ahead to be sold. commissioners say they voted unanimously to include the jail measure as part of next week's regular agenda. officials say 'jail holding company l-c' is slated to purchase the building for 54-thousand dollars pending approval by county commissioners.

Entry #2



[Play Media](#)

[Direct Link](#)

Today in Washington

CSPAN2 (CSPAN2)National Programming, DMA: 0

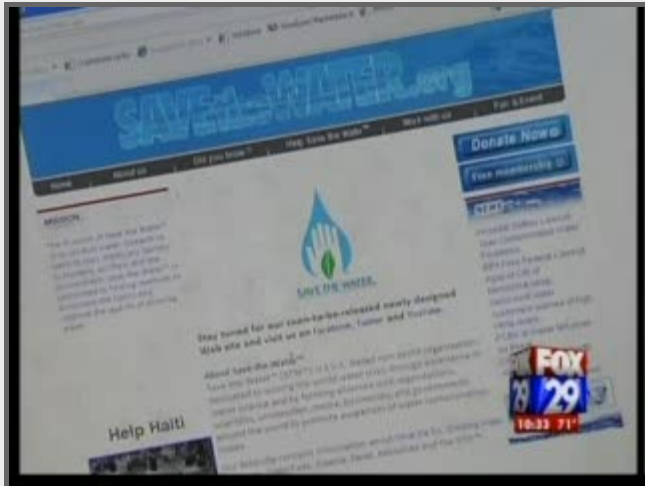
Feb 24 2010 5:30AM EST

Programming Type: News Politics Public affairs

it requires a national commitment which is the first lady has decided to take her time and her cachet if you will and put her behind this effort. because she realizes how significant and important it is. >> we are almost out of time. but before asking the last question, we have a couple of important matters to take care of. first of all a reminder to our audience of future speakers. on friday, february 26th we'll have francis collins the director of the nih who will be discussing a new era of quantum leaps in biomedical research. on march 5th, the honorable mitt romney former governor of massachusetts will be discussing the case for american greatness. and on march 8th, lisa jackson, administrator of the **environmental protection agency** will talk about her **agency** at a press club luncheon. that's the first item. the second item, as we always do here at the national pressr3 ? club -- i would like to present our guest with the traditional national press club mug. >> thank you very much. [applause] >> thank you. [applause]

Entry #3

Ten O'Clock News



[Play Media](#)
[Direct Link](#)

WFLX (Fox)West Palm Beach, FL DMA: 38
Feb 24 2010 1:33AM EST
Programming Type: News
Est. Households/Views: 10723
Est. Publicity Value: \$55 (30 Seconds) \$110 (Total)

isn't regulated at all. save the water is fighting for tougher laws against big industry and its waste claiming the government isn't really doing its job to fully protect you. >> **environmental protection agency** has something to do with protecting the environment as long as industry can afford it. >> well, the entire tap water study is available online. it includes a breakdown of all water facilities in florida. head to our web site and click on water worries. you can type in your zip code or water company and see what chemicals are in the tap water that you're drinking. >>> now to home makeovers that save you cash. all you need are efficiency upgrades. today, fpl helped 50 residents fix up their home. people who signed up for the help. energy experts repaired ducts, filters, light bulbs, water saving shower heads and more. the simple changes can cut your power bill by 25%.

Entry #4



[Play Media](#)
[Direct Link](#)

Laura Ingraham
WABC (WABC)National Programming, DMA: 0
Feb 24 2010 12:20AM EST
Programming Type: News

i 'm john that this is the john bout social big backdrop is climate change inside of that is cap and trade inside of that is that the united states **environmental protection agency** has been asked to substitute in some fashion for the fact that the happen trade legislation passed with some arm twisting well actually led a broken arms in the house of representatives last year now sits in a drawer somewhere in her reads office in the senate it is not likely to move so the president is moved to the e. p. a. especially d. p. a. administrator lisa jackson to to move with cap and trade concerns for greenhouse gases using the clean air act now

Entry #5

History



[Play Media](#)
[Direct Link](#)

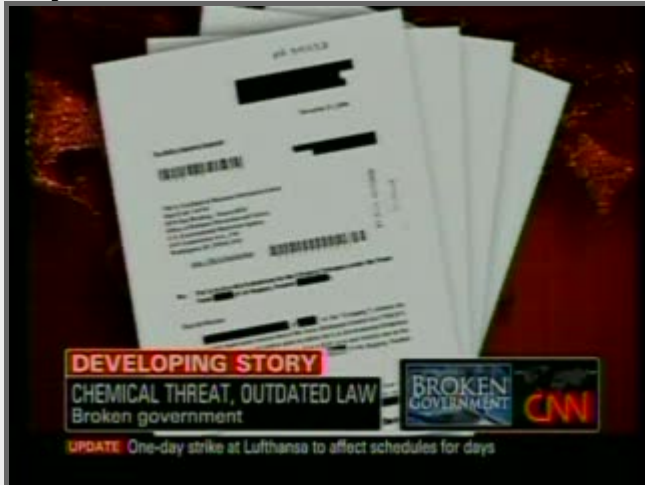
CSPAN3 (CSPAN3)National Programming, DMA: 0

Feb 24 2010 12:03AM EST

Programming Type: Public affairs

statement. >> appear before you to discuss the budget for fy 2011. i heard all of your opening statements and i appreciate the opportunity. fully reflects president obama's and my commitments to **environmental protection**. much work has gone into this budget over the last year and i am proud that it supports my key goals for the **agency**. specifically this budget has a frame work to address climate change. to assure the safety of kem falls to protect america's waters. to expand the conversation and work for **environmental justice** and continue to build strong state partnerships. let me touch on some of the high lights that will protect the environment and lay a new foundation. let me begin by being direct.

Entry #6



[Play Media](#)
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The Situation Room

CNN (CNN)National Programming, DMA: 0

Feb 23 2010 7:30PM EST

Programming Type: News

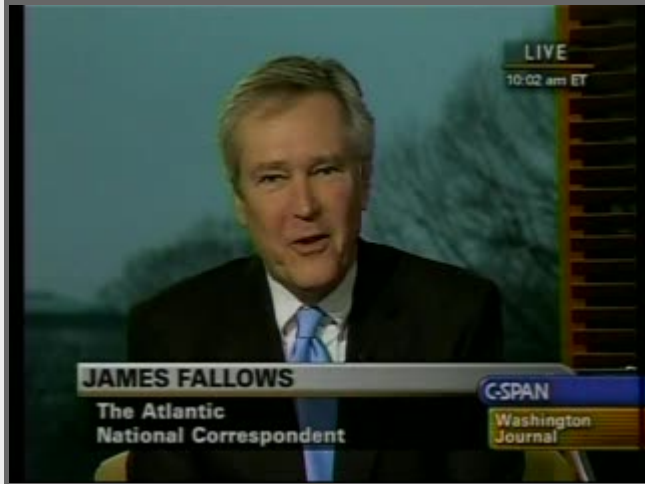
Est. Households/Views: 631924

Est. Publicity Value: \$0 (30 Seconds) \$0 (Total)

get sick, and only then is something taken off the market. here was something else that was sort of interesting. what you're looking at here are essentially redacted papers known as something called confidential business information. this is quite striking, wolf. when a company tests chemicals, does the animal testing, and finds out the chemical is dangerous, they are under no obligation to disclose publicly what that chemical is or even disclose the name of the company that's producing that chemical. so that information is simply not available to the public. if you talk to lisa **jackson** about this, who is the current **epa administrator**, the fact of the matter is that's changing slightly. what she tells us is that chemicals that are already in the public data base do have to be made public, but if chemicals had been confidential all along, they will remain confidential, and there is about 16,000 chemicals that fall under that category. >> as you know, sanjay, there's been a lot of rumbling about changing the law or changing the way the **epa** does business. what do you hear? what's going on?

Entry #7

U.S. House of Representatives



[Play Media](#)

[Direct Link](#)

CSPAN (CSPAN)National Programming, DMA: 0

Feb 23 2010 10:03AM EST

Programming Type: Public affairs News
Politics

guest: i would agree with you, and maybe american students in china would have a similar motivation. but i agree with your point that it is important for americans to understand the benefits and challenges of this wide, exciting world, and prepare themselves accordingly. host: jim fallows, author of "how america can rise again," thank you for being on the program. guest: my pleasure. thank you. host: we go to the senate environment and public works committee. the witnesses lisa **jackson, epa administrator**, and the chair of the committee is senator barbara boxer of california. thank you very much for tuning into this edition of "washington journal." we will see you again tomorrow morning at 7:00 a.m. eastern. [captioning performed by national captioning institute] [captions copyright national cable satellite corp. 2010]

Total Number of
Clips: 7

Cumulative Est. Audience: 651,821

Cumulative Est. Publicity Value: \$574 (Sum of
Clip Totals)

CRITICAL MENTION CLIPS

January 11, 2010

Entry #1

KWQC (NBC)Davenport, IA – Cleanup Downtown

Entry #2

WJLA (ABC)Washington, DC - environmental protection agency announced it had reached a settlement to allow what is called mountaintop removal mining

Entry #3

WTKR (CBS)Norfolk, VA - Agriculture

Entry #4

KPNX (NBC)Phoenix, AZ - environmental protection agency is proposing stricter standards for reducing smog.

Entry #5

WTVW (Fox)Evansville, IN - environmental protection agency is proposing stricter guidelines to fight smog.

Entry #6

KFYR (NBC)Minot, ND - greenhouse gases regulation

Total Number of Clips: 7 Cumulative Est. Audience: 181,111 Cumulative Est. Publicity Value: \$6,814 (Sum of Clip Totals)

Entry #1



[Play Media](#)
[Direct Link](#)

KWQC TV6 News at 10PM
KWQC (NBC) Davenport, IA DMA: 99
Jan 10 2010 10:08PM CST
Programming Type: News
Est. Households/Views: 55066
Est. Publicity Value: \$815 (30 Seconds)
\$1630 (Total)

people, particularly the business owners downtown because it doesn't help the shopping area." maquoketa residents say they're sick of being reminded of the fire every time they head downtown or tell other iowans where they're from...and city leaders say they are too. 00:55 "they recognize maquoketa as the place that had the fire two years ago. i want to be known for something else again and this is our chance to do it." which is why...less than a month into his term as mayor...jason hute is doing something about it. hute and the city council are moving forward with the bidding process to have the rubble removed from the downtown area. 57:55 "i'm glad we're at the point where it's gonna be cleaned up, but i was always in support of getting it cleaned up sooner than later." just getting to this point took them a lot longer than they had initially hoped. hute says the town first had to find grants and get the approval of both the **environmental protection agency** and department of natural resources before moving ahead with any plans. 58:30 "it takes quite awhile to work through the **epa** and dnr's processes. everything has

Entry #2



[Play Media](#)
[Direct Link](#)

Clean Skies Sunday
WJLA (ABC) Washington, DC DMA: 9
Jan 10 2010 9:35AM EST
Programming Type: Public affairs
Est. Households/Views: 18376
Est. Publicity Value: \$78 (30 Seconds) \$156 (Total)

cabinet usually last only about two years, so maybe ken salazar's time has come and he does return back to his home state of colorado. >> all right, tyler suiters, thanks for that. meanwhile, a landmark decision for the coal industry this past week. the **environmental protection agency** announced it had reached a settlement to allow what is called mountaintop removal mining to continue and expand at a patriot coal mine in west virginia. mountaintop removal is a controversial practice where explosives are used to blast the tops from mountains to expose the coal. environmentalists protest the practice, saying that mining debris buries the streams below and endangers the drinking water and the well-being of valley residents. coal companies say they take measures to contain the ill effects of the mining and restore the mountains to as close to their former state as possible. the **epa** decision this past week angered mountaintop removal opponents. they wanted **epa** to find that damage from blasting the mountaintops and dumping the debris into the valleys so

Entry #3



[Play Media](#)
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Down Home Virginia
WTKR (CBS)Norfolk, VA DMA: 43
Jan 10 2010 4:32AM EST
Programming Type: Agriculture
Est. Households/Views: 3823
Est. Publicity Value: \$57 (30 Seconds) \$114 (Total)

behind the 8-ball, because we had to by forages that we don't normally have to buy. and in january, i took a 40% cut in my milk price. >> hyde: donna kerr is a third-generation dairy farmer in amelia county. her family is dedicated to dairy farming, and they already follow the conservation practices the **environmental protection agency** wants to make mandatory for all farmers. still, she's worried that down the road, tougher **epa** regulations could push them out. >> if they told me i had to milk less cows, that might be the breaking point for me. if they told me i had to put in more practices that they weren't going to supply cost-share money for, that could definitely be the breaking point for me. >> hyde: frustrated at the lack of progress in cleaning up the chesapeake bay, the **epa** announced last fall it wants to take control of all clean-up programs in the six-state bay watershed. there are bills in congress to give those plans the force of law and take away all state control of farm conservation practices. the federal rules would set a hard limit on how much **pollution** from farms enters bay waterways

Entry #4



[Play Media](#)
[Direct Link](#)

12 News Weekend Today
KPNX (NBC)Phoenix, AZ DMA: 12
Jan 09 2010 8:05AM MST
Programming Type: News
Est. Households/Views: 31171
Est. Publicity Value: \$345 (30 Seconds) \$690 (Total)

the **environmental protection agency** is proposing stricter standards for reducing smog. the **epa** wants to tighten rules set under the bush administration. and if the new standards are passed, hundreds of counties nationwide will likely be in violation. >> the ones used in the past are too high, too high to protect our family and us with and add kuwait margin of safety. >> it can irritate asthma and other respiratory problems. >>> in incredible display of science and technology in las vegas this week. it's the world's largest consumer electronics trade today and it's impressive stuff. >> reporter: as doors opened this morning to the largest consumer electronic show, the tv dominated, specifically crystal clear better than your

Entry #5

Fox 7 News at 6



[Play Media](#)
[Direct Link](#)

WTVW (Fox)Evansville, IN DMA: 102
Jan 08 2010 6:08PM CST
Programming Type: News
Est. Households/Views: 11179
Est. Publicity Value: \$166 (30 Seconds) \$332 (Total)

million bucks for the e-v-s-c... but, leaders are looking for about three million dollars in additional cuts. the u-s **environmental protection agency** is proposing stricter guidelines to fight smog. the existing ozone standard, set by the previous administration, is point-oh-7-5 parts per million. the current administration wants to change that to either point-oh-six or point-oh-seven. they say the new guidelines would help reduce premature deaths, aggravated asthma, bronchitis cases, hospital and emergency room visits... and up to an estimated 100 billion dollars in healthcare costs per year. the **epa** is also proposing a new seasonal standard that would protect plants and trees. easter seals officials are happy with the outcome of this year's fantasy of lights display.... even though the number of visitors was down. find out why... coming up.

Entry #6



[Play Media](#)
[Direct Link](#)

1st News at 5:00
KFYR (NBC)Minot, ND DMA: 158
Jan 08 2010 5:05PM CST
Programming Type: News
Est. Households/Views: 17799
Est. Publicity Value: \$952 (30 Seconds) \$1904 (Total)

highs around 30. lows 10 to 15. when the **environmental protection agency** announced last month it would begin regulating greenhouse gases under the clean air act, the state's energy sector came together with leadership to discuss how it would negatively impact our state's economy. today, congressman earl pomeroy introduced legislation that he says will save our state from the **epa**. the "save our energy jobs act" would prohibit the **epa** from regulating greenhouse gases like c-o-2 and methane. pomeroy says if nobody takes action, energy rates could dramatically increase and thousands of jobs would be lost. he says regulation is a matter for congress, not bureaucrats. "we cannot tolerate something as essential as the energy sector of this country's economy suddenly being turned over to a bureaucrat in the **epa** to write further regulation proposing such dramatic threat and uncertainty not to the energy sector, but to the entire economy." pomeroy says it could be a challenge getting the bill out of committee. if it doesn't happen, he will introduce an amendment on the floor to the appropriations bill that will cut funding to the e-p-a to regulate greenhouse gases.

CRITICAL MENTION CLIPS

January 12, 2010

Clip #1

WUSA (CBS) Washington, DC - the environmental protection agency is boosting its effort to protect the chesapeake bay

Clip #2

WAFF (NBC)Huntsville, AL - the enviornmental protection agency is tightening its rules on ozone

Clip #3

KTXL (Fox)Sacramento, CA – bacteria in beverages

Clip #4

WPMI (NBC)Mobile, AL - prichard is receiving 100- thousand dollars from the environmental protection agency

Clip #5

WPMI (NBC)Mobile, AL – Prichard will receive grant from the environmental protection agency

Clip #6

WUSA (CBS)Washington, DC - environmental protection agency administrator lisa jackson will have a discussion on cleaning up the chesapeake bay

Total Number of Clips: 6
Cumulative Est. Audience: 150,798

Cumulative Est. Publicity Value: \$1,826 (Sum of Clip Totals)

Entry #1



[Play Media](#)
[Direct Link](#)

9News Now at 6am
WUSA (CBS) Washington, DC DMA: 9
Jan 12 2010 6:50AM EST
Programming Type: News
Est. Households/Views: 32021
Est. Publicity Value: \$176 (30 Seconds) \$352 (Total)

to you. >>> budget restraints in montgomery county could mean the end of more than two dozen ride-on bus routes. county leaders are considering either doing away with the routes or reducing service. the move is expected to save the county millions of dollars helping with the \$600 million deficit. county council president says flashing lights on bus -- slashing bus routes maybe just the beginning. >> we are already experiencing a serious unemployment rate in the county which we never had these conversations before. >> riders in poolsville and damascus and olney maybe hardest hit since they don't have any other mass transit options. they are waiting on the new state budget. reductions in state funding would mean a bigger cut to local services. >>> the **environmental protection agency** is boosting its effort to protect the chesapeake bay. epa administrator lisa jackson spoke at a clean **water** conference in northwest washington on monday. she said the **agency** will

Entry #2



[Play Media](#)
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WAFF 48 News - 6PM
WAFF (NBC) Huntsville, AL DMA: 81
Jan 11 2010 6:08PM CST
Programming Type: News
Est. Households/Views: 56803
Est. Publicity Value: \$379 (30 Seconds) \$758 (Total)

health. the environmental protection agency is tightening its rules when it comes to ground-level ozone. and they say madison and morgan counties are not projected to meet new standards. waff 48's elizabeth gentle joins us live in huntsville. - elizabeth, we are talking about smog. - the problem has been linked to a number of serious health problems -from asthma to lung disease. the **epa** is requiring that counties clean up pollutants in the **air**. 'all the pollutants that come from this area coal fire power plants and cars big providers of that.' pollutants, better known as smog or ground-level ozone, that fill the **air** and travels from one place to another. 'if there's a lot of **pollution** that develops in birmingham, coal fire plants and we get a south wind typically late spring and summer it becomes a problem.' repeated exposure to ozone can damage sensitive vegetation, reduce tree growth...not to mention the risks it can cause to your health. 'anytime you've got particulate matter those kinds of things

Entry #3

FOX 40 Live at 8AM



[Play Media](#)
[Direct Link](#)

KTXL (Fox)Sacramento, CA DMA: 20
Jan 11 2010 8:25AM PST
Programming Type: News
Est. Households/Views: 14485
Est. Publicity Value: \$56 (30 Seconds) \$112 (Total)

whitety tightties. >>> a serious ice jam leaving three ships struck in the st. claire river and the lake meet. crews aboard all three ships say they're not in danger and have plenty of food and **water**. >>> if you've got your breakfast in front of you, push it aside for the moment. this is something we all need to know. check my laptop here. a regular soda found, right. you think they're clean, handy, and most fast food joints these days. so in virginia they tested 90 benches -- beverages, and found fecal bacteria, along with germs that cause e.coli, and apparently the u.s. **environmental protection agency**

Entry #4



[Play Media](#)
[Direct Link](#)

NBC 15 Today
WPMI (NBC)Mobile, AL DMA: 60
Jan 11 2010 5:22AM CST
Programming Type: News
Est. Households/Views: 5519
Est. Publicity Value: \$68 (30 Seconds) \$136 (Total)

the talking if you're in the market for a new car... that tops our consumer headlines this morning. about 12% of new car buyers are taking advantage of car brokers... up from seven percent in 2003. for a flat fee those brokers will negotiate with dealers to get you your best deal on a new car. but you'll want to do your homework on your broker as well. states generally require that brokers be licensed and bonded, but almost anyone can declare themselves a broker and work, ethically or not. this morning the city of prichard is 100- thousand dollars richer. prichard is receiving 100- thousand dollars from the **environmental protection agency**. the grant will fund programs designed to educate residents about local pollution and the health risks it can cause. the e-p-a uses the grant program to organize communities to take action against toxins in the air, **water** and on land. if you want to read more about the program, go to local 15 t-v dot com. it's no shocker ... prices are back up at the pump. the average price of regular gasoline is up 14 cents to two- dollars and 74 cents. that's according to the national lundberg survey of fuel prices. among the cities surveyed, the lowest average price can be found in cheyenne, wyoming at two dollars and 36 cents a gallon for regular. here's what people are paying at the pump locally. drivers in mobile and pascagoula are paying an average of 2- dollars and 62

Entry #5

NBC 15 Today



[Play Media](#)
[Direct Link](#)

WPMI (NBC)Mobile, AL DMA: 60
Jan 11 2010 5:21AM CST
Programming Type: News
Est. Households/Views: 5519
Est. Publicity Value: \$68 (30 Seconds) \$136 (Total)

terms...however, the arctic blast that's been gripping the nation..is also hurting florida's citrus and strawberry crops. farmers are reporting damage to citrus crops.. but so far, they've managed to avoid "widespread destruction." citrus and strawberry growers have sprayed their crops with **water**, to create an insulating layer of ice. they're battling prolonged periods of below-freezing temperatures, and only time will tell how much the crops have been damaged. this morning the city of prichard is 100- thousand dollars richer. prichard is receiving 100- thousand dollars from the **environmental protection agency**. the grant will tell how much the crops have been damaged. you can let someone else do the talking if you're in the market for a new car... you can let someone else do

Entry #6



[Play Media](#)
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9News Now at 5am
WUSA (CBS)Washington, DC DMA: 9
Jan 11 2010 5:33AM EST
Programming Type: News
Est. Households/Views: 36451
Est. Publicity Value: \$166 (30 Seconds) \$332 (Total)

fire on a room full of students. hamilton is charged with attempted murder and discharging a firearm in a school zone. police believe he was aiming at his professor. >>> dc police are verdicting whether the so-called georgetown cuddler has moved to glover park. a woman reported a strange man in her bed at calvert street northwest yesterday. the man fled when she screamed. this sounds similar to seven incidents in georgetown, but investigators have not yet determined whether they are related. >>> today **environmental protection agency** administrator lisa jackson will have a discussion on cleaning up the chesapeake bay. she is at the choose clean **water** conference that started yesterday and runs through tomorrow. this year's conference is focused on president obama's executive order on chesapeake bays restore ration. participants are examing congressional efforts to clean up the bay. >>> there's a chance we could have a new addition to the

CRITICAL MENTION

January 13, 2010

URL: <http://www.criticalmention.com/report/10607x113433.htm>

Entry #1

COMEDY (COMEDY)National Programming – Air Pollution in the home.

Entry #2

WSYR (ABC)Syracuse, NY – The banning of hydrofracking on ondaga county owned property.

Entry #3

CSPAN3 (CSPAN3)National Programming - Water conflicts and development.

Entry #4

WSYR (ABC)Syracuse, NY –Banning of hydrofracking on county-owned land.

Entry #5

WFXI (Fox)Greenville, NC - Smartway, from the U.S. Environmental Protection agency, is changing the way america drives.

Entry #6

TNT (TNT)National Programming - hexavalent chromium

Entry #7

CSPAN2 (CSPAN2)National Programming – Bottle Water

Entry #8

CSPAN2 (CSPAN2)National Programming - Inspections of water bottling facilities.

Entry #9

WHIO (CBS)Dayton, OH - The state epa regulations.

Entry #10

CSPAN2 (CSPAN2)National Programming – Hearing on co2.

Untitled Report

Wednesday, January 13, 2010



Total Number of Clips: 10 Cumulative Est. Audience: 1,848,937 Cumulative Est. Publicity Value: \$97,190 (Sum of Clip Totals)

Entry #1



[Play Media](#)
[Direct Link](#)

Paid Programming
COMEDY (COMEDY)National Programming,
DMA: 0

Jan 13 2010 6:40AM EST
Programming Type: Shopping
Est. Households/Views: 137485
Est. Publicity Value: \$843 (30 Seconds)
\$1686 (Total)

simply use the air purifier in your home, then take out the truman cell, rinse it off in the sink, you'll be amazed at how much dirt was removed from your air. folks, here is my promise to you. with my oreck xl professional air purifier if you don't sleep better, wake up more refreshed, dust your home less, and simply enjoy the benefits of fresh, crisp, clean air just send it back. it won't cost you a dime to try it. i'll ship it to your home at no charge and if you decide to return it i'll even pay to take it back. you have nothing to lose. so go ahead, give me a call right now. according to the [epa](#) the air inside our homes can be up to five times more polluted than the air outside. while many air filters only address a few of the hundreds sources of indoor air pollution, the oreck xl professional air purifier does far

Entry #2



[Play Media](#)
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The Morning News on News Channel 9
WSYR (ABC)Syracuse, NY DMA: 83
Jan 13 2010 6:04AM EST
Programming Type: News
Est. Households/Views: 47882
Est. Publicity Value: \$510 (30 Seconds)
\$1020 (Total)

to ban hydrofracking on ondaga county owned property. this morning, kim brown explains why. dan and christie, ondaga county is one of 28 counties that falls within the marcellus shale area - the shale's been called one of the country's most promising natural gas resources. the county's enprotection committee today will consider a resolution that would ban hydrofracking on county-owned land until they know more about how it works -- and what it might do to the environment and to the health of people who live nearby. while they know successful natural gas drilling could bring good money to the county, there's concern over issues like taxes going up to monitor the drilling's effects and heavy machinery traffic increasing on local roads. the **environmental protection agency** says the state really needs to take a closer look at the **environmental** impact. what i'm trying to do is protect that until such time we can look and assess how this is going to go about

Entry #3

History



[Play Media](#)
[Direct Link](#)

CSPAN3 (CSPAN3)National Programming, DMA: 0

Jan 13 2010 4:43AM EST

Programming Type: Public affairs

document that was available outside, water and conflict, incorporating peace building into water development. the second speaker will be william hall who is an adjunct professor in the conflict resolution program at georgetown university. his teaching and research interests include the dynamics of **environmental** negotiation and the **environmental** and economical results of economic conflict resolution. he also served as a staff facilitator and mediator for the u.s. **environmental protection** agencies conflict prevention and resolution center. a third speaker will be chip walker who leads the warning and analysis team in the office of conflict management and mitigation at the u.s. **agency** for international development. in this capacity, chip

Entry #4



[Play Media](#)
[Direct Link](#)

NC9 Eleven at 11

WSYR (ABC)Syracuse, NY DMA: 83

Jan 12 2010 11:03PM EST

Programming Type: News

Est. Households/Views: 34287

Est. Publicity Value: \$432 (30 Seconds) \$864 (Total)

can afford to keep it open. rod? the board is expected to take up the issue and the study again in two weeks, at its next board meeting. the ondaga county legislature will be taking up the issue of hydrofracking tomorrow -- a form of natural gas drilling. its new tonight. the county's **environmental protection** committee will discuss a resolution to not allow hydrofracking on county-owned land until further studies are done. the **environmental protection agency** has criticized the state d-e-c on the issue saying the **environmental** impact is still unknown. what i'm trying to do...go about ondaga county is one of 28 new york counties ondaga county is one of 28 new york counties that falls within the marcellus shale area. the resolution could make it to the full legislature by the beginning of february. the state comptroller says there are dozens of bridges in worse shape than the lake champlain bridge

Entry #5

[Play Media](#)
[Direct Link](#)

FOX Eastern Carolina News at 10

WFXI (Fox)Greenville, NC DMA: 103

Jan 12 2010 10:53PM EST

Programming Type: News

Est. Households/Views: 10502

Est. Publicity Value: \$947 (30 Seconds) \$1894 (Total)

? america is turning over a new leaf... the smartway leaf. smartway, from the u.s.

environmental protection agency, is changing the way america drives. look for the smartway leaf to help you identify environmentally friendlier cars and trucks. smartway certified cars and trucks are more fuel efficient,

Entry #6

Bones



[Play Media](#)
[Direct Link](#)

TNT (TNT)National Programming, DMA: 0
Jan 12 2010 8:17PM EST
Programming Type: Crime drama Medical
Est. Households/Views: 1537900
Est. Publicity Value: \$44884 (30 Seconds)
\$89768 (Total)

if you let **us**. if i knew who killed billie, i'd tell you. believe me, please. why would anyone fight illegally in the first place? you know, there's limited options. not everybody could be oscar de la hoya. who? injuries, criminal pasts, failed drug tests leaves them with no skills, so they take on a fight wherever they can find one. even if it kills them? mm. (phone ringing) brennan. i found something in the particulates from billie's shoes. traces of hexavalent chromium. it's a chemical used in high-end automotive shops, spializing in chroming. mechanics who use them have to file reports with the **epa**. ow! what? brennan: no gambling. am i interrupting something? booth: it's just keno, all right? i'm sorry if hodgins lost me at, uh, hexa-valium chromum. hexavalent chromium, and we need to find some. how can we contact the environmental protection agency? yeah, i'm on it. this is an auto shop?

Entry #7



[Play Media](#)
[Direct Link](#)

U.S. Senate
CSPAN2 (CSPAN2)National Programming,
DMA: 0
Jan 12 2010 6:45PM EST
Programming Type: Public affairs News
Politics

ruling in september, i'd understand that correctly on dehp? >> the fda is prepared to go with that ruling now? >> there are questions whether we set a standard for bottled water and i intend to proceed with the setting standard for bottled water. it's a just a matter of preparing the standard, getting a gallon. if we come across some rean why this doesn't apply to bottled water at all we are permitted to make the statement that doesn't apply to bottled water who but it's not obvious to **us** there is such a compelling reason at this point so we would anticipate the unborn and setting standards. at that point its as long as it takes to do. it's in the law and there's 180 day standard in the law that is if **epa** sets the standard fda needs to set a standard, and least 180 days before so it can take a fact at the same time as the **epa** standard but with this

Entry #8

U.S. Senate



[Play Media](#)
[Direct Link](#)

CSPAN2 (CSPAN2)National Programming, DMA: 0
Jan 12 2010 5:25PM EST
Programming Type: Public affairs News Politics

th's about one every quarter. most of it stems from elevated level of contaminants such as arsenic and brown made which cause cancer. for the past six years the bottled water -- the fda issued him with violating safety regulation and that's in addition to dozens of other problems found in the **epa** inspections of water bottling facilities. 2007 that the fda issued a press release against drinking mineral water imported from armenia because there are some level was 50 times greater than the federal standard. and that if -- black as a last month in southern california we had gross ticket and high-school for buying bottled water at of a vending machine. so these are problems in the fda has uncovered and they only have two or three employees devoted to it and i think just because it comes in a bottle we assume it's healthier for **us** and that's what most americans assume, we find is not the case and that's

Entry #9



[Play Media](#)
[Direct Link](#)

News Center 7 At 5:00
WHIO (CBS)Dayton, OH DMA: 65
Jan 12 2010 5:24PM EST
Programming Type: News
Est. Households/Views: 80881
Est. Publicity Value: \$979 (30 Seconds)
\$1958 (Total)

forum the former republican congressman is telling people he wants state government to help boost jobs...not chase them out of the state. (john kasich)"some of the state **epa** regulations are tougher than the federal **epa**. (jim otte)kasich brought with him former florida governor jeb bush...who says kasich is the man to lead ohio. and supporters here agree...what do they like about kasich? (nancy nix) "his energy, his honesty his business sense." (jim otte) and people are concerned about the faltering economy. (arla tannehill) "we're not in the middle of this mess we're on the bottom and if we don't do something to turn it around we will continue to be here." (jim otte) still there are some supporters of incumbent democrat ted strickland in this mostly republican county... betty davis is the former mayor of mason (betty davis)"the policy decisions by gov. strickland are bringing **us** back to the type of economic strategy that we need in small business." (jim otte)the kasich campaign is already

Entry #10

U.S. Senate



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CSPAN2 (CSPAN2)National Programming,
DMA: 0
Jan 12 2010 5:23PM EST
Programming Type: Public affairs News
Politics

concerning their suppression of the **epa** report within his agency. it debating whether there really is engagement finding with regards to co2. when so those of **us** on the minority are concerned whether this particular hearing is the best use of our limited oversight hearing times. we have confronted the issue o swine flu pandemic, confronted safety of products like tylenol as i said a mute ago mr. chairman this one doesn't seem to be up to that standard of excellence which you have established for your oversights. i hope after this hearing will consider supporting mr. walden and myself on getting information about of the **epa** suppression of the document which we call carbon gate of regarding the co2 and endangerment finding. we hope that you'll work with **us** as i talk with you yesterday informally about doing more hearings and doing some action

Total Number of Clips: 10

Cumulative Est. Audience: 1,848,937

Cumulative Est. Publicity Value: \$97,190 (Sum of Clip Totals)

CRITICAL MENTION CLIPS

January 15, 2010

URL: <http://www.criticalmention.com/report/10607x114000.htm>

Entry #1

KHQ (NBC)Spokane, WA - One of ten districts nationwide being honored this week by the u-s Environmental Protection Agency for providing cleaner air in schools.

Entry #2

WTVY (CBS)Dothan, AL - Florida needs a system to manage the amount of nutrients in their rivers and lakes.

Entry #3

WXIX (Fox)Cincinnati, OH – Radon testing in as office.

Entry #4

CSPAN (CSPAN)National Programming – EPA Administrator Lisa Jackson

Entry #5

CSPAN (CSPAN)National Programming - EPA Administrator Lisa Jackson

Entry #6

CSPAN (CSPAN)National Programming - EPA Administrator Lisa Jackson

Entry #7

CSPAN3 (CSPAN3)National Programming - EPA Administrator Lisa Jackson

Total Number of Clips: Cumulative Est. Audience:
7 73,554

Entry #1



[Play Media](#)
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KHQ News 5AM
KHQ (NBC)Spokane, WA DMA: 75
Jan 15 2010 5:22AM PST
Programming Type: News
Est. Households/Views: 15526
Est. Publicity Value: \$131 (30 Seconds) \$262 (Total)

home after neighbors heard the smoke detectors sounding in the house wednesday night... the fire.. mostly confined to the main living area... no one was seriously injured... but one firefighter did cut his hand and was taken to a hospital for treatment... some good news this morning.. spokane public schools.. one of ten districts nationwide being honored this week by the u-s **environmental protection agency** for providing cleaner air in schools.. the epa creating the recognition program to address air quality issues in school buildings.. sps says it improved air quality in its schools by replacing heating and cooling systems that pump fresh air into every classroom...

Entry #2



[Play Media](#)
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WTVY This Morning
WTVY (CBS)Dothan, AL DMA: 172
Jan 15 2010 5:39AM CST
Programming Type: News
Est. Households/Views: 7189
Est. Publicity Value: \$167 (30 Seconds) \$334 (Total)

water was the topic of discussion for florida experts and residents. news 4's denise bradberry has more. most agreed that florida needs a system to manage the amount of nutrients in their rivers and lakes. 24:07 we should have been doing it 10 years ago, but some panelists have concerns about how the new regulations are being implimented. a 2009 lawsuit pushed the federal **environmental protection agency** to propose regulations for florida...their deadline was thursday ... a timeline some feel is scientifically unreasonable . 10:33 what i think is needed which is thorough data collection , technically sound determinations of what those nutrient standards perfectly before we act or do we act on what we know and lets manage it in a way that's manageable as we impliment and move forward standup florida is currently the only state having to face these new epa regulations and many are concerned they'll have to pay to treat the water coming from alabama and georgia data shows that many rivers had higher nitrogen and phosporpous concentrations where they meet waterways from alabama and georgia...but some believe with time... every state will have to meet

Entry #3

FOX19 Morning News at Six



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WXIX (Fox) Cincinnati, OH DMA: 33
Jan 15 2010 6:24AM EST
Programming Type: News
Est. Households/Views: 50839
Est. Publicity Value: \$680 (30 Seconds)
\$1360 (Total)

fox-19's brad underwood reports. s **us**spected unsafe radon levels in this office prompt health assessment testing. "i've been concerned for quite sometime about the health of this entire facility.. this building." the judge executive office and property evaluati administration office was tested by teragon consulting in october. the results came back in december.. but have yet to be released to employees who work in the building. judge executive french says he's not trying to hide those results. "i spoke with them and they asked them when they wanted to meet to explain this to the fial court so we could take an appropriate course of action..we agreed sometime after the first of the yr. that meeting will take place tomorrow at ten o'clock." french wouldn't share those results today. but employees who saw the report before it was sealed tell fox 19 that the radon levels in their building are over 11. the **epa** says a safe level for a homes under 4. "but for a commercial building there is not ...and that is why we need to have the professionals come in and explain to **us** exactly what is ok and what is not."

Entry #4



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Today in Washington
CSPAN (CSPAN) National Programming, DMA: 0

Jan 15 2010 2:51AM EST
Programming Type: News Politics Public affairs

talking about whether -- lisa m. rakowski has been talking about it. [unintelligible] we have not seen it. i will not comment on it. they are trying to move for the issue of climate change. i am quite proud of the actions **epa** has taken on co2 under the clean air act. i believe that there are more common-sense actions that can be taken that will not harm our economy, but will actually help move **us** along in the transition to clean energy. americans want a transition to clean energy. they also want to transition to more homegrown energy. we are all worried about our national security. we also want jobs. the president has said that jobs in the future will come around clean energy technology. at the **epa** can move forward.

Entry #5

Today in Washington



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CSPAN (CSPAN)National Programming, DMA: 0

Jan 15 2010 2:35AM EST

Programming Type: News Politics Public affairs

waste projects across the country. we are approaching 70% of the contract. we have a statutory deadline of february 17 to get 100% of the money under contract. that means work will start, jobs will be created, beca use congress saw fit to entr ust epa and state with investing in our water infrastructure. it is a great message for us. it is a great message for president obama. there is not a need to choose between jobs and the environment. in the recovery act, we see the perfect marriage of both, how you can invest in clean water and invest in health and economic recovery. you cannot have economic growth without adequate and reliable supplies of clean water. we put forward new principles to address safety. chemicals are present in our

Entry #6



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Capital News Today

CSPAN (CSPAN)National Programming, DMA: 0

Jan 15 2010 12:32AM EST

Programming Type: News Politics Public affairs

national captioning institute] [captions copyright national cable satellite corp. 2010] >> coming up, and health care town hall meeting was held by at oregon senator on wyden. then, lisa jackson, epa administrator. later, state of the state addresses from the governors of illinois and washington. some events we are covering tomorrow on c-span2, the washington center for internships hosts a discussion of new media and politics at 9:00 a.m. eastern. speakers include marvin kalb, ed henry, and others. according to the brookings

Entry #7

Prime Time Public Affairs



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CSPAN3 (CSPAN3)National Programming,
DMA: 0
Jan 14 2010 8:19PM EST
Programming Type: Public affairs News
Politics

real difference from in the obama epa from the last eight years. to show them that the election really did matter. and one of the place it matters most is that the only **agency**, the only **agency** across the federal government entrusted with protecting human health and the environment, it's an independent **agency**, that's epa's entire mission and its job is to implement some of the most fundamental laws in our country, the clean air act, the clean water act, the superfund cleanup law, the hazardous waste laws. you know, laws that are really foundational to what has made this country a world leader in **environmental protection**. so, yes, we've had a chae in direction. when i arrived on my first day, it's almost a year now, there were 18,000 dedicated employees at epa ready to turn the **agency** around and get to work. i like to joke with the president and i told the first la when she came i'm pretty sure it was 99.9%, you know, for

CRITICAL MENTION

January 19, 2010

<http://www.criticalmention.com/report/10607x114482.htm>

Entry #1

WTVY (CBS)Dothan, AL - Alabama Department of Environmental Management

Entry #2

CSPAN3 (CSPAN3)National Programming - climate and energy partnership program

Entry #3

WTVY (CBS)Dothan, AL – Alabama water

Entry #4

WWTW (CBS)Traverse City, MI - The environmental protection agency estimates radon causes more than 20-thousand lung cancer deaths every year.

Entry #5

WWTW (CBS)Traverse City, MI – A concern on the chemical b-p-a.

Entry #6

CSPAN2 (CSPAN2 – Administrator Lisa Jackson

Entry #7

CSPAN (CSPAN)National Programming – Climate Change

Entry #8

WKMG (CBS)Orlando, FL – water runoff in Florida

Total Number of Clips: Cumulative Est. Audience:
8 148,060

Entry #1



[Play Media](#)
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WTVY This Morning
WTVY (CBS)Dothan, AL DMA: 172
Jan 19 2010 6:40AM CST
Programming Type: News
Est. Households/Views: 11110
Est. Publicity Value: \$248 (30 Seconds) \$496 (Total)

now they're asking a federal **agency** for help to push the alabama department of **environmental** management to take action. many groups are unhappy with the way the department is administering its water pollution permitting program. they say they're not meeting minimum federal standards. the choctawhatchee river-keeper is joining 13 other organizations to petition the federal **environmental protection agency** to intervene. "the petition really seeks to get adem to do the minimum clean water act enforcement and other requirements of the clean water act . which in probably 2 dozen or more areas they are not doing the minimum" if you'd like to learn more about getting involved... you can find a link to the choctawhatchee riverkeeper on our web channel wtv dot com. town leaders in kinston are gearing up for the 2010 census. recognizing the role the census plays on receiving grant funding for projects ... kinston town leaders want to get everyone

Entry #2



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History
CSPAN3 (CSPAN3)National Programming, DMA: 0
Jan 19 2010 4:53AM EST
Programming Type: Public affairs
electricity will come from the renewable energy, and also the uk government will reduce 6% of the energy by 2020 and that has been addressed by the five-year green growth plant, but at the national level the u.s. **environmental protection agency** also crees some state climate and energy partnership program. this is a beginning relationship between the federal government and 16 states. and also, in the obama administration they introduced a program where they can construct more wind power plants, and the korean governments have been looking for new sources of renewable energy particularly since 2008 when the oil price skyrocketed. they also tried to introduce some incentives to private

Entry #3

WTVY News 4 at Six



[Play Media](#)
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WTVY (CBS)Dothan, AL DMA: 172
Jan 18 2010 6:13PM CST
Programming Type: News
Est. Households/Views: 26429
Est. Publicity Value: \$738 (30 Seconds)
\$1476 (Total)

washing down storm drains and nat into the rivers and creeks. 11:45 adem could do some enforcement. leaders with the alabama rivers alliance say the water pollution permitting program... run by a-dem is "fundamentally broken and doesn't meet minimum federal standards." 11:45 "when they come to an inspection they can go to a penalty stage faster. they can assess their own minimum penalties which they often don't do. they're basically not doing it state wide, they're not doing it anywhere, it's not just the wiregrass. standup now the riverkeeper is joining 13 other groups... led by the alabama rivers alliance to petition the federal **environmental protection agency** to intervene. 14:24 the petition really seeks to get adem to do the minimum clean water act enforcement and other requirements of the clean water act . which in probably 2 dozen or more areas they are not doing the minimum that they're supposed to do their ultimate goal is for alabama's rivers to meet and exceed federal

Entry #4



[Play Media](#)
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9/10 News at 6
WWTW (CBS)Traverse City, MI DMA: 117
Jan 18 2010 6:22PM EST
Programming Type: News
Est. Households/Views: 57752
Est. Publicity Value: \$463 (30 Seconds) \$926 (Total)

this one help figure that out. the **environmental protection agency** estimates radon causes more than 20-thousand lung cancer deaths every year. radon can seep into your house from the outside and the health department says every home should be tested. <28:11 "your neighbor could have a high level of radon and you may have nothing or vice versa, so even if people have tested your area, it's really not an indicator of whether you have radon from vents or windows. and thanks to the martin luther king jr holiday.. the detroit pistons played an afternoon matinee in new york today. and with more on that we go to

Entry #5

9/10 News at 5:30



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[Direct Link](#)

WWTV (CBS) Traverse City, MI DMA: 117
Jan 18 2010 5:32PM EST
Programming Type: News
Est. Households/Views: 42000
Est. Publicity Value: \$455 (30 Seconds) \$910 (Total)

the pontiff forgave agca two years later as they met in an italian prison. the motive for his attack has never been made clear. b-p-a. for years, the f-d-a has kept relatively quiet on the chemical, but now say it is of "some concern." it says b-p-a is still considered safe, they are looking into subtle effects of the chemical especially on brain behavior and prostate glands in unborn babies, infants and young children. the american chemistry council says b-p-a is not dangerous. <...what's important to remember is the fda the **environmental protection agency** and the american chemistry council say people would have to eat hundreds of

Entry #6



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Book TV
CSPAN2 (CSPAN2) National Programming,
DMA: 0

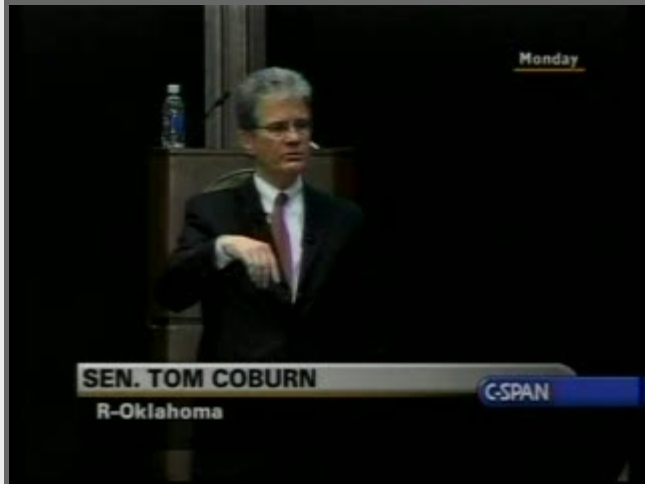
Jan 17 2010 11:39PM EST

Programming Type: Educational Interview

the question is which forced we want to follow. ai thank each of you for the work you've done in eliminating the paths and also helping **us** make that choice we have much work yet to do and i know you will be pushing **us**. thanks so much. [applause] >> the didn't tell me i would have the honor of introducing a woman i can now call a friend. there are many things you do when you find you might actually be named as the next administrator of the **epa** and one of them you do is call the head of the nrdc. he would be crazy not to but what i found when i spoke to her and i wasn't my first time was not of the personal warmth and a professional level of support has a sister and a friend but a place i could turn to for common

Entry #7

C-SPAN Weekend



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CSPAN (CSPAN)National Programming, DMA: 0

Jan 17 2010 3:10PM EST

Programming Type: News Public affairs

the cap and a trade bill. the **epa**, in terms of the regulations of co2 and the energy industry, shows you a problem of lazy legislators. one of the things that i fight all the time -- which i do not weigh in much on -- is that i do not think we ought to be vague and let the bureaucrats decide the answers. we get paid to decide the answers. the sale of these bills passed where there are no specifics. what that tells you is that we don't know what we are doing and we cannot write the specifics. if we do not know what we're doing, then why are we passing a law in the first and place. the **epa** is were we have given someone massive power to have oversight on **us** and have a major impact on american citizens without the benefit of elected officials do and what they should have done. that is just like what got **us** into the financial problems with

Entry #8



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Local 6: Morning News

WKMG (CBS)Orlando, FL DMA: 19

Jan 16 2010 6:07AM EST

Programming Type: News

Est. Households/Views: 10769

Est. Publicity Value: \$126 (30 Seconds) \$252 (Total)

epa in 2008. they claimed the agency was failing to force florida to meet requirements under the clean water act and claimed runoff such as fertilizers and animal waste caused toxic algae bloom to poison the eco-system. and this morning i-4 is open back west to lakeland after the sink hole opened up. this is the scene earlier this week after the crews shut down to the east near plant city. they backed up traffic for miles. crews finished filling the holes just after 9 o'clock last night. >>> this morning hundreds of turtles rescued in volusia headed to south florida. local 6 reporter ramin khalili shows **us** the journey from ponce inlet to myrtle beach. >> if it weren't for all the turtles you'd think you walked into the regular old emergency room and you'd be half right. here at the marine science center they're working on stunned cold turtles from the reined cold snap. this is the resident on call specialist. >> it is around the clock. we'll get calls, 7, 8 o'clock, sometimes midnight about a turtle coming in. >> dozen of these creatures are brought here after being found



**U. S. Environmental Protection Agency
E-Clips
Prepared by the Office of Public Affairs**

Friday, January 11, 2013



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(BNA articles can be viewed online <http://Intranet.epa.gov/desktop/news.htm>)

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ADMINISTRATOR JACKSON

WHAT TO WATCH (*Washington Post*)

Friday, February 20, 2009

· Having formally named its urban agenda chiefs yesterday [Story, A2], the White House today welcomes representatives of some of America's major cities, as *President Obama* and *Vice President Biden* meet with leaders of the United States Conference of Mayors in the East Room.

The group of more than 60 mayors is also expected to attend a gathering with Attorney General *Eric H. Holder Jr.*, Housing and Urban Development Secretary *Shaun Donovan*, Transportation Secretary *Ray LaHood*, Energy Secretary *Steven Chu*, Education Secretary *Arne Duncan* and various White House senior staffers, according to the mayors' group.

After the White House confab, the mayors will gather at the Capitol Hilton for a session with Environmental Protection Agency Administrator *Lisa P. Jackson*, Energy Department weatherization program Director *Gil Sperling* and *Tim Quinn*, the Justice Department's acting director of community-oriented policing.

· First lady *Michelle Obama* continues her tour of federal agencies with a midday visit to the Department of Transportation.

· With the National Governors Association in town this weekend for its winter meeting at the J.W. Marriott, the president and first lady on Sunday will host the 2009 Governors' Dinner at the White House, featuring performances by the Marine Corps band and R&B act Earth, Wind & Fire, below.

-- *Garance Franke-Ruta*

Federalcity@washpost.com

Amid industry skepticism

JACKSON SEES EPA FLEXIBILITY WHEN CRAFTING GHG RULES UNDER AIR ACT (*Inside EPA*)

2/20/2009

EPA Administrator Lisa Jackson is downplaying GOP and industry concerns that Clean Air Act greenhouse gas (GHG) rules would trigger a requirement for thousands of small, currently unregulated sources to adopt emission controls, saying the law leaves EPA discretion to exclude some sources from such regulation, according to written responses Jackson provided to senators following her confirmation hearing.

Jackson's comments, obtained by *Inside EPA* under a Freedom of Information Act request, appear to be a clearer indication of her position on regulating carbon dioxide (CO₂) and possible flexibility EPA may offer under such rules than she provided at her Jan. 14 confirmation hearing. Since her confirmation, Jackson has said the agency is working to regulate GHGs under the air act even as Congress weighs new legislative authority to address the issue.

Her response on the GHG issue is just one of several statements she made in her broad-ranging responses to senators' questions. On other key points, Jackson promised that Congress will continue to have oversight over some climate- or energy-related decisions out of EPA, though she did not specify which ones, despite the role played by White House climate coordinator Carol Browner who is exempt from congressional scrutiny under the executive privilege doctrine.

"I do not believe that Ms. Browner's position means that every climate- or energy-related decision out of EPA will be considered as a unitary executive decision and therefore invoke executive privilege," Jackson said in response to a question from Sen. James Inhofe (R-OK), the Senate environment committee's ranking Republican.

And in response to another question from Inhofe, Jackson cautioned that clarifying the scope of the Clean Water Act -- a top priority for environmentalists -- is a "complicated issue."

Her position on EPA flexibility to address GHGs echoes suggestions from environmentalists that the Obama EPA has authority to regulate CO₂ but issue guidance providing flexibility on which sources are impacted.

Industry officials have said environmentalists' position is "wishful thinking" because EPA lacks discretion to bypass air act thresholds that require emissions reviews and possible controls for facilities that emit just 100-250 tons per year of a regulated pollutant, a very low trigger for CO₂ that could capture many small facilities that Congress did not intend to regulate.

Industry has long voiced concerns that such low thresholds were intended to address conventional pollutants that are emitted above that level from major industrial facilities but that if applied to GHG emissions under the agency's new source review or prevention of significant deterioration permit programs the thresholds would capture hundreds of sources that Congress never intended to regulate, such as small units at office and apartment buildings, schools and hospitals.

Industry officials have been especially concerned since appellate courts during the Bush administration issued several rulings that limited EPA's discretion to interpret federal law. Of

particular concern is the appellate ruling overturning EPA's clean air interstate rule because the court said EPA lacked authority to create an emissions trading program -- likely a key element in any GHG rule.

Sen. George Voinovich (R-OH) in written questions to Jackson at the time of her confirmation hearing last month said the Bush EPA's July 2008 advance notice of proposed rulemaking on regulating GHGs under the air act found that over 555,000 sources would be affected by at least one of the agency's permitting programs. The senator asked Jackson whether the agency has "wiggle room" not to regulate all the sources.

Jackson responded that based on her current knowledge, "I do believe that the [air act] leaves EPA discretion, in the event of regulating greenhouse gas emissions under the act, to do so in a way that does not necessitate direct regulation of all emissions sources regardless of their size." *Relevant documents are available on InsideEPA.com.*

That appears to be a more explicit indication of her position than she provided during her confirmation hearing. For example, Senate Environment & Public Works Committee Chairwoman Barbara Boxer (D-CA) asked Jackson whether she would commit to using the air act to regulate GHGs on the understanding "we could perfect those tools" to regulate using existing authority. Jackson said she would work with EPA staff "to discuss their views on ways that we can use the Clean Air Act" to regulate GHGs.

And Sen. Johnny Isakson (R-GA) said Georgia cattlemen and the Georgia Farm Bureau "are very concerned about the regulation of GHGs and the unintended negative effect of maybe taxing cattlemen or other livestock producers who have cattle that emit methane naturally, as they have since God created the earth."

In response, Jackson said she would listen to stakeholders' concerns, but said "all industries have the potential to do environmental harm. And what we need to do is to work with them -- and sometimes to regulate them, in order to make sure that they are ready for our future as we begin to address global warming gases."

On the question of Browner's role, Inhofe asked Jackson to describe the "appropriate" role for the White House climate and energy coordinator. Lawmakers have raised concerns that the slot -- which does not require Senate confirmation -- could dilute agencies' congressionally mandated roles and could be exempt from congressional oversight.

Jackson responded by saying that she will consult with Browner regarding recommendations to the president on climate and energy policies that fall within the agency's expertise. Jackson will hear Browner's views, but added, "I will make my own independent judgment with respect to any decision that is delegated to me by Congress" and will consult directly with Obama on matters that fall within EPA's expertise as appropriate.

Inhofe also asked whether Browner's position means that every energy and climate-related decision by EPA could be considered a unitary executive decision and invoke executive privilege.

Jackson said Congress could continue to exercise oversight over some climate- and energy-related decisions from EPA despite the presence of Browner.

On the water act issue, which is a top priority for environmentalists, Jackson agreed to a request from Sen. Benjamin Cardin (D-MD) that she would work with Congress to pass legislation clarifying the scope of the law in the wake of two Supreme Court rulings.

But she also told Inhofe that water act jurisdiction is a “complicated issue” and said the Supreme Court’s decision in *Rapanos, et ux., et al. v. United States* -- in which the court provided two competing tests for determining jurisdiction -- has created difficulties for EPA and the U.S. Army Corps of Engineers in administrating the Clean Water Act’s wetlands protection program.

Elsewhere in the comments, Jackson highlights a number of other priorities including working with Congress and the White House Office of Management & Budget to increase federal funding for cleanup of Superfund sites; working with the Department of Homeland Security on chemical facility security rules; and promoting scientific findings rather than a “political appointee’s preference for a particular regulatory outcome.” -- *Anthony Lacey*

JACKSON AGREES TO TAKE FRESH LOOK AT LAST-MINUTE CO2 PERMIT MEMO (*Inside EPA*)

2/20/2009

EPA Administrator Lisa Jackson has agreed to a request from environmentalists to reconsider a controversial Bush-era policy that allowed permit writers to avoid regulating carbon dioxide (CO2) in pending air quality permits, but Jackson stopped short of halting the memo’s implementation “at this time.”

While environmentalists did not get everything they were seeking, they welcomed Jackson’s agreement, saying it creates new regulatory uncertainty for developers of coal-fired power plants.

Jackson in a Feb. 17 letter to Sierra Club granted the group’s Jan. 6 petition to reconsider a memo issued by former Bush EPA Administrator Stephen Johnson that said prevention of significant deterioration (PSD) permits do not need to include CO2 limits. Johnson’s memo says that EPA abides by its stance that PSD and new source review permits need only include limits on pollutants “subject to regulation,” which Johnson says does not include CO2.

Johnson issued the memo in response to a landmark Environmental Appeals Board (EAB) ruling -- *In re: Deseret Power Electric Cooperative* -- that activists say opens the door to requiring the agency to mandate such limits. In the *Deseret* case, EAB remanded back to the agency a permit for a power plant in Utah, saying that EPA Region VIII must either conduct a best available control technology (BACT) review to determine possible CO2 emission controls for the permit, or if the region chose not to set limits then it should provide a detailed legal reason why it would not require CO2 BACT in the permit.

But activists say the Johnson memo shut the door on mandatory consideration of CO2 in permits. They also argue it is unlawful and contrary to the Supreme Court’s ruling in *Massachusetts v. EPA*, which found that CO2 is a pollutant under the Clean Air Act. Environmentalists and others say the high court’s ruling requires the agency to mandate CO2 limits in air permits to combat global warming even before Congress or EPA creates a more extensive regulatory structure.

In her letter to environmentalists, Jackson says she is approving their petition to allow for comment on the issues raised in the Johnson memo. EPA will also seek public comment on any issues raised in the landmark EAB decision that are not “coextensive” with the issues raised in the memo, she says. *The letter is available on InsideEPA.com.*

But Jackson declined to grant environmentalists’ request to delay implementation of the memo. She also stresses that the memo does not bind states issuing permits under their own state implementation plans -- meaning EPA could allow states with delegated permitting authority to include CO2 limits in air permits or not. PSD permitting authorities “should not assume that the memorandum is the final word on the appropriation interpretation of Clean Air Act requirements.”

Sierra Club Chief Climate Counsel David Bookbinder said in a Feb. 17 statement that the letter “should cast significant further doubt on the approximately 100 coal-fired power plants that the industry is trying to rush through the permitting process without any limits on [CO2]. New coal plants were already a bad bet for investors and ratepayers and today’s decisions make them an even bigger gamble.”

Jackson could make GHG decision by April 2 (Greenwire)

02/19/2009

U.S. EPA Administrator Lisa Jackson said she has not decided to issue a finding on whether greenhouse gases are a danger to human health and welfare, but she pointedly noted that the second anniversary of a Supreme Court order to make such a decision is April 2, fueling expectation that she will act by then.

Jackson said recently that the agency is close to making a determination about the so-called 'endangerment finding' after the Bush administration remained essentially mum on the issue for eight years.

Yesterday, the agency announced it would review a Bush administration decision prohibiting federal permits for power plants from stipulating they install carbon dioxide control technologies ([Greenwire](#), Feb. 18).

The agency has indicated in recent decisions that it may be ready to add greenhouse gases to a list of acid rain-, soot- and smog-causing chemicals it already regulates under the federal Clean Air Act (John M. Broder, [New York Times](#), Feb. 19). -- **TL**

AIR

BP to pay almost \$180 million in pollution case (Associated Press) This story also appeared: *Washington Post*

The Associated Press
Thursday, February 19, 2009; 3:31 PM

WASHINGTON -- The international energy giant BP has agreed to pay almost \$180 million to settle a pollution case with the government.

BP Products North America Inc., a unit of British oil company BP PLC, agreed to spend \$161 million on pollution controls, pay another \$12 million in penalties, and spend another \$6 million on a project to reduce air pollution near its Texas City, Texas refinery.

The settlement with the Department of Justice and the Environmental Protection Agency follows a deadly explosion and fire in March 2005 that killed 15 people and injured more than 170 others.

In the incident, the company has already pleaded guilty to violating the Clean Air Act and agreed to pay a separate fine of \$50 million.

The settlement addresses what the government identified as the company's failure to comply with a 2001 consent decree requiring tight controls on benzene during the refining of petroleum.

Benzene is a hazardous air pollutant known to cause cancer, damage the nerve and immune systems, and affect reproduction and development.

BP spokesman Daren Beaudou said the company has spent more than \$100 million over the past 15 years on benzene emission controls for the refinery.

"We are pleased to have achieved this settlement and will work to continue reducing emissions and to ensure regulatory compliance at Texas City," Beaudou said.

The government says the new efforts will reduce emissions of benzene and other volatile organic compounds at the site by 6,000 pounds a year.

BP has also agreed to eliminate roughly 51,000 pounds of ozone-depleting hydro-chlorofluorocarbons, often referred to as HCFC's, by modernizing industrial cooling appliances at the refinery.

The E.P.A.'s Move to Regulate Carbon: A Stopgap Solution (*Time*)

By Bryan Walsh
Friday, Feb. 20, 2009

On the long list of things that keep [coal industry executives awake at night](#) is the possibility that the Environmental Protection Agency (EPA) will begin to regulate carbon dioxide as a pollutant. Now it seems that nightmare is at hand.

On Feb. 17, E.P.A. Administrator Lisa Jackson announced that the agency would reconsider a Bush Administration decision not to regulate CO₂ emissions from new coal power plants. The next day, she backed up that statement by telling the *New York Times* she was considering acting on an April 2007 Supreme Court decision that empowers the EPA to regulate CO₂ as a pollutant under the Clean Air Act. If the E.P.A. exercises that authority as expected — a process that would likely play out over months — it could potentially be one of the farthest-reaching regulations in U.S. history, affecting the way we use electricity, the way we drive and more. ([See pictures of the world's most polluted places.](#))

"What this says is that the Clean Air Act already provides the government with the chance to do something about global warming pollution," says David Doniger, policy director for the Natural Resource Defense Council's climate center. "We have a right to expect the government to carry out the existing law."

However, carrying out the law will be anything but simple, nor will it be the most efficient way to protect the environment. The 2007 court case in question gave the E.P.A. the authority to regulate CO₂, when the Supreme Court ruled in favor of 12 states, led by Massachusetts, that brought suit against the government to force it to regulate greenhouse gases. The Bush Administration largely ignored the implications of that decision for the next two years, likely in part because of complaints from industry that regulating CO₂ would be expensive and maddeningly complicated. That's a point well taken. While something needs to be done to slow

the rise in U.S. carbon emissions, and while in the absence of national carbon cap law, federal regulation may be our only short-term option, it's not the best-case scenario. "It's a back-up plan," says Doniger.

As the law is written, using the Clean Air Act to regulate greenhouse gas emissions directly would be unreasonably difficult, because of carbon dioxide's sheer ubiquity. In 2000, the U.S. emitted less than 18 million tons of the pollutant sulfur dioxide, chiefly from cars, power plants and factories. In the same year, national CO₂ emissions reached nearly 6 *billion* tons, from virtually every aspect of modern life. Regulating emissions would be like trying to gather up the ocean. In addition, the Clean Air Act technically requires "major" sources of pollutants — meaning those that emit more than 250 tons a year — to acquire costly and time-consuming permits before building or expanding. Again, because carbon is so ubiquitous, establishments as small as a fast-food franchise could emit more than the limit, which is why conservative critics have nicknamed the 2007 decision the "Dunkin' Donuts rule."

In reality, observers say the E.P.A. is unlikely to pursue small emitters in any carbon regulation, instead focusing on reining in big sources like power plants and automobiles, which together are responsible for some 60% of U.S. carbon emissions. Such action could have momentous consequences for the scores of new coal power plants that have been proposed across the U.S., an expansion that environmentalists are dead set against.

Regulating greenhouse gases from power plants could bring a total halt to carbon-intensive electricity, since there is currently no economical way to capture and store the plants' carbon emissions. That, in turn, could lead to an escalation of costlier but low-carbon alternatives like natural gas, wind or solar by default, which critics say would put a drag on the economy. (Environmentalists — and their allies in the White House — argue that the cost of curbing carbon emissions will be more than manageable, and will help push the U.S. economy to a cleaner and more sustainable future.)

The E.P.A. could also exercise the power it has to regulate carbon emissions from cars — perhaps by insisting on stronger fuel-economy standards like the ones being advanced by California, or by mandating a carbon-standard for fuels. "It's really critical, when the country is making a decision to pour massive capital investment into new cars and power plants, that the moves are harmonized to address greenhouse gas emissions," says Vickie Patton, a senior attorney for the Environmental Defense Fund.

Even most environmentalists, however, don't really want to see the EPA take all the responsibility for reducing carbon emissions, using a law that was drafted before climate change was a known threat. Instead, they see federal regulations as a protective stopgap measure until Congress can pass national carbon cap-and-trade legislation specifically tailored to global warming. "It's not going to be easy, but it can be done," says Doniger. Since the only thing that coal industry executives and other fossil-fuel peddlers fear more than a carbon cap is EPA regulation, he might just be right.

Clean Air Act explained (*OneNewsNow*)

Pete Chagnon - OneNewsNow - 2/20/2009 4:30:00 AM
Mississippi

A senior policy analyst with The Heritage Foundation believes the EPA is creating a slippery slope by reconsidering a Bush administration rule.

Environmental Protection Agency (EPA) administrator Lisa Jackson is giving in to environmentalists who wish to use the Clean Air Act to regulate CO₂ emissions. Under President Bush, new power plants did not have to consider CO₂ emissions when applying for permits, but that could change under the Obama administration.

Jackson has agreed to reconsider the rule and she has called for a period of public comment before a new rule is established. Ben Lieberman of [The Heritage Foundation](#) hopes Jackson's plans can be reversed.

"If the new EPA changes that position, then they'd have to start going after just about all, fossil energy use. That's coal, oil, natural gas, that's responsible for 85 percent of America's energy," he explains. "So this would really be opening the door first to regulating coal-fired power plant emissions, which would mean higher electricity prices -- but could also mean other things in the years ahead."

He was asked to consider whether, during the period of public commentary, negative public opinion could sway Jackson to drop any changes to the rule. "Well, I hope so. It's a chance, too, for everyone to be heard," Lieberman

notes. "But unfortunately the tradition with the EPA is that they often have their mind made up before the public comment period, and that may be the case here."

Lieberman adds that if the Obama administration is serious about producing cost-effective electricity and lowering so-called carbon emissions, then they should consider expanding nuclear power. Lieberman says at this point it is not clear whether the Obama administration will take the steps necessary to expand that option.

BP SETTLES POLLUTION CASE (*London Free Press*)

By FREE PRESS NEWS SERVICES

Fri, February 20, 2009

Canada

WASHINGTON -- The international energy giant BP has agreed to pay almost US\$180 million to settle a pollution case with the U.S. government. BP Products North America Inc., a unit of British oil company BP PLC, agreed to spend US\$161 million on pollution controls, pay another US\$12 million in penalties and spend another US\$6 million on a project to reduce air pollution near its Texas City, Texas, refinery. The settlement with the U.S. Department of Justice and the Environmental Protection Agency follows a deadly explosion and fire in March 2005 that killed 15 people and injured more than 170 others. The company has already pleaded guilty to violating the Clean Air Act.

New four-cylinder cars help with fuel cost (*Brown and White*)

By: Matt Stayman

Posted: 2/20/09

Pennsylvania

Lehigh's transportation and parking services purchased 10 new sedans in an effort to make its fleet of rental vehicles more environmentally friendly and cost efficient.

The four-cylinder 2009 Dodge Avengers replaced the less efficient, six-cylinder Avengers Lehigh was using and helped phase out the few remaining 2006 Chrysler Sebrings.

The new Avengers are certified as SmartWay vehicles, a designation given to vehicles that score six or higher on the Environmental Protection Agency's Air Pollution and Greenhouse Gas tests.

Chris Christian, director of transportation and parking services, said although Lehigh has been pursuing eco-friendly initiatives throughout his tenure of over 30 years, efforts have increased over the past year.

"Green isn't a new thing for us, but specifically this year the university has been looking at these kinds of issues with increasing focus," Christian said.

The new Avengers get about 10 percent better gas mileage than the six-cylinder model, Christian said.

If Lehigh could make similar improvements to its entire fleet, the university would save about \$50,000 per year, he said.

Other recent changes to Lehigh's vehicles include the purchase of a 2008 Dodge Sprinter, a tall white van that follows the bus route from lower Asa Packer Campus up to Mountaintop Campus.

The Sprinter gets about 30 percent better gas mileage than the van it replaced, Christian said.

Despite the improvements, some students aren't convinced that Lehigh is doing enough to curtail its vehicles' environmental impact.

"The transportation system itself is very good," John Reynolds, '11, said. "But to say that they're going green, I think replacing six-cylinder with four-cylinder engines falls short of that."

Green Action President Matt Melillo has been in contact with transportation and parking services to propose ways of increasing efficiency and reducing emissions. He said he is not satisfied with the current rate of progress.

"I think [the purchase] is a step in the right direction," he said. "But it's not enough."

Green Action is in the preliminary stages of a plan to gather data on vans powered by biodiesel and hope to present its findings to the university over the next year or two, Melillo said.

Until more substantial changes can be realized, Green Action has been encouraging the university to consider other options, such as running fewer buses late at night.

Solving the problems of Lehigh's gas consumption and emissions production is more complicated than it might appear due to the campus' mountainous terrain, Christian said.

In some cases, a six-cylinder engine is actually more efficient than a four-cylinder engine because the extra power the engine provides is needed to climb steep inclines.

While the university and groups like Green Action continue to look for new ways to make transportation at Lehigh more user friendly, cost efficient and environmentally friendly, transportation and parking services is asking students to give feedback on how well they think these goals are being accomplished.

Beginning this semester, all members of transportation and parking services staff will carry business cards with "HOW ARE WE DOING?" printed in thick, capital letters.

A Web site has been established for students to provide responses. Christian said students can share their thoughts at www.lehigh.edu/~inbus/feedback.shtml.

BP to pay \$180 million to settle pollution case (*Houston Chronicle*)

By MATTHEW TRESAUGUE

Feb. 19, 2009, 9:56PM

Texas

BP has agreed to pay \$180 million to resolve a federal inquiry into pollution violations at its Texas City refinery.

The proposed settlement requires the London-based oil giant to spend \$161 million for equipment to reduce harmful emissions at the refinery, including stricter controls for benzene, a petroleum byproduct known to cause cancer. The company also will pay \$12 million in penalties and \$6 million into programs to clean the air in the surrounding community.

BP's deal with the federal Department of Justice and Environmental Protection Agency comes nearly four years after an explosion killed 15 people at the nation's third-largest refinery.

Regulators said the ensuing inspections revealed the company had not obeyed an earlier agreement that required tighter controls of benzene, among other violations.

“The Department of Justice and the EPA will aggressively pursue those who fail to comply with the laws that protect our environment, and we will hold them accountable,” said John Cruden, acting assistant attorney general for the Justice Department’s Environment and Natural Resources Division.

BP spokesman Daren Beaudou said the settlement builds upon the company’s efforts to control emissions of benzene at the refinery, which resumed full operations in January after a three-year \$1 billion overhaul.

“We are pleased to have achieved this settlement and will work to continue reducing emissions and to ensure regulatory compliance at Texas City,” Beaudou said.

BP has already pleaded guilty to charges related to the explosion and agreed to pay a separate penalty of \$50 million, the largest criminal fine ever assessed against a corporation for federal Clean Air Act violations. The plea is still under review by U.S. District Judge Lee Rosenthal in Houston.

But the latest settlement should not be relevant in determining the company’s criminal liability in the March 2005 explosion, prosecutors said.

In the 131-page consent decree, submitted Thursday for approval by a federal judge in Indiana, BP agreed to install equipment that will reduce emissions of benzene and other volatile organic compounds at the refinery by 6,000 pounds a year. The refinery emitted 96,000 pounds of benzene in 2006, according to the most recent federal data available.

BP also agreed to modernize cooling appliances, reducing emissions of hydrochlorofluorocarbons, which are blamed for depleting the Earth’s protective stratospheric ozone layer, and improve handling of asbestos at the refinery.

The Texas City plant regained its ability to operate at full tilt in January after more than three years of maintenance and upgrades following Hurricane Rita and the deadly explosion. Before the shutdown, the refinery could earn \$100 million a month when running at capacity.

matthew.tresaugue@chron.com

NY Times ignored Holmstead's extensive energy lobbying (Media Matters for America)

Summary: In an article discussing whether the Environmental Protection Agency would begin to regulate carbon dioxide emissions under the Clean Air Act, *The New York Times* quoted Jeffrey Holmstead warning that such efforts are "[p]otentially ... a huge mess." While the article mentioned that Holmstead is the "director of environmental strategies at the law firm Bracewell & Giuliani," it did not note that Holmstead lobbies on behalf of energy companies and that -- as the *Times* previously reported -- Bracewell & Giuliani is an energy lobbying firm.

Posted to the web on Thursday, February 19, 2009 at 08:29 AM ET

District of Columbia

In a February 18 [article](#) discussing whether the Environmental Protection Agency (EPA) would begin to regulate carbon dioxide emissions under the Clean Air Act, *The New York Times* quoted "Jeffrey R. Holmstead, the former head of the [EPA's] office of air and radiation" warning that such efforts are "[p]otentially ... a huge mess," and reported that Holmstead "said that under the clean air law any source emitting more than 250 tons of a declared pollutant would be subject to regulation, potentially including schools, hospitals, shopping centers, even bakeries, which has prompted some critics to call it the 'Dunkin' Donuts rule.'" Besides noting his former role at the EPA, the *Times* mentioned only that Holmstead is the "director of environmental strategies at the law firm Bracewell & Giuliani." The article did not note, however, that Holmstead lobbies on behalf of energy companies and that -- as the *Times* previously [reported](#) -- Bracewell & Giuliani is an energy lobbying firm.

The [Senate lobbying database](#) (lobbyist name: Holmstead, Jeffrey) lists Holmstead as lobbying for more than half-a-dozen energy companies and organizations -- including the [Southern Company](#). Moreover, a May 2, 2007, *New York Times* article [reported](#) that on issues like clean air and climate change, "[e]nvironmentalists say" Bracewell & Giuliani "has had considerable success in persuading the Bush administration to ease Clinton-era enforcement efforts against coal-fired plants and write policies favored by that sector over tougher alternatives." The *Times* continued:

In his third month in office, Mr. Bush reversed a campaign pledge to cap carbon dioxide emissions from power plants. The administration also adopted a slower timetable for reducing mercury emissions from power plants than had been recommended by the Environmental Protection Agency's own staff.

Bush administration officials have argued that their policies are the best course to ensure an adequate supply of affordable power while making substantial improvements to the environment.

Environmentalists have credited the administration with creating one regulation, the Clean Air Interstate Rule, that will reduce power plant emissions.

Several years ago, the Bracewell firm played a significant role in an effort to block the E.P.A. from continuing a series of lawsuits filed against coal-fired electric power plants under the Clinton administration. The suits sought to enforce a rarely used provision of the Clean Air Act that required plants to install pollution controls when they altered their facilities.

Bracewell lawyers and other industry representatives argued that the E.P.A. under President Bill Clinton had retroactively redefined routine maintenance as modifications to bring the regulation into play.

Bracewell and some of its biggest clients, including the Southern Company, formed a new lobbying group, the Electric Reliability Coordinating Council, to fight for legislative and policy changes to kill the lawsuits. The council operates as an extension of Bracewell's Washington office and is staffed by its partners and professionals. It also contracted with Haley Barbour, the former Republican National Committee chairman, as a lobbyist. (Mr. Barbour is now governor of Mississippi.)

During the debate in 2001, Mr. Barbour and Mr. Racicot met with Mr. Cheney and federal energy officials to suggest that the enforcement effort was misguided. An internal struggle ensued and several E.P.A. enforcement officials resigned, saying they feared that their regulatory role was being subsumed by energy industry concerns.

At one point, Christie Whitman, then the E.P.A. administrator, sent Mr. Cheney a memorandum arguing that the administration would "pay a terrible political price if we undercut or walk away from" the lawsuits.

Mr. Cheney's task force ultimately called on the agency to review the rule, and a new regulation said utilities would have to add pollution-control devices only if construction projects were valued at more than 20 percent of the plant's value.

Eliot Spitzer, then New York attorney general, was among many officials who took issue with the rule, later calling it "part of a Bush administration efforts to eviscerate the Clean Air Act."

It was quickly challenged in court. Last month, the United States Supreme Court ruled against the government's position. It remains unclear whether the administration will pursue the pending enforcement lawsuits that have been stalled for years.

Bracewell's effectiveness in the regulatory arena has been enhanced by its hiring of experts who worked for the E.P.A. in policy-setting capacities. Last October, the firm hired Jeffrey R. Holmstead, a former E.P.A. assistant administrator who oversaw the writing of the struck-down regulation. Two other agency officials have also joined Bracewell in recent years.

"We are so pleased to welcome Jeff Holmstead to Bracewell," Mr. Giuliani said in announcing the new executive last year. "Jeff's familiarity with the compliance challenges facing the private sector will be a big asset to our firm."

From the February 18 *New York Times* article:

Many environmental advocates, however, said the E.P.A.'s action was long overdue, but added that it was only as a stopgap until Congress passed comprehensive climate change legislation.

"It's politically necessary, scientifically necessary and legally necessary," said David Bookbinder, chief climate counsel at the Sierra Club, a plaintiff in the Supreme Court case.

But, Mr. Bookbinder added, Congressional action is preferable to the agency's acting on its own. "We are loudly advocating for tailor-made legislation as the best means of addressing carbon emissions," he said. "Trying to address climate change via a series of rule makings from E.P.A. is a distant second best."

As Ms. Jackson navigates the complexities of carbon regulation, she will be advised by Lisa Heinzerling, a former law professor at Georgetown who wrote the winning Supreme Court briefs in *Massachusetts v. E.P.A.* Ms. Heinzerling is now the agency's lead attorney for global warming matters.

Jeffrey R. Holmstead, the former head of the agency's office of air and radiation, said that a finding of endangerment from emissions of heat-trapping gases did not initiate immediate regulation but started a clock ticking on a process that typically took 18 months to two years.

"Potentially, it's a huge mess, not only for E.P.A. but for state regulatory agencies, because the Clean Air Act is second only to the Internal Revenue Code in terms of complexity," said Mr. Holmstead, now director of environmental strategies at the law firm Bracewell & Giuliani.

He said that under the clean air law any source emitting more than 250 tons of a declared pollutant would be subject to regulation, potentially including schools, hospitals, shopping centers, even bakeries, which has prompted some critics to call it the "Dunkin' Donuts rule."

But Mr. Bookbinder and other supporters say the regulations can be written to exempt these potential emitters. Ms. Jackson said that there was no timetable for issuing regulations governing carbon emissions and that her agency would not engage in "rash decision making."

But she also said that the Supreme Court decision obliged her to act.

—J.H.

BP to pay nearly \$180 million over Texas refinery (Reuters)

Thu Feb 19, 2009 2:05pm EST

WASHINGTON, Feb 19 (Reuters) - BP Products North America Inc, a unit of BP Plc (BP.L: [Quote](#), [Profile](#), [Research](#), [Stock Buzz](#)), has agreed to spend or pay nearly \$180 million to resolve clear air law violations at its refinery in Texas City, Texas, the U.S. Environmental Protection Agency and the Justice department said on Thursday.

The two agencies said the company agreed to spend more than \$161 million on pollution controls, enhanced maintenance and monitoring and improved internal management practices.

BP Products also will pay a \$12 million civil penalty and spend \$6 million on a supplemental project to reduce air pollution in Texas City, the EPA and the Justice Department said. (Reporting by James Vicini)

EPA STUDY HIGHLIGHTS IMPACT OF EMISSION CONTROLS ON COAL WASTE (*Inside EPA*)

2/20/2009

An upcoming EPA study finding that nitrogen oxide (NOx) controls on power plants may boost the amount of toxic chemicals in coal waste is highlighting concerns that strict greenhouse gas (GHG) and other emission limits will increase the volume and toxicity of the waste, complicating regulators' task as they seek to determine how to regulate the waste.

The study, which EPA is scheduled to release next year, could build upon existing EPA research that indicates post-combustion NOx controls are a likely factor in the release of byproducts like chromium, mercury and other heavy metals in coal combustion waste (CCW) produced by power plants.

Lawmakers, state officials, and others are raising concerns that strict emission controls on conventional pollutants at coal-fired utilities may increase the toxicity of the waste, while expected GHG controls could increase the volume of the waste.

The situation may create a difficult choice for activists and others who favor strict pollution controls between cutting emissions and reducing the level of air toxics that could harm humans, or cutting the toxicity and amount of CCW which could harm humans if the waste leeches into drinking water supplies.

Underscoring the dilemma, one environmentalist says the findings raise questions about the toxics released by facilities. For example, air emissions of chromium may be less hazardous than

chromium found in coal waste, which could suggest that controls to prevent leeching at waste sites may be more beneficial to reducing risk than emission controls. “If there is more chromium leaching, what species is it?” the source asks.

An EPA official gave a Feb. 10 presentation to the Board of Scientific Counselors, an outside group of science advisors that provides advice to the agency on its research programs, on a July report that looked at the concentrations of metals in fly ash and scrubber sludge in coal waste. The report, *Characterization of Coal Combustion Residues from Electric Utilities Using Wet Scrubbers for Multi-Pollutant Control*, is the second in a series of four that the agency is working on to address risk issues associated with the waste.

The report raises the possibility of increased chromium leaching, which would boost the levels of chromium in coal waste. The report also found that post-combustion NOx controls “may be a factor in the release of chromium and another metals from fly ash, scrubber sludge and fixated scrubber sludge,” according to the presentation. *Relevant documents are available on InsideEPA.com.*

EPA is “collecting additional data to clarify what factors may influence” the findings of the July report, including type of catalyst and coal chloride content, the official said. Researchers looked at 23 wastes, including fly ash, gypsum samples, scrubber sludges and fixated scrubber sludges, from eight facilities representative of likely facility configurations. The report includes results for mercury, aluminum, antimony, arsenic, barium, boron, cadmium, chromium, cobalt, lead, molybdenum, selenium and thallium.

EPA is planning on completing a draft of the third report on outputs from leach testing of CCWs at additional facilities this spring, according to the presentation. That report will include data from some 14 additional sites to “attempt to span range of coal types and air pollution control configurations,” according to the presentation. “As we get work done, [we’re] getting it published,” the official said.

Both reports will inform a fourth, anticipated in spring 2010, which will include a probabilistic assessment of potential leaching “based on plausible management practices through disposal or use in engineering, commercial or agricultural applications,” according to the presentation.

The reports could be key in the debate over the impact of strict emission limits on utilities’ waste output. CCW has become a significant topic at EPA and in Congress following a recent major coal waste spill at a Tennessee Valley Authority (TVA) fly ash pond in Tennessee Dec. 22 and a smaller spill in Alabama Jan. 9, with lawmakers calling for EPA to regulate the waste under the Resource Conservation & Recovery Act (RCRA).

For example, House Natural Resources Committee Chairman Nick Rahall (D-WV) sent a Feb. 3 letter to EPA Administrator Lisa Jackson requesting that the agency proceed with regulation of coal waste as either a hazardous or non-hazardous waste under RCRA. Rahall raised concerns about the the impact air controls are having on increasing CCW toxicity. “The status quo is not acceptable when it comes to the regulation of coal combustion wastes, especially in light of recent advances in air pollution control technologies, which have resulted in the capture of significant amounts of toxic residue that previously would have been released into the air,” he wrote.

Meanwhile, the South Carolina Department of Natural Resources sent a Feb. 6 letter to the commissioner of the state Department of Health and Environmental Control raising concerns about Santee Cooper’s proposed coal-fired facility, in part because of the impact that the facility’s proposed emission controls would have on coal waste.

South Carolina Department of Natural Resources Director John Frampton wrote that the “environmental conundrum of ash production and storage is that the new, cleaner boiler proposed by Santee Cooper produces a greater volume of toxic ash.” Frampton cited the TVA spill -- and the resulting contamination of water by CCW stored at the TVA facility -- as a key reason to oppose the facility, saying that the spill led to significant fish kill and contamination of water supply with elevated levels of lead, mercury, arsenic and other chemicals.

NORTHEAST AIR OFFICIALS EYE BOILER CONTROLS AS KEY OZONE MEASURE (*Inside EPA*)

2/20/2009

LINTHICUM, MD -- Northeast air officials may revive a contentious push for stringent new EPA emission controls on industrial, commercial and institutional (ICI) boilers as part of a broad range of proposed measures to achieve pollution cuts states say are vital to meet EPA’s strict 2008 ozone air standard.

But the draft proposal to impose new national controls on ICI boilers would likely refresh industry outcry, as boiler owners have warned that the cost of the controls would be too high and not feasible for all boilers to meet.

Members of the Ozone Transport Commission (OTC) meeting here Feb. 4 discussed the potential for a wide range of stationary area sources -- including boilers, emergency generators and auto-refinishing facilities -- to reduce emissions of volatile organic compounds (VOCs) and nitrogen oxide (NOx) that react to form ozone. OTC is also looking at new controls on “minor” emission sources that EPA does not regulate.

OTC, which represents air officials in the Northeast, is weighing options at the federal and state level to cut emissions in order to meet EPA’s ozone standard following the remand of the agency’s clean air interstate rule (CAIR) that would have created a cap-and-trade program to cut NOx and sulfur dioxide (SO2) emissions.

One of the most significant options OTC members discussed is pushing EPA for controls on ozone precursors from ICI boilers, which would include first-time SO2 limits on emissions from the units. A multi-regional stakeholder group deemed controls on the units as one of the best options for reducing transport of pollution.

Lake Michigan Air Directors Consortium (LADCO) Executive Director Michael Koerber gave a presentation at the Feb. 4 meeting on the potential EPA boiler controls, saying that facilities could achieve reductions of NOx and SO2 that would have local and regional benefits for fine particulate matter and haze as well.

Koerber reviewed efforts by a joint OTC/LADCO workgroup formed in 2006 to review technology-based control options for ICI boilers, and presented recommendations for EPA including the creation

of performance-based emission limitations, boiler adjustments for units greater than or equal to 25 per million British thermal units per hour, and emissions reporting requirements for those facilities.

The workgroup developed detailed recommendations for facilities of various sizes and fuel types, laid out in a document titled "Talking Points on ICI Boilers," which says that estimated cost-effectiveness values for the controls are "comparable to (or slightly higher than) many existing federal control programs."

ICI boilers are governed by new source performance standards and state rules mandating reasonably available control technology to reduce emissions, but the industry has been left largely unregulated following vacatur by the U.S. Court of Appeals for the District of Columbia Circuit of EPA's maximum achievable control technology (MACT) standard for boilers and CAIR, which would have included boilers in the trading program.

The push for an EPA ICI boiler rule marks the latest effort by state air officials for such a regulation. In 2006, OTC adopted a resolution providing guidelines that all member states were intended to use to develop controls on ICI boilers. Ten out of the 13 member states have adopted the same or similar controls, or are in progress to do so, according to the OTC Web site.

Industry has strongly opposed any such rule in the past, saying that existing and pending federal rules represent the most cost-effective measures available for the industry.

In a move that may help to address some industry concerns about a federal ICI boiler emissions rule, the workgroup identified a need for flexibility in any federal rule, due to regional variation in regulatory history, boiler size distribution, fuel types combusted and emissions distribution.

And Koerber identified another potential challenge in developing a boiler rule, noting that EPA's area source emission estimates for both SO₂ and NO_x remain "uncertain." An OTC source says that the inventory challenge stems from the fact that there is no requirement currently for the smaller sources to report their emissions, which is the basis for the group's draft recommendation for a recordkeeping requirement.

The group plans to transmit the finalized recommendations to EPA after taking comments from the agency and stakeholders. At the same time, OTC is weighing state-level NO_x controls on a narrower subset of ICI boilers that could also help air officials as they try to ratchet down emissions to meet EPA air standards.

In a draft discussion paper for potential control measures circulated at the meeting here earlier this month, OTC also identifies controls for natural gas-fired ICI boilers, process heaters, and water heaters as a key NO_x reduction option that could be implemented at the state rather than federal level. The paper notes that Texas and California have adopted "similar" rules, and it is "possible that this rule [under consideration] could be applied on a national basis." *Relevant documents are available on InsideEPA.com.*

OTC in the draft cautions that no decisions have been made on whether to include any of the control options under consideration in a state implementation plan, which details how states intend to meet EPA's air standards. But industry is likely to reiterate long-running concerns over the possibility of ICI boiler controls.

OTC's draft recommendations for state and federal action include a broad range of other measures on a wide variety of emission sources that could help states significantly reduce NO_x and other emissions.

For example, the group is considering recommendations to reduce ozone precursors from area sources generating electricity, including establishing emissions standards for High Electric Demand Day (HEDD) Electric Generating Units and stationary generators. Air officials agree that the controls under consideration for utilities are likely to be met with some opposition from industry.

The draft rule for HEDD units, or those that can generate 15 megawatts or more and operate less than or equal to half of the time, would achieve NO_x reductions by installing low-NO_x burners and/or a selective non-catalytic reduction system on the boilers. The rule would be based on performance standards proposed Aug. 4 by the New Jersey environment department requiring installation of NO_x emission controls on existing units, replacement of high-emitting units, reduction of unit operations on HEDDs, combustion of lower-emitting fuels, or other provisions.

The stationary generator regulation would impose stringent emissions standards and recordkeeping and other requirements for generators in both emergency and non-emergency uses, similar to a Delaware rule that the OTC draft recommendation document says incurred opposition from “all types of organizations, including individuals, small and large businesses, and industries.”

In addition, the draft says the model rule could encounter significant hurdles due to industry opposition over the cost of add-on pollution control equipment that would be required, and the establishment of a definition for “emergency.” The OTC source says state guidelines differ in defining emergency situations, which can be interpreted to include periods during power outages, natural disasters, or even a situation in which the price of electricity rises to a level at which it is more economical for a facility to generate its own electricity, rather than drawing power from the grid.

Other measures OTC is considering include plans to update its 2002 model rule for Architectural and Industrial Maintenance (AIM) Coatings in light of 2007 changes to the California Air Resources Board’s (CARB) 2000 Suggested Control Measure for coatings, on which the original OTC rule was based.

OTC said in the draft recommendations that more-stringent VOC limits would also likely meet with opposition, and industry representatives at the meeting said CARB’s updates are proving problematic to implement, due to unanticipated difficulties stemming from revisions to the rule’s definitions and product categories. “As of today, no district has adopted it yet,” says one industry source, adding, “We’re still working through some of the kinks that unwittingly were built into it.”

OTC’s decision to update its model rule is significant as EPA is expected to incorporate the stricter coatings emission limits in the 2002 OTC model rule in its final update of its AIM regulation in 2009.

Meanwhile, OTC will soon finalize a state rule for minor source review that would exceed Clean Air Act requirements to mandate the installation of controls on certain sources. In adopting the rule, states would have the option to cover hazardous air pollutants as well, as Delaware has done.

Further along in development is a model rule for regions to limit VOC emissions from facilities, such as autobody collision repair shops, that refinish and recoat motor vehicles and mobile equipment by limiting the VOC content of coatings that can be sold and used in the state that adopts the rule. The rule also allows compliance through the installation of an emission control system or the use of certain prescribed application methods. The draft rule also contains certain requirements for training, container labeling, recordkeeping and other provisions.

OBAMA EPA SUSPENSION OF AIR LAWSUITS MAY SPUR REVERSAL OF BUSH POLICIES (*Inside EPA*)

2/20/2009

The Obama EPA is suspending a number of lawsuits over controversial Bush administration air policies, including a challenge to the denial of California's greenhouse gas (GHG) waiver request, signaling the new administration's possible reversal of course from the Bush EPA on a host of clean air issues.

Among the cases that the new agency is putting on hold -- or expected in the near future to ask the courts to put in abeyance -- is a challenge to the GHG waiver denial, litigation over the Bush EPA's revision to the agency's lead national ambient air quality standard (NAAQS), and an air toxics rule for hazardous waste combustors. Activists also hope EPA will rescind a Bush EPA policy they say boosts emissions from oil and gas drilling facilities.

EPA Administrator Lisa Jackson Feb. 6 announced the agency's petition to the high court to dismiss the Bush administration's suit seeking to uphold the much-criticized clean air mercury rule, which would have established a cap-and-trade program to reduce mercury emissions. "[W]e are probably better off spending all of our resources making rules stick instead of fighting the courts on this," Jackson said.

The agency Feb. 6 also announced it is conducting a reconsideration of former Bush EPA Administrator Stephen Johnson's denial of California's request for a Clean Air Act waiver that would allow it to enact rules to reduce GHGs from passenger vehicles. EPA simultaneously moved Feb. 6 to stay litigation over the waiver denial in the case *State of California, et al. v. EPA* before the U.S. Court of Appeals for the District of Columbia Circuit.

"Given the Administrator's decision to reconsider the waiver denial, with the concomitant possibility that the denial might be altered once the reconsideration process is complete, EPA believes it appropriate to hold this litigation in abeyance pending completion of the reconsideration process," EPA's motion says. *The motion is available on InsideEPA.com.*

EPA is also expected to file a motion with the D.C. Circuit to put in abeyance a lawsuit over the lead NAAQS, a source familiar with the case says. Activists and industry are challenging the rule in court and have petitioned EPA to reconsider the rule.

In such circumstances EPA generally moves to stay litigation pending the outcome of the reconsideration process, the source says. The reconsideration process now makes it possible for the new administration to review the Bush administration decision and overturn the rules.

EPA is also set to review a Bush EPA final air toxics standard for hazardous waste combustors. An attorney familiar with that case says EPA recently moved to stay the litigation, citing reconsideration at the agency. The final rule contained an exemption for sources emitting below a certain level of air toxics -- known as a health-based compliance alternative, or risk-based off ramp. The exemption was controversial with environmentalists but aggressively backed by industry as legal and necessary, setting it up as high-profile decision in the new administration. Activists are hopeful a stay of the suit could lead to the rule's ultimate reversal.

At the same time, an environmentalist attorney is hopeful the Obama EPA will overturn a controversial Bush agency memo allowing oil and gas drilling operations to count emissions at nearby facilities separately in order to qualify as a “minor source” and avoid stringent pollution controls that are required at “major” emission sources.

The policy, set out in 2007 under the so-called Wehrum memo, has been used in permitting decisions for oil and gas drilling in Colorado, which is being challenged before EPA’s Environmental Appeals Board. The policy has also been used by agency permitting authorities for offshore drilling projects in the Arctic’s Beaufort and Chuckchi seas.

An attorney involved in a deadline suit over a permit for drilling in Colorado says EPA plans to ask the court for more time to review the issues in the permit, in part because political appointees are yet to be placed within the agency. “I take it as a good sign EPA thinks it needs a rethink,” the source says.

The abeyances are in line with a Jan. 21 memo from White House Office of Management & Budget Director Peter Orszag, which allows agency heads to abandon ongoing defenses in lawsuits challenging rules. “In special cases, and only upon further consultation with [the Department of Justice’s Office of Legal Counsel] and [the Office of Management & Budget’s Office of Information & Regulatory Affairs], you may consider the appropriateness of not defending a legally doubtful rule in the face of a judicial challenge,” the memo says.

ACTIVISTS SEEK EPA PERMIT PROVISIONS TO LIMIT HEAVY CRUDE REFINING (*Inside EPA*)

2/20/2009

Environmentalists are urging EPA to use its Clean Air Act permitting authority to place new limits on oil refineries’ ability to process heavy crude -- including Canadian tar sands -- and urging the Obama administration to support local efforts to impose “crude caps” that would bar facilities from using more polluting feedstocks.

The bid for EPA to dramatically limit the ability of refineries to process heavy crude, which activists say results in massive pollution increases, comes as President Obama prepares for a Feb. 19 visit to Canada where he is expected to discuss the issue. Climate and energy issues are expected to be part of his talks with Canadian Prime Minister Stephen Harper, and activists are calling on the president to oppose any push by Harper to expand development of tar sands oil.

Recent remarks by Obama and administration officials suggest the president is unlikely to oppose all future development of tar sands, though the president does appear open to finding ways to make oil from tar sands “clean” given the long-running concerns about the oil development’s adverse environmental impacts.

Activist group Communities for a Better Environment (CBE) in a Jan. 22 letter to key environmental and energy administration officials urges EPA to use its air act permitting to mandate the inclusion of technology that would limit facilities to using and processing same-quality oil as their current feedstock.

The letter says that current EPA policy essentially exempts refinery expansions from requirements to use same-quality oil processing technology as an available pollution control technology. The Clean Air Act requires that sources that need permits to expand must select the best available control technology (BACT) in areas in attainment with EPA air standards, or the lowest achievable emission rate in nonattainment areas.

CBE appears to suggest the agency could mandate that the use of same-quality oil processing technology be considered BACT. "It appears that EPA could immediately re-interpret its permitting requirements to include this available technology," the letter says. *The letter is available on InsideEPA.com.*

CBE also calls on Obama to give its backing to efforts in California to develop a crude cap that would prohibit refineries from processing heavy crude. For example, the administration could support as a model for other localities efforts by commissioners in Richmond, CA, to set a crude cap in a zoning permit for a proposed Chevron refinery upgrade that would prohibit the processing of heavy crude, the CBE source says.

A crude cap would fit with President Obama's clean energy agenda because it would bar refineries from building facilities that can process heavy crude which can spur air pollution increases, a second CBE source says. "If we want to get to clean energy, we shouldn't be putting in this infrastructure," the source says.

CBE says it is necessary to limit the use of heavy crude because it is associated with increased pollution, particularly in low-income and minority environmental justice communities living near refineries.

Refineries must modify their facilities to process heavier crude because it requires more heat and pressure to refine it into fuel that can be used in engines, the letter says. Once a refinery has been retrofitted, it can operate for 30-50 years, locking it into increased pollution that comes with heavier crude, the letter says.

"U.S. oil refiners have begun a switch to inherently dirtier petroleum feedstock that can create several times more toxic and climate-poisoning pollutants for each gallon of transport fuel produced," the letter says. "This retooling could lock a full-blown switch to dirty crude into place for decades. That would worsen environmental injustice near refineries, and could foreclose the possibility of avoiding catastrophic climate impacts worldwide."

Also, because it is more difficult to refine heavy crude it is more likely that the equipment used in the process will malfunction, leading to increased use of flares -- which burn excess gas and can cause acute emissions of air toxics -- according to CBE's letter. The process of refining heavy crude also requires more energy, which in turn leads to an increase in greenhouse gas emissions, the letter says.

CBE sent the letter to EPA Administrator Lisa Jackson, White House Council on Environmental Quality head Nancy Sutley, Secretary of Energy Steven Chu and White House energy and climate "czar" Carol Browner. The group met with the presidential transition team late last year, when

officials asked CBE to provide more information about their concerns about the impact of heavy crude development.

The push to have EPA use its air act permitting powers to mandate limits on certain types of energy production echoes environmentalists' long-running bid to have the agency require use of low-sulfur coal as a best available control technology (BACT) for coal-fired power plants, because use of the coal can lower utility emissions. A set of federal and administrative court decisions found that the agency has discretion to consider low-sulfur coal as BACT as long as it does not require the power plant to be redesigned -- a key test for BACT.

One CBE source says environmental justice advocates are calling for discussions with industry, unions and the government independent of an EPA rulemaking process on the issue, in order to devise a broader strategy to avoid using heavy crude, the source says. The economic downturn has temporarily halted refineries' investment in upgrades, so now is an ideal time to begin discussions, the source says.

EPA and the Obama administration should address the problem because U.S. refineries are increasingly processing heavier crude, which is imported from the Middle East, Latin America and Canadian tar sands, the letter says. Since 1986, U.S. refinery capacity grew four times as fast as the quantity of crude they process, indicating that the extra capacity is being used to refine heavy crude, the letter says.

The Natural Resources Defense Council is also strongly opposing the development of "dirty" Canadian tar sands, urging its members in a Feb. 17 e-mail ahead of Obama's visit to Canada to, "Tell President Obama to convey to Canadian officials the message that a clean energy future does not include dirty tar sands oil."

The e-mail says that tar sands development creates "excessive" global warming pollution and that the tar sands mining operations "devastate" forests and have major negative impacts on human health.

The group said that Obama's imminent visit to Canada to meet with Harper is "our opportunity to help set a course that looks beyond dirty extractive fuels like tar sands to a clean energy future."

Meanwhile, environmental group ForestEthics and the indigenous communities Mikisew Cree and the Athabasca Chipewyan First Nations Feb. 17 placed a full-page advertisement in *USA Today* highlighting their claims over the environmental damage caused by oil from Canada's tar sands.

Describing tar sands development as "excessively dirty and toxic," the group said in a statement that Canada and the United States should commit to a clean energy economy that does not include expanding tar sands development. "The tar sands are a Frankenstein of local and global environmental hazards," Todd Paglia, executive director of ForestEthics said. "They have no party to play in the plan for a clean energy future."

While some activists are pushing for the total elimination of tar sands as an energy source, Obama appears to be suggesting that it would be better to find ways to make tar sands development cleaner.

Obama in a Feb. 18 interview with the Canadian Broadcasting Corp. said that oil extracted from tar sands in Canada could be made a clean energy source and said that the United States would work with Canada on developing the necessary technology to achieve this goal. Obama said a failure to

find ways to “clean” tar sands and other energy sources would ultimately put a “ceiling” on economic growth.

Meanwhile, a member of the National Security Council staff said in a Feb. 17 briefing that Obama “is obviously aware of the concerns that have been expressed” about tar sands. Obama and Harper will discuss “the kind of clean energy technology like is called for in terms of the investments in the Canadian package -- in the recovery package and the president’s economic recovery package, things like carbon capture and sequestration. That will allow us to access abundant resources, including coal in this country.”

UPCOMING CALIFORNIA VEHICLE GHG RULES MAY THWART NATIONAL SOLUTION (*Inside EPA*)

2/20/2009

Ongoing talks among the federal government, California officials and the auto industry to set national greenhouse gas (GHG) emission standards for vehicles could be complicated by the prospect of a second round of California standards expected to be issued next year affecting 2017 and subsequent model-year vehicles.

This next round of standards has attracted little attention in the ongoing talks with the auto industry, but sources say it raises the prospect that California will continue to drive tighter GHG emission and fuel economy standards at the federal level despite strong objections by the industry.

Future plans by California to set even more stringent GHG rules for 2017-20 model-year vehicles comes at a time when federal officials are trying to figure out how to resolve current conflicts between the state and the auto industry over GHG rules affecting 2011-16 vehicles, while seeking to avoid a “patchwork” of rules across the country. More than a dozen other states are poised to implement the current California standards.

While EPA recently signaled it may overturn the agency’s rejection under the Bush administration of California’s request for a Clean Air Act waiver to implement its own GHG emission standards for vehicles, it remains unclear whether this action may contain conditions that provide the industry with more flexible compliance options, considering differences between state fleets. It also remains cloudy whether federal officials -- both at EPA and the National Highway Traffic Safety Administration (NHTSA) -- will take actions over the next two years to establish a single national GHG standard for vehicles that could supplant the need for the California rules.

The prospects for agreement among state and federal officials, as well as environmentalists and industry representatives, do not currently appear particularly favorable, according to sources who note that recent private meetings between the groups failed to reach consensus on a path forward. Those meetings were organized by the Aspen Institute -- which works to join government and industry leaders with environmentalists to address major policy issues -- and were held over the past several months, starting in October, according to sources. The discussions “explored ways to

achieve national and state goals for reduction of GHG emissions and fuel economy improvements,” according to the organization. However, they did not produce any agreements, sources say.

Environmentalists argue EPA should develop stringent, national GHG-emission rules for vehicles under the Clean Air Act, based on the California regulations. This could only happen after EPA makes an “endangerment finding” for GHG emissions, which some sources describe as imminent. The vehicle GHG rules should then be coordinated with NHTSA to establish new, stringent corporate average fuel economy (CAFE) standards affecting 2011 and subsequent model-year vehicles, activists say.

They maintain that two separate standards -- one the CAFE standard required under recent energy independence laws, and the other required through EPA under the Clean Air Act following the 2007 Supreme Court ruling authorizing the agency to regulate carbon dioxide emissions from vehicles -- are vital for a strong climate change program for vehicles. They contend two separate standards are also necessary because the GHG regulations in California go beyond fuel economy by also including measures that grant credits for installing vehicle air conditioning systems that are less carbon-intensive and for producing flexible-fuel vehicles, for example.

In the meantime, however, environmentalists argue EPA should grant California’s waiver to implement the state-only GHG rules, which will also clear the way for other states to implement the standards. This will allow the states to reduce GHG emissions while EPA and other federal regulators figure out how to establish a national standard for vehicle GHG emissions, they contend.

“The auto industry has a choice to make,” says one environmental attorney. “Does it want practical planning certainty and uniformity? If so, the common point of compromise is the California emissions performance level. I think they get that.”

But an auto industry source says the auto companies remain opposed to EPA granting California the waiver, insisting that a patchwork of GHG rules for vehicles around the country will make compliance impossible in some cases, and that instead federal officials should establish one national GHG regulation for vehicles, preferably through CAFE. They argue that this should be done through NHTSA’s recently proposed rules for 2011-15 model-year vehicles, which they argue are actually more stringent than the California regulations.

Which regulations are more stringent is the subject of intense debate between California officials and their environmentalist supporters, and the auto industry. The debate over what methodologies are used to set and measure the GHG emission standards and their reductions is important because once adopted, it could dictate how all future GHG emission standards are promulgated and measured, sources point out.

President Obama last month issued two memorandums regarding GHG standards for vehicles, one of which directed NHTSA to issue a final rule by the end of March to increase CAFE standards for model-year 2011 vehicles. This has sparked speculation that the administration wants NHTSA to strengthen its pending proposal for 2012-15 vehicles, based on consultation with EPA and considering California’s regulations.

“The fact that NHTSA is being asked to stand down from the 2012 to 2015 rules suggests you’ll have some parallel rulemaking between EPA and NHTSA, not dissimilar to what they did during the 2010 rulemaking back in 2007, where EPA and NHTSA coordinated on a light-truck rule,” says a second environmentalist.

The source believes that ultimately, California's regulations will serve as the floor for future national GHG regulations for vehicles, and not the ceiling. "EPA and NHTSA could go beyond the California standards for stringency," because the rules would be affecting all 50 states, and not just a dozen or so.

However, the California Air Resources Board (CARB) is slated to adopt the next round of its GHG regulations -- known as "Pavley II" rules -- for vehicles by the end of 2010, which would affect 2017-20 model-year vehicles. This action could potentially upset any near-term agreement on a national standard for vehicles, because it proposes more stringent requirements than currently mandated by Congress. It also raises the prospects for endless and bitter battles over future waiver requests to EPA by California to implement its own GHG standards for vehicles.

The industry source says California should not be allowed in effect to perpetually drive federal GHG or fuel economy standards for vehicles. The federal Energy Independence & Security Act of 2007, for example, "sets a very stringent national standard, and we believe that under the Obama administration it will continue to increase, and we will continue to meet higher fuel economy standards."

A national program will provide more flexibility and overall greater GHG reductions than the California standard, the industry source claims, citing a menu of exceptions and differences between the two plans.

"I don't know if Pavley II is worth discussing," the industry source says. "We know the federal government mandates that standards be set at a minimum of 35 miles per gallon (mpg) by 2020, and we know that by 2015 the federal government expects to be at a minimum of 31.8 mpg. So regardless of Pavley II's direction, there has to be a recognition that under the Obama administration fuel economy standards will continue to be increased, and that past arguments used under the Bush administration are really no longer applicable."

But CARB officials argue, and environmentalists agree, that California's forthcoming standards go beyond the federal requirements. CARB estimates that the Pavley II regulations will achieve a 39.2 mpg average in 2020, compared to the 35 mpg mandated by Congress. -- *Curt Barry*

BUDGET

STIMULUS BOOST MAY LIMIT EPA PROGRAMS' PROSPECTS IN FY10 BUDGET (*Inside EPA*)

2/20/2009

EPA programs that received funding increases in the economic stimulus law may face tough prospects winning baseline increases in the agency's pending fiscal year 2010 (FY10) budget, because supporters of other programs that failed to qualify as stimulus projects will be pushing hard for increases in those areas, sources say.

State regulators, environmentalists and others argue that despite the billions of dollars in stimulus funding increases for EPA's Superfund, brownfields, and clean and drinking water state revolving loan funds (SRFs) the accounts remain massively underfunded and deserve continued boosts in FY10. However, one activist says it will be tougher for programs which received large boosts in the stimulus bill to secure increases in EPA's FY10 budget.

The debate over which EPA programs should be first in line for funding increases in the FY10 budget process comes as President Obama prepares to outline his budget in a Feb. 24 speech to Congress.

The activist says lawmakers could be persuaded by proponents of EPA programs that were not included in the stimulus that the FY10 budget should be a vehicle for increasing funding for those accounts, with some activists suggesting EPA's research and climate mitigation efforts could stand to gain more funding.

Record deficits are likely to make it difficult to get a massive overall funding boost for EPA in FY10 above the agency's current funding level of \$7.5 billion, despite calls from union officials to increase the budget to \$9 billion and activists' ambitious plea for an overall agency budget next fiscal year of \$15 billion.

It will be "impossible" to get more than an "incremental" increase for EPA's FY10 budget, the activist says.

As a result, there will be fierce competition among EPA programs to receive the majority of whatever increase the Obama administration is able to give to the agency, sources say. Those projects that failed to win funding in the stimulus package -- because they did not meet the criteria of "shovel ready" infrastructure projects that would create new jobs -- have a strong argument to make that because they did not gain any additional funds in the law, they should be first in line to receive funding increases in the FY10 appropriations process.

The stimulus law provides \$600 million for Superfund, \$4 billion for the clean water SRF, \$2 billion for the drinking water SRF, \$100 million for the brownfields program, and \$300 million for the diesel retrofit program.

Environmentalists are already identifying EPA programs that could stand to gain in FY10 despite losing out in the stimulus negotiations. On a Feb. 18 conference call, members of the "Green Group" coalition that called for almost \$15 billion in funding for EPA said climate mitigation and research could benefit.

Peter Raabe of American Rivers listed EPA's research office and climate change mitigation efforts as funding areas of top priority that did not receive funding in the stimulus. Agency research efforts on climate change "could be seen as stimulative but I think didn't necessarily make the cut in the stimulus proposal."

Brian Moore of the Audubon Society told reporters on the conference call that increasing funding for the National Estuaries Program could also provide "tens of thousands of jobs." The program requires EPA to develop plans for attaining or maintaining water quality in an estuary.

Moore said the reason the program did not make it into the stimulus law is that it was seen as an earmark because the program benefits only nine specific areas, adding “that’s an account that should be looked at if there’s a second go around on another stimulus,” though the administration has said it has no plans to push such a bill.

Still, state regulators and other activists continue to push for continued funding increases in FY10 to the programs that gained billions of new dollars in the stimulus law signed by Obama Feb. 17. These supporters of funding increases say the stimulus should be considered entirely separate from the usual budget process, with one activist saying the stimulus must be an addition to “year in, year out” government operations.

One state official says “the gap between the money that we need to have fully functional” clean water and drinking water SRFs is much larger than the \$6 billion overall the stimulus provided to the two accounts. While the stimulus is “an important step and a very large infusion of money into areas that have been underfunded, it won’t solve the problem and continuing appropriations are key for a sufficient pool of capital.”

Several sources say that the Superfund, brownfields, and water SRFs all continue to have significant funding needs following years of EPA budget cuts by the Bush administration, emphasizing that the stimulus is only a small step toward restoring the cuts and pressuring Congress to continue focus funding in these areas.

Some lawmakers appear receptive to this argument, including Republicans who voted against the stimulus. Rep. Doc Hastings (R-WA), who joined all members of the House GOP in opposing the stimulus, said during the Feb. 12 annual meeting of the Energy Communities Alliance that, while he supports increased funding for nuclear cleanups included in the stimulus package, he wants sustained funding for nuclear cleanups in upcoming appropriations bills. “It would be extremely unfair and harmful if increased stimulus funding for cleanup was later used as an excuse to reduce budget requests and annual appropriations,” Hastings said.

Meanwhile, environmentalists are already working on promoting the job creation possibilities as a result of increased EPA funding. The stimulus package discussions about job creation will help activists in appropriations discussions for the budget, an environmentalist recently told *Inside EPA*, adding “it will be the same arguments for the normal appropriations process we’ve been having for the stimulus” (*Inside EPA*, Jan. 16).

Since then, activists have been busy advertising the job creating ability of environmental funding. “The budget that we’re suggesting in our Green Budget proposal for 2010 will provide jobs, restore economic vitality, to many areas of need, and it will also begin to address the impacts of global warming,” said Wilderness Society President Bill Meadows on the Green Groups conference call, adding, “healthy environments lead to healthy economies.”

“As we saw during the recent debate about the economic stimulus package . . . the greener you make the transportation infrastructure, the more jobs per dollar you create,” Friends of the Earth representative Collin Peppard said on the conference call. -- *Jonathan Strong*

CHILDREN HEALTH

Tulsa: Picher Head Start program to move next month (*NewsOK.com*)

By OMER GILLHAM - [Tulsa World](#)
Published: February 20, 2009
Oklahoma

PICHER — Head Start officials are heeding the call by [U.S. Sen. Jim Inhofe](#) and [Gov. Brad Henry](#) to quicken the shut down of Picher Head Start and move it to another location.

Picher Head Start will be moved to Quapaw during spring break and reopen March 23, said [Head Start Director Doug Spillman](#), whose office is in [Miami, Okla.](#)

The preschool program is located in Picher, a former mining town located within the Tar Creek Superfund site in far northeastern [Oklahoma](#) in [Ottawa County](#). Medical research has shown that Tar Creek children have been poisoned by lead contamination believed to be caused by lead and zinc mining which ended in the area in 1971.

In a joint statement last week, Gov. Henry and Inhofe, R-Okla., called on Spillman to relocate the Picher Head Start program immediately instead of delaying it to the end of the school year. Henry and Inhofe cited health and safety concerns for the children and called for urgent action.

There are now 17 children in the program and all but one live outside of Picher, Spillman said.

The children live outside Picher because in 2005 the state spent \$3 million moving out families with young children. This voluntary relocation program decreased the number of preschoolers and first graders in the town.

Spillman said his office has moved up its deadline to relocate the program to Quapaw, which is a few miles from Picher.

“We hope this to be as smooth a transition as we can do under the circumstances,” Spillman said.

Spillman wanted to wait until the end of the school year to move the program so that services to families would not be interrupted. However, his office appears to have developed a quicker move in response to Henry and Inhofe’s urging.

“The danger and health issues I must leave up to others,” Spillman said. “All I know is that the blood tests of the children were fine. There was none with high blood-lead levels. We test the children at the beginning of each school year. Hopefully Inhofe, the governor and families will understand that we are doing the best that we can.”

Inhofe's spokesman, [Danny Finnerty](#), said: "Thanks to Doug Spillman and the entire [Northeastern Oklahoma Community Action Agency](#) for their cooperation and quick action. I feel this move is certainly in the best interest of the children."

[Paul Sund](#), a spokesman for Henry, said: "This is a step in the right direction and certainly in the best interest of the children involved."

The Picher Head Start program has been in existence since 1971, Spillman said. Picher Head Start leases its building from the [Picher Housing Authority](#), which has faced pressure by Henry and Inhofe to stop renting housing units to families with young children.

The authority's executive director, [John Sparkman](#), has faced questions for allowing families with young children to move to public housing in Tar Creek. The site is listed on the [Environmental Protection Agency's](#) Superfund list for polluted areas.

Spillman said that his office recommended shutting down the program during the state buyout.

"When Gov. Henry came out with legislation to move kids out of Tar Creek we recommended to shut it down then but our office said stay open until we receive further information or you cannot maintain enrollment," Spillman said.

Head Start officials in [Washington](#) said that Tar Creek families wanted to keep the program going in 2005 so the closing was delayed.

"It is my understanding that the parents wanted to keep it open," said [Kenneth Wolfe](#), spokesman for [Administration for Children and Families](#) at the [U.S. Department of Health and Human Services](#). "We believe that the program can now be relocated without disruption of services."

CLIMATE CHANGE/GLOBAL WARMING

The Politics of Global Warming (*CBS News*)

February 19, 2009

New York

Now that the Environmental Protection Agency is **making noise** about regulating carbon dioxide and other greenhouses gases under the Clean Air Act it's as good a time as any to focus a bit on

the tedious (and complicated) relationship between executive branch regulation, which is what the EPA naturally proposes, and legislative action, which here would mean a new round of anti-pollution amendments to the existing statutory scheme.

It's simple, first-year law school stuff. Regulation follows the statute and where there is a conflict the administrative agency must bend to the will of Congress. So the EPA must ultimately comply, as best it can, with the scriptures contained in the federal law. The problem here is that the Clean Air Act is two generations old-- it was first passed in 1963 and has been amended only twice, the last time in 1990-- and there have been great strides since then in the science of pollution (and the eagerness of the American population to regulate it).

By trying to fit new ideas into old law, therefore, the EPA will open itself up to legitimate legal challenges about the scope of its power to regulate greenhouse gases under a law that was not explicitly designed to allow it to do so. And those legal challenges would come *after* the lengthy regulatory process (notice, comment, etc.) that marks the creation of any new significant administrative measures. In other words, if the Obama Administration chooses to restrict emissions through EPA regulation it may take years for those restrictions to go into effect.

If, on the other hand, the White House goes to Congress and seeks to amend the Clean Air Act to expressly cover carbon dioxide and other greenhouse pollutants the process may move more quickly. Strong amendments to the Act would embolden the EPA, allow it to move quickly to enforce the new restrictions, and generally preclude federal judges from gutting the measures at some point down the road. The risk in going the legislative route, of course, is that there appear to be enough opponents of the new restrictions—both Republican and Democrat—to muddy the amendments or even to delay a vote.

There is also the chicken and egg problem. If the Obama Administration goes first to Congress to seek amendments, and fails to get them, the EPA will have a tougher time arguing in court that it already has the power to regulate greenhouse gases under existing law. “If you already have the power,” a federal judge surely would say at that point, “then why did you go to Congress in the first place?” It’s because of situations like this that I am thankful I don’t get a vote in Congress, at the White House, or in the corridors of administrative agencies.

INTELLIGENCE CHIEF REVIVES ‘ENVIRONMENTAL SECURITY’ AS HIGH PRIORITY (*Inside EPA*)

2/20/2009

President Obama’s director of national intelligence, Adm. Dennis Blair, is reviving the term “environmental security” -- a Clinton-era term stressing the significance of environmental threats to national security -- as a focus for the intelligence community, suggesting it will receive higher priority as a national security concern than it was afforded by the Bush administration.

"Climate change, energy, global health and environmental security are often intertwined, and while not traditionally viewed as 'threats' to U.S. national security, they will affect Americans in major ways," Blair said in Feb. 12 testimony to the Senate Select Committee on Intelligence. "The Intelligence Community has increased its focus on these . . . critical issues," he added, noting the oil price spike last year that focused governmental attention on energy issues. *The testimony is available on InsideEPA.com.*

Blair's testimony appears to sidestep a brewing debate over whether threats from climate change should take precedence over energy security threats, which environmentalists have viewed as a key indicator of whether the Obama administration is willing to scale back support for high-emitting fuels as a way to address concerns about dependence on foreign oil.

Late last year, Obama suggested that climate change concerns may be a greater threat to national security than potential threats due to dependence on foreign oil.

At a Dec. 15 press conference introducing his environmental team, Obama acknowledged the need to address both energy security and climate change, arguing that the harmful effects of "our addiction to foreign oil . . . [are] eclipsed only by the long-term threat of climate change."

But in his testimony, Blair avoids prioritizing the two issues, noting threats from both. "The already stressed resource sector will be further complicated and, in most cases, exacerbated by climate change," says Blair. "Continued escalation of energy demand will hasten the impacts of climate change."

However, he warns, "Forcibly cutting back on fossil fuel use before substitutes are widely available could threaten continued economic development, particularly for countries like China, whose industries have not yet achieved high levels of energy efficiency." Further, "a switch from use of arable land for food to fuel crops provides a limited solution and could exacerbate both the energy and food situations."

Blair also raised concerns that "lower oil prices may weaken momentum toward energy efficiency and the development of alternative sources of energy that are important for both energy and environmental security." Even here, however, the situation is complex. Blair notes that low oil prices discourage development of new refinery capacity, creating the conditions for another damaging oil price spike, but have the benefit of "undercutting the economic positions of some of the more troublesome [oil] producers."

Under President Clinton, Sherri Goodman -- now chief counsel for the Center for Naval Analyses, a military think tank -- served as deputy under secretary of defense for environmental security. Her office had oversight over DOD's pollution control and conservation programs and undertook initiatives to share knowledge and practices in addressing environmental problems with other militaries of the world to help promote regional stability.

Central Command -- a unified military command that oversees U.S. national security interests from the Horn of Africa to the Middle East and Central Asia -- began recognizing environmental threats, such as water scarcity, as a key threat to regional stability, hosting environmental conferences with countries in their realm of operation as part of an effort to identify environmental threats to security.

But the Bush administration dropped the concept and downgraded environmental policy oversight at DOD, requiring the deputy under secretary in charge to also handle the large task of overseeing installations. One military source says the Bush administration viewed such "soft security" topics as environmental security as diluting the ability of DOD to fight and win wars.

But Blair argued that a focus on climate change, energy security and other issues is central to national security and maintaining stability. He painted a future where global warming and resource shortages will have dangerous destabilizing effects on many regions, threatening the vital interests of the United States.

Conflicting studies heat up Ore.'s debate on global warming (*Greenwire*)

02/19/2009

Two studies released Tuesday about the potential effects of global warming on Oregon present conflicting views, with one predicting trauma for the economy without state action and the other predicting virtually equal economic trauma with action.

The ECONorthwest study, conducted by the University of Oregon's climate leadership initiative, estimated that doing nothing about global warming would cost Oregonians \$1,930 per household by 2020. The costs would result from increased air conditioning, higher timber losses in more frequent wildfires, widespread destruction of salmon habitat, lost hydropower due to lower water flow and other phenomena.

The Management Information Services study, conducted by the Western Business Roundtable, predicted that a proposed regional effort to limit carbon dioxide emissions would cost Oregonians \$1,935 per household come 2020. The initiative to lower emissions to 15 percent below 2005 levels by 2020 would cost the state 18,000 jobs by 2020 and increase energy costs for consumers while providing only a drop on the bucket of global temperature reduction.

Critics of the University of Oregon study say it relies on the Intergovernmental Panel on Climate Change's worst-case scenario, which sees per-person carbon emissions increasing four times by 2100.

Critics of the Western Business Roundtable study say the group's membership comprises energy-industry heavyweights who stand to lose much under a carbon-cap program. The roundtable's corporate membership includes utilities, mining companies and oil, coal and gas producers (Scott Learn, [Portland Oregonian](#), Feb. 17). – TL

EDITORIAL/COMMENTARY/OP ED/LETTERS

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Federal law on lead in toys needs to change (*USA Today*)

Posted at 12:09 AM/ET, February 20, 2009

Rod E. Case - Sparks, Nev.

Thanks for the thoughtful story on the unintended side effect of a federal law protecting children from lead in toys ("[Lead law throttles youth powersports](#)," News, Tuesday).

The law bans selling products geared toward kids if the items contain a certain amount of lead. So off-road motorcycles and other vehicles built for kids are no longer available.

I grew up in Washington state riding motorcycles with my dad and brothers, and it was an experience I will always remember. Now, I have two boys, and my dad and I watch them ride and race their motorcycles. It is a wonderful family sport. Like the kids in your story, mine don't understand why we can't get parts for their bikes, or why riding and racing might go away.

Keep up the good work with more stories like this. I will continue to write the Consumer Product Safety Commission to get this law changed.

No cause for alarm

David Safir - San Jose

Again, common sense has been thrown out the window. Some researchers in academic medicine seem hellbent on proving that no amount of lead in the environment is safe.

Blood lead levels have fallen steadily for three decades, especially since lead content in gasoline was reduced in the 1970s.

The studies showing that lead is harmful often involve complex and subtle issues, for example, claiming to show a higher level of learning disabilities corresponding to blood lead levels previously thought to not be dangerous. I find these studies weak, not well controlled and full of confounding variables.

I am a pediatrician in practice for 33 years. I have measured dozens of lead levels with none causing concern. I have seen nothing to suggest that lead has become anything but less of a danger during my career.

I now see parents who are fearful of almost any toy, thanks to this fear-mongering campaign. I would like to see others in the medical community call out this near-hysterical campaign and restore common sense.

Who Should Regulate Greenhouse Gases? (*New York Times*)

By [The Editors](#)

February 19, 2009, 4:35 pm

Under orders from the Supreme Court, which the Bush administration ignored, President Obama's new head of the Environmental Protection Agency is expected to determine whether [carbon dioxide is a pollutant that endangers public health](#). If the agency decides to regulate carbon emissions and other greenhouse gases under the Clean Air Act, the effect on transportation, manufacturing costs and power generation would be profound. Such a decision would also set off one of the most extensive regulatory rule makings in history.

Should the E.P.A. be the lead agency in regulating greenhouse gases? Is there a better way to carry out climate change initiatives?

- [John D. Graham and Kenneth R. Richards](#), Indiana University
- [Nina A. Mendelson](#), University of Michigan Law School
- [Robert Hahn](#), American Enterprise Institute
- [Peter Passell](#), the Milken Institute
- [Jonathan H. Adler](#), Case Western Reserve University School of Law

Better to Craft New Legislation

John D. Graham is dean of the School of Public and Environmental Affairs at Indiana University. *Kenneth R. Richards* is an associate professor at the school.

There are two alternative approaches that the Obama administration can take to regulate greenhouse gases, like the carbon dioxide emissions from coal plants. One is to craft regulations under existing legal authority, particularly the Clean Air Act. The other is to work with Congress on the enactment of legislation to address climate change. Although either approach is feasible, we believe new legislation is preferable for four reasons.

First, greenhouse gases are global pollutants that have different properties than the pollutants typically regulated under the Clean Air Act. Clean-air rules are aimed at pollutants with regional and local effects (for example, smog and soot) whereas greenhouse gases have the same impact on the climate system, regardless of where in the United States or the world they are emitted.

The Obama administration should work with Congress on an alternative to the Clean Air Act. Second, regulation of greenhouse gases should be carried out via a system that complements other nations' programs. The Clean Air Act, since it is so legally prescriptive, would not accommodate that need. By contrast, new legislation could be coordinated with developing policies in Asia and Europe.

Third, greenhouse gases, and especially carbon dioxide, are emitted broadly across the economy, not just from a few entities. More than for any other pollutant, it is important to find the most cost-effective mechanisms for reducing emissions. Using the Clean Air Act would lead to complex, and in some cases counterproductive, regulations. This is not the path to follow when there are much simpler and more affordable options.

Finally, the national public debate over climate legislation would provide a forum for stakeholders, politicians and the public to contribute to the design of climate-change policy. Regulatory approaches crafted under existing current authority are likely to be informed primarily by litigation risks, not the public's willingness to incur near-term costs to slow the rate of global climate change.

For these reasons, the Obama administration should work first with the Congress on climate legislation. If that effort is not successful, it could shift to the more awkward regulatory approach under the Clean Air Act as a second-best approach. In fact, we suspect that as a matter of strategy, President Obama may be using the threat of inefficient rulemaking under the Clean Air Act to prod Congress to take decisive action on climate legislation. Assuming he succeeds, Congress should clarify that the new climate law supersedes the Clean Air Act on all matters related to greenhouse gas emissions.

This Is a Good Start

[Nina A. Mendelson](#) is professor at the University of Michigan Law School and a member scholar at the Center for Progressive Reform.

The announcement by Lisa Jackson, the Environmental Protection Agency's administrator, that she will determine whether greenhouse gases endanger public health and welfare seems a welcome signal that the agency will respond to the urgency of global warming. As a legal matter, Ms. Jackson probably has little choice.

The E.P.A. has been charged for decades with regulating air pollutants under the Clean Air Act. As the Supreme Court recognized in *Massachusetts v. the Environmental Protection Agency*, greenhouse gases are such air pollutants. An endangerment determination would confirm the agency's power, but also its obligation, to regulate greenhouse gases now. Indeed, the agency should begin by setting performance standards to reduce greenhouse gases from new major stationary sources, like coal-fired electric utilities and industrial facilities, and from new motor vehicles.

Waiting for Congress to act would be environmentally costly.

As a policy matter, there are excellent reasons to have the E.P.A. move ahead, rather than awaiting congressional action. While the regulatory process may not be nimble, agency experts have already done considerable preparation. And Congress may trail the agency. Senator Barbara Boxer, a Democrat from California who chairs the relevant Senate committee, has already announced that she does not expect a Senate vote on climate change legislation before 2010.

Delay would be environmentally costly. The Sierra Club has estimated that there are applications for 100 coal-fired power plants currently in the pipeline. These will contribute substantial quantities of carbon dioxide in the absence of emissions controls. The Center for American Progress says that approximately 145 gigawatts of new power from coal-fired plants may be built in the United States by 2030, increasing carbon dioxide emissions by roughly 15 percent of current annual rates.

The E.P.A. should require now that new major greenhouse gas sources be built with technology that meets the best emissions performance standards, rather than figuring out how to offset excess emissions later. By the same token, federal standards should be set for new cars rolling off assembly lines. Building new plants and new cars with the best technology at the outset keeps new greenhouse gas contributions to a minimum. It is also cheaper and easier than trying to retrofit later.

Furthermore, new source standards could address power, transportation and industrial sources — the three biggest carbon dioxide contributing sectors. The standards could give us a head start in achieving our global warming goals once Congress does pass legislation. Finally, requirements aimed at new sources may spur innovation among a wider array of facilities than under a carbon trading regime alone, which is the leading legislative proposal.

While some might charge that this unfairly burdens new sources rather than existing ones, Congress could give “credit” to early technology adopters. Some bills have already made similar proposals.

Representative John Dingell, a Democrat from Michigan, has charged that letting the E.P.A. regulate greenhouse gases would be a “glorious mess.” But regulating large new polluting sources and new cars adds little complexity. These sources already must comply with federal air pollution standards.

Some parts of existing law, aimed at improving local air quality, admittedly fit clumsily with addressing climate change. This was also true for the regional acid rain problem, which needed legislative supplementing. Congressional action would still be needed to comprehensively address greenhouse gases. But in the meantime, the E.P.A. should lead the way by using existing authorities to reduce the threat of global warming.

The Problem with Backing Into Policy

Robert Hahn is executive director of the American Enterprise Institute’s Reg-Markets Center and a senior visiting fellow at the Smith School, Oxford University. **Peter Passell**, a senior fellow at the Milken Institute, is the author of “Where to Put Your Money Now.”

President Obama promised to get serious about climate change, and with the signals coming from the Environmental Protection Agency, it looks like he means it. That’s both good news and bad.

On the plus side, some regulation of greenhouse gas emissions is long overdue. But the Clean Air Act is a dubious means to a desirable end: Congress, after all, never envisioned that the law would be used this way.

The best guess now is that the agency will formally rule that carbon dioxide (and perhaps other greenhouse gases) endanger public health and welfare. And this finding will be used to place limits on carbon dioxide emissions.

Electric utilities will almost certainly be the first target, but the regulations could also affect petrochemicals, agriculture and autos. Virtually any policy that limits emissions would lead to price increases in the regulated sectors. But there's every reason to believe that Lawrence Summers, the head of the National Economic Council, would not allow the E.P.A. to impose major costs on industries during the economic crisis.

Think of this as Act 1, Scene 1 in a drama that will stretch across decades.

Think of this as Act 1, Scene 1 in a drama that will stretch across decades. The next big question is whether President Obama will defer to the Democratically controlled Congress' wish to assert control over climate change policy. And the best guess here is that the administration will try to have it both ways, outlining the key dimensions of the policy but seeking the blessing (and political cover) of Congress to make very expensive changes in the way the American economy uses fossil fuels.

The final form of the legislation — in particular, who foots the bill — is up for grabs. But it will almost certainly take the form of a market-based “cap-and-trade” regime in which carbon emitters are offered a variety of ways to reduce the costs of compliance. And it is almost as certain that the process of building a legislative majority will involve a helping hand to powerful interest groups ranging from ethanol makers to coal companies to wind power enthusiasts.

However the United States climate change policy evolves, it won't make much difference if other latecomers can't be convinced to join the party. American efforts at containing climate change will be futile unless China and India — not to mention Brazil and Indonesia — make the investment needed to decouple economic growth from carbon emissions growth. And that isn't likely to happen unless rich countries make it worth their while in financial terms by subsidizing carbon-sparing technologies or investing in research and development that drastically reduces the cost of such technologies.

All that said, this first act in the very long play is an important one. For an effective global policy on climate change is simply not possible without leadership from the United States.

There's a Better Way

[Jonathan H. Adler](#) is professor and director of the Center for Business Law and Regulation at the Case Western Reserve University School of Law. He is a regular contributor to the [Volokh Conspiracy](#).

The decision to reconsider whether greenhouse gas emissions from coal-fired power plants are subject to regulation under the Clean Air Act was inevitable, but it does not represent a sensible approach to climate change, and will likely spur legislative action.

The problem is that the Clean Air Act was written to address more traditional, local and regional air pollution problems, and is poorly suited to the challenge of climate change. Under 300 power plants and large industrial facilities are currently subject to the Act's so-called “P.S.D.” provisions. Once greenhouse gases are subject to controls that number will increase to 3,000 or more, and likely include large commercial and residential buildings. This surge could grind the

program to a halt, as neither federal nor state regulators have anywhere near the resources to handle such an increase in permit applications.

If we are going to meet the climate challenge, we need huge investments in research and development.

The prospect of trying to regulate greenhouse gases under existing law will likely encourage Congress to reform the Clean Air Act. The Obama Administration's preferred approach is a "cap-and-trade" system that will cover all significant greenhouse gas emitters with a national "cap" on emissions, and allocate emission permits. Such proposals sound good in theory, but can be difficult to implement.

A better approach would be a revenue-neutral carbon tax. Placing a price on the carbon-content of fuels will provide an incentive, on the margin, for energy users to increase efficiency and adopt cleaner technologies. Tax reform of this sort would also provide an opportunity to revisit depreciation rules that discourage the turnover of capital stock, thereby slowing the rate at which newer, cleaner technologies are deployed.

To maximize the effectiveness of such a measure, it is also important to adopt other policies that encourage innovation. This is best achieved by ensuring that successful innovators reap substantial rewards, both by removing regulatory obstacles to technological deployment and guaranteeing supercompetitive returns for transformative technological breakthroughs. The tens of billions the federal government has thrown at alternative energy over the last few decades have produced little of commercial value. A better approach is the offering of "prizes" for successful innovation, as was done in the past to spur needed innovations for sea and air travel. Some private foundations have begun sponsoring such rewards, but the federal government could do much more.

If even a fraction of the billions pledged to energy research and development in the stimulus were packaged into prizes for commercially viable clean technology breakthroughs, we might see the sort of innovation necessary to meet the climate challenge, particularly if combined with broader legislative reforms, like a revenue-neutral carbon tax and regulatory reforms that remove barriers to technology deployment. Such an approach would be a serious and forward-looking climate strategy, and make much more sense than relying upon a decades-old regulatory statute written for a different purpose.

Pensacola: a toxic town (*The Voyager*)

Posted: 2/19/09

Florida

The U.S. Environmental Protection Agency identifies a Superfund site as "an uncontrolled or abandoned place where hazardous waste is located, possibly affecting local ecosystems or people." Escambia County contains seven of these sites, only four of which are on the EPA National Priorities list for cleanup. And they are anything but super fun.

American Creosote Works, now known as Mt. Dioxin, is located off Palafox Street, near Brown-Barge Middle School. The site, which pressure treated wooden poles from 1943 to 1982, was left with dangerous chemical drums overturned and left to seep into the ground.

Joel Hirshhorn, the technical advisor for the local Citizens Against Toxic Exposure group at the time, said in the Superfund Relocation Roundtable meeting in May of 1996 that the contamination to a nearby neighborhood was spread through both air and surface water pathways.

The residents of the neighborhood, which was known as Rosewood Terrace, were relocated from the potentially health-damaging community in 1997. Over 130 families were relocated to surrounding areas. The long-term health affects of their close proximity to the Superfund site have not been solidly identified yet, but the mass relocation of the families is proof that there were untold dangers at the site.

The Web site for CATE explains that the contaminants found in Mt. Dioxin can cause genetic damage, birth defects, miscarriage, heart disease, liver damage, nerve damage and leukemia, among other health effects. The site also says that many nearby residents or former workers have died from these illnesses.

CATE, along with the Escambia County Health Department, is performing a state-funded initiative that involves a health assessment of Superfund site residents, so that the public may have a larger understanding of the health affects of these contaminants. Maybe now, after a decade of suffering and birth defects, those who should be held responsible will be.

Mt. Dioxin, which is the product of the excavation of over 300,000 tons of poisoned soil being stored under a huge plastic cover, is still standing. That is unacceptable. Not only did people suffer from the contaminants that were around them when the site was up and running, the contaminants that leaked into their groundwater system and the residues of dioxin that were found in the ground are still allowed to poison the ground while years pass by.

Imagine if this happened in your neighborhood, to your neighbors. Class-action lawsuits have become all too common recently, but this one has been coming for a long time. With documented proof of health defects, maybe the residents can get a little back from the "protection agency" that failed to protect their environment before, during and after the deadly contaminants were found. The EPA needs to clean up their mess.

Invest in green infrastructure (*Baltimore Sun*)

By Tom Horton

February 19, 2009

Maryland

The stimulus package [President Barack Obama](#) signed Tuesday contains tens of billions of dollars to repair and expand the nation's "infrastructure" - its networks of highways, bridges, rail and power lines. Renewing the transportation infrastructure alone will provide some \$800 million in Maryland, \$800 million in Virginia and \$897 million in Pennsylvania.

But what about the equally vital green infrastructure: the trees that shade city streets, the forests that sop up air and water pollution and trap climate-changing carbon dioxide?

Environmental managers around the [Chesapeake Bay](#) say the stimulus directs \$2 billion to \$3 billion nationally toward green infrastructure "and other innovative water quality measures." Beyond that, the package contains tens of billions for the environment and energy. To the extent states in this region can use such funds to renew forests, they could make a real contribution to saving the bay.

This is an area with immense and cost-effective potential that is easily overlooked - the forest doesn't charge for services, it works for free, forever, if we just protect it. These "ecological services" are conservatively worth \$24 billion a year, according to *The State of Chesapeake Forests*, a recent book by the Conservation Fund.

The study did not include all of the forest land's well-documented abilities to cleanse both air and water, or attempt to value its scenic attributes. Nor did it include the value of the wood-products industries in the Chesapeake watershed, estimated at \$22 billion a year, with 140,000 related jobs.

From the standpoint of water quality, the greatest value of bay forests is their ability to absorb nitrogen. Forests across the watershed are removing an estimated 184 million pounds of nitrogen each year. The forest stores and filters six times more rainwater than other open spaces, such as grass.

Even in a developed watershed such as the Jones Falls in Baltimore, trees are controlling and cleansing stormwater enough that it would cost \$3.8 million a year to duplicate their services by building ponds and other control devices, according to a study by American Forests, a conservation group.

Opportunities to use stimulus money to create jobs by planting more green infrastructure abound, says Sally Claggett, liaison from [the U.S. Forest Service](#) to the [Environmental Protection Agency's Chesapeake Bay Program](#). The goal of the federal-state Chesapeake restoration is to line 70 percent of all streams and rivers feeding the bay with forested buffers at least 35 feet wide. To date, about 6,100 miles of buffers have been planted, which leaves a whopping 22,000 miles to go. In addition, many cities also have a goal of increasing their tree canopies to improve air quality.

Plenty of green infrastructure projects are "shovel ready." Maryland has an innovative GreenPrint program that maps all the state's ecologically important forests and ranks them in

terms of protection. The gaps in this green infrastructure that remain in need of protection and restoration total nearly a million and a half acres, compared with about 650,000 acres already protected.

There's spectacular precedent for combining green infrastructure and national economic stimulus: the old Civilian Conservation Corps, created as part of [Franklin D. Roosevelt's](#) New Deal approach to the Depression. During about a decade, the CCC employed some 3 million men across the nation, planting more than 3 billion trees on more than 2 million acres.

Planting trees today is just as important as it ever was. The cost around the bay to put in a 2-year-old specimen, Ms. Claggett says, would be less than a dollar a tree.

With the bay watershed losing 100 acres of trees every day - more than a square mile a week - and given the huge value of the forest for clean water, clean air, reduction of carbon, production of wildlife and sheer beauty, it's clearly time to rebuild the natural as well as the human-made infrastructure.

Tom Horton, a freelance writer, covered the bay for 33 years for The Baltimore Sun and is author of six books about the Chesapeake. This article is distributed by Bay Journal News Service.

Pro-Con | Will former EPA chief Carol Browner be effective in her new role as climate change czarina? (*Kansas City Star*)

Yes

Missouri

President Obama's selection of Carol Browner as the assistant to the president for energy and climate change bodes well for correcting the devastating environmental policies of the last eight years.

Browner served two terms as President Clinton's administrator of the Environmental Protection Agency. She can be expected to be tough on polluters.

With her strong environmental advocacy background, she can be expected to be as tough as one can expect from a senior White House adviser. Browner comes to her new post with a "tough as nails" attitude that will grab the attention of wayward industries that have profited from an absence of strong environmental regulation for most of this decade.

When it comes to the environment and global climate change, America has been asleep at the switch for the last eight years. Carol Browner is the perfect person to command rave reviews from the rest of the world by ringing the alarm bell that wakes America from its arrogant slumber.

Wayne Madsen, Online Journal

No

An environmental zealot, Carol Browner has so much baggage she could be an airline. The Washington Examiner recently discovered that she was one of 15 original members of the Commission for a Sustainable World Society, a branch of the Socialist International, an organization linking socialist and labor parties throughout the world. Throughout Browner's years as administrator of the Environmental Protection Agency in the Clinton administration, EPA officials routinely violated the Anti-Lobbying Act. In 1995, the EPA flagrantly violated that law when it lobbied against the Job Creation and Wage Enhancement Act, a bill that would have curbed some of the EPA's worst abuses.

The term "czar" comes from the Latin word caesar — as in Julius Caesar, the Roman leader who proclaimed himself dictator perpetuo and oversaw massive expansion of government bureaucracy.

If a czar is what Obama was looking for, Browner might have been the perfect choice.

David A. Ridenour, The National Center for Public Policy Research

GENERAL

Follow the Money (Washington Post)

Friday, February 20, 2009

As required by the stimulus measure, federal agencies yesterday had to begin reporting how they will spend the funds, and the Environmental Protection Agency responded by setting up the site <http://www.epa.gov/recovery> to track disbursement of the \$7.22 billion for projects and programs it will administer.

The largest portion of the EPA's money by far -- \$6 billion -- will go as loans to states to upgrade waste and drinking-water infrastructures, in the hope, among other things, that waiters in places

like the District will no longer have to joke about whether diners would like their water "leaded or unleaded."

Similar Web sites from other agencies are expected.

Garance Franke-Ruta

Federalcity@washpost.com

IDEM vows against substantial changes after EPA meeting (*Gary Post Tribune*)

February 20, 2009

By Gitte Laasby

Post-Tribune staff writer

Indiana

INDIANAPOLIS -- Indiana Department of Environmental Management will not make substantial changes to its proposed new enforcement policy as a result of its meeting Thursday with the regional U.S. Environmental Protection Agency.

But the EPA plans to seek input on the policy from concerned citizens soon.

IDEM critics have said the new policy would make IDEM less likely to enforce against a facility for permit violations -- unless the violation causes actual harm to someone's health or the environment.

IDEM Commissioner Tom Easterly denied that charge after he and top managers from nearly every IDEM division met with EPA officials in Indianapolis for nearly 2 1/2 hours Thursday to discuss IDEM's proposal.

"It never said you had to have actual harm. It said there has to be a threat of actual harm. But that's a big difference," he said. "I've been reading things people are writing. That's not our interpretation at all of what the intent was or the words mean."

Easterly said the only change IDEM plans to make to the document is to reflect that the agency no longer has a separate enforcement branch.

"There are wording changes, so I can't say there (are) no other changes, (but) it's essentially the same document," Easterly told the Post-Tribune after the meeting.

The meeting was held to discuss IDEM's recent changes and proposed changes in enforcement.

"We were here to listen in terms of the issues that were in our January letter. And we had a very good meeting with IDEM and we listened," said Bert Frey, deputy regional counsel with the EPA. "EPA's interest is that we want Indiana to have as strong a program as possible. I think they have that goal. And their goal, certainly, in their reorganization is to have a strong program. I would say that's our main issue."

Both delegations called the meeting productive.

"We think that we explained to them what we're doing, why we're doing it and that it fully complies with all laws, rules and regulations. And we did not hear anything different," Easterly said.

Frey vowed that EPA would meet with citizen groups who have expressed concerns over the proposed policy changes. He said EPA has not scheduled any more meetings with IDEM, but that "there will be more communications about the issue."

Easterly also said IDEM will put a new draft out for public comment for 45 days and consider revisions before the policy takes effect.

Contact Gitte Laasby at glaasby@post-trib.com or 648-2183. Comment on this story at www.post-trib.com.

PERMIT SUIT COULD BE FIRST TEST FOR CONTROVERSIAL EPA DRILLING POLICY (*Inside EPA*)

2/20/2009

A pending suit seeking to compel EPA to respond to environmentalists' concerns over a permit for an oil and gas drilling operation in Colorado will likely be the first test of how the new administration will view a controversial Bush administration policy that allows drilling operations to "disaggregate" sources to avoid stringent pollution controls.

The case before the U.S. District Court for the District of Columbia, *WildEarth Guardians v. Jackson*, is seeking to compel a deadline by which EPA will review environmentalists' objection to a permit for

a drilling operation by Anadarko, formerly Kerr McGee, in Colorado. An attorney in the case says EPA will file a motion for a deadline extension shortly, which is expected to cite the need for the agency to get policy direction on the disaggregation issue.

The attorney says the agency is likely to review the disaggregation policy in the context of the challenge to the petition. "I take it as a good sign EPA thinks it needs a rethink," the source says of the coming motion for a deadline extension from EPA.

The suit is one of several challenging the policy set out in a controversial memo issued by former air chief William Wehrum allowing oil and gas drilling operations to "disaggregate" -- or count emissions at nearby facilities separately -- in order to qualify as a "minor source" and avoid stringent pollution controls that are required at "major" emission sources.

In addition to challenging application of the policy in the Colorado case, environmentalists are also challenging it in a separate case in appellate court, though the court looks likely to not reach the question of the legality of the disaggregation policy.

The U.S. Court of Appeals for the 9th Circuit heard oral argument Feb. 5 in the case *McClarence v. EPA*, a suit challenging a permit for a Shell Offshore operation in the Beaufort Sea off Alaska's North Slope. Environmentalist counsel in the case says he expects the court to only review the procedural aspect of the challenge, avoiding the substantive disaggregation issue, based on questions at oral argument.

In the Feb. 5 oral argument, Robert Ukeiley, counsel for McClarence, said the permit violates the Clean Air Act "because it doesn't aggregate all the units into one major stationary source . . . it needs to be aggregated because all the units are interconnected."

Meanwhile, the permit for the Shell Offshore operation in the Beaufort Sea is under separate legal challenges in both the 9th Circuit and before EPA's Environmental Appeals Board (EAB).

The EAB is holding the Shell Offshore challenge in abeyance pending the outcome of the other legal challenges, such as the pending *McClarence* suit, as well as in *Alaska Wilderness League, et al. v. Kempthorne, et al.*, a case where the court has blocked federal leasing for drilling in the Beaufort Sea.

Shell Offshore submitted a petition for *en banc* rehearing Feb. 5 in the *Alaska Wilderness* case, asking for the full court to reinstate the government's leasing plan. The company is asking for review of the Nov. 20 three-judge panel's overturning of the plan. *The petition is available on InsideEPA.com.*

The company claims *en banc* rehearing in the case is necessary because the panel's decision to overturn the lease plan runs counter to a prior decision in the 9th Circuit. "Given the vast mineral and energy reserves located within the boundaries of the Ninth Circuit, the Court's application of consistent standards of judicial review of agency decisions is vital to the Nation's mineral exploration and energy development," Shell's rehearing petition says.

The panel decision said the government failed to undertake a proper environmental impact assessment under the National Environmental Policy Act (NEPA). But Shell claims a previous decision by the court -- the 2008 decision in *Lands Council v. McNair* -- limits it to reviewing only general aspects of NEPA assessments and mandates that the court give the agency a large degree of deference in its scientific assessment of the potential impacts of an operation.

HAZARDOUS WASTES

EPA PLACES 'HIGH PRIORITY' ON COMPLETING MUNITIONS CLEANUP GUIDANCE (*Inside EPA*)

2/20/2009

EPA's waste office is placing a high priority on finalizing a controversial munitions cleanup policy following months of waiting for the White House Office of Management & Budget (OMB) to address objections raised by the Defense Department over it. The renewed attention to the pending policy for former ranges may signal stepped-up scrutiny from EPA over munitions contamination matters -- considered a major cleanup liability for DOD.

Despite the holdup of the document at OMB, an EPA spokeswoman says finalizing the agency's munitions response guidelines, first floated as a draft document last February, is a "high priority" for EPA's waste office this fiscal year.

After DOD raised objections to the guidelines last spring, EPA voluntarily sent them to OMB for interagency review "to ensure widespread opportunity for comment throughout the federal government," an EPA spokeswoman said then. At the time, EPA said it planned to finalize the document in the summer of 2008. But OMB never provided a response to address DOD's objections, and EPA did not move on the document. OMB could not be reached for comment by press time.

Now, however, EPA is calling it a priority for its Office of Solid Waste & Emergency Response. The EPA spokeswoman says in a written response to questions that the agency is "developing a schedule to reach closure and finalization." EPA staff had suggested finalizing it as is under the Bush administration, but Bush EPA waste chief Susan Bodine "wouldn't go for that," says a defense source familiar with the issue. Bodine left her position at the end of the Bush administration. No one has been named as her successor.

The guidelines are meant to compile what the agency has said is its long-standing policy on munitions cleanup for former ranges. According to the Feb. 27, 2008, draft document, the guidelines would address properties that include non-operating ranges on formerly used defense sites (FUDS), BRAC sites and such ranges on active bases, as well as scrap yards, disposal pits, former ammunition plants and open burn units and former research facilities.

The draft document says the guidelines offer "a framework" to regional offices overseeing munitions cleanups on locations other than operational ranges. They build on existing EPA/DOD principles for implementing response actions at such non-operating ranges, outlined in a document dating back to 2000, according to the draft. The draft guidelines list a number of areas they address, including general regulatory authorities; use of the Comprehensive Environmental Response, Compensation

& Liability Act (CERCLA), Resource Conservation & Recovery Act (RCRA) and other authorities; state, tribal and public involvement; explosives safety principles; site characterization principles; transferring ranges; land use and institutional controls; and enforcement principles.

While sources have not revealed details of DOD's concerns, EPA and DOD have long disputed munitions cleanup issues, and the draft document includes some issues over which the military and EPA have disputed in the past. For instance, the document cites EPA's authority to issue unilateral orders to compel cleanup under CERCLA, RCRA, and the Safe Drinking Water Act (SDWA) if imminent and substantial endangerment is present. But in recent years, DOD has been engaged in a lengthy dispute over EPA's use of RCRA and SDWA authority to enforce cleanup orders at military Superfund sites. That issue, however, may have been put to rest this past December when the Justice Department told DOD it backs EPA's authority to issue such orders under RCRA or SDWA.

The draft guidelines also note that munitions constituents and certain explosives in areas not deemed operational ranges are "hazardous substances" under CERCLA and that such substances are RCRA hazardous waste if, following a review of records, they meet the waste listing description in federal regulations or exhibit a characteristic of ignitability, reactivity, corrosivity, or toxicity.

In the past, the Army Corps has argued to state regulators that unexploded munitions on closed ranges at FUDS are not a solid waste, and therefore cannot be regulated as a hazardous waste under RCRA.

EPA's decision to place a priority on the policy comes as citizen activists are attempting to push EPA to resume an oversight role in a controversial munitions cleanup in Washington state at a former military base. A representative of Columbia Riverkeeper and the Rosemere Neighborhood Association filed a formal petition Feb. 3 with EPA Region X requesting that the agency list Camp Bonneville, WA, a BRAC Army base that was a so-called "early, dirty transfer," on CERCLA's National Priorities List to ensure cleanup standards are met at the site. In an interview, the petitioner said a federal entity such as EPA, rather than the state, is best suited for putting adequate pressure on the Army to produce enough resources to conduct a sufficient cleanup. The petitioner cites high levels of perchlorate, trichloroethylene and cyclotrimethylenetrinitramine, commonly referred to as RDX, at the site.

This source believes EPA under the Obama administration is going to take the lead on munitions cleanup projects in general. An EPA Region X source did not know at press time whether EPA would take such a lead, and acknowledged the agency had received the petition.

INDUSTRY HIGHLIGHTS STATE CCW LAWS TO PRECLUDE PUSH FOR EPA RULES (*Inside EPA*)

2/20/2009

The coal industry in a new strategy is pointing to an increasing number of state legislative efforts to regulate coal combustion waste (CCW) disposal to boost their calls against any EPA disposal rules, saying the growing state interest in addressing the waste precludes the need for the agency to take action and develop nationwide rules.

But while a handful of states -- including Virginia and Maryland -- are pursuing disposal rules, supporters of federal CCW rules are pointing to efforts in other states that discourage new coal-fired power development and its associated coal waste output, while repeating past claims that state disposal laws are inadequate.

EPA is currently weighing whether to develop Resource Conservation & Recovery Act (RCRA) coal waste disposal rules, and in the interim industry is looking to states to fill the regulatory gap. The Environmental Council of the States also favors state regulation of the disposal, saying that state environmental officials are best equipped to deal with the waste and that there is no need for sweeping federal regulations.

In a strategy to discourage EPA from issuing CCW rules, industry officials are echoing ECOS' position and pointing to recent disposal laws in at least two states in order to demonstrate states' ability to adequately regulate the material and preclude the need for RCRA rules on the disposal and handling of the waste.

The Virginia State Senate Jan. 29 passed S.865, a measure that would end an existing exemption for CCW from state solid waste or other applicable regulations for its "use, reuse or reclamation" in an area designated as a 100-year flood plain. Another bill, H.B. 2419, would require developers to acquire a solid waste permit before using coal ash as a filler for landscaping. The measure was tabled in committee Feb. 4.

Late last year, a Maryland law went into effect forbidding the disposal of CCW in former mines or quarries, and also requiring the waste be disposed of in lined landfills with groundwater monitoring, among other provisions. The rules are among the most stringent state laws for coal ash.

A state environmental official "wouldn't be surprised" if more state legislatures introduced coal ash regulations in the coming months, but the source is not aware of any states taking action in addition to the Virginia and Maryland initiatives, noting that "a lot of state legislatures aren't in session yet."

States and industry have been criticized in recent months for their inconsistent and lax regulations regarding the disposal of CCW since the Dec. 22 collapse of a retaining pond operated by the Tennessee Valley Authority in Kingston, TN, which contaminated some 300 acres with 1.1 billion gallons of aqueous coal waste.

Nev. officials say Chu supports Yucca despite Obama's opposition (*Greenwire*)

02/19/2009

Energy Secretary Steven Chu said yesterday he supports continued efforts to license a nuclear waste repository in Nevada in an effort to learn about the issues associated with the first-of-its-kind nuclear waste site, according to several public service leaders who were briefed by the secretary.

Chu met with the leaders at an annual conference of the National Association of Regulatory Utility Commissioners.

"It sounds like what he said was positive in that [the Department of Energy] wants the [permitting process for the Yucca Mountain Project] process to continue. It made our guys happy," said Rob Thormeyer, the association's communications director.

Another person at the meeting said it appeared the secretary wants the government to work through the issues associated with licensing a nuclear waste repository, even though President Obama has said he opposes the repository.

The Department of Energy last summer sent an application to the Nuclear Regulation Commission for a long-term waste storage site, but some environmentalists and state residents would like to see the application withdrawn. Chu said there were no immediate plans to do so.

Energy Department spokeswoman Stephanie Mueller said that she could not confirm what Chu said during the 20-minute meeting. "What I can confirm is that the secretary has made it clear that Yucca Mountain is not an option as a nuclear waste site, and he is committed to charting a path forward," Mueller said. "No decision has been made on how the application would be handled" (Steve Tetreault, [Las Vegas Review-Journal](#), Feb. 19). -- **PR**

PESTICIDES

Crop Scientists Say Biotechnology Seed Companies Are Thwarting Research (*New York Times*)

By [ANDREW POLLACK](#)

February 20, 2009

Biotechnology companies are keeping university scientists from fully researching the effectiveness and environmental impact of the industry's genetically modified crops, according to an unusual complaint issued by a group of those scientists.

"No truly independent research can be legally conducted on many critical questions," the scientists wrote in a [statement](#) submitted to the [Environmental Protection Agency](#). The E.P.A. is seeking public comments for scientific meetings it will hold next week on biotech crops.

The statement will probably give support to critics of biotech crops, like environmental groups, who have long complained that the crops have not been studied thoroughly enough and could have unintended health and environmental consequences.

The researchers, 26 corn-insect specialists, withheld their names because they feared being cut off from research by the companies. But several of them agreed in interviews to have their names used.

The problem, the scientists say, is that farmers and other buyers of genetically engineered seeds have to sign an agreement meant to ensure that growers honor company patent rights and environmental regulations. But the agreements also prohibit growing the crops for research purposes.

So while university scientists can freely buy pesticides or conventional seeds for their research, they cannot do that with genetically engineered seeds. Instead, they must seek permission from the seed companies. And sometimes that permission is denied or the company insists on reviewing any findings before they can be published, they say.

Such agreements have long been a problem, the scientists said, but they are going public now because frustration has been building.

“If a company can control the research that appears in the public domain, they can reduce the potential negatives that can come out of any research,” said Ken Ostlie, an entomologist at the [University of Minnesota](#), who was one of the scientists who had signed the statement.

What is striking is that the scientists issuing the protest, who are mainly from land-grant universities with big agricultural programs, say they are not opposed to the technology. Rather, they say, the industry’s chokehold on research means that they cannot supply some information to farmers about how best to grow the crops. And, they say, the data being provided to government regulators is being “unduly limited.”

The companies “have the potential to launder the data, the information that is submitted to E.P.A.,” said Elson J. Shields, a professor of entomology at Cornell.

William S. Niebur, the vice president in charge of crop research for [DuPont](#), which owns the big seed company Pioneer Hi-Bred, defended his company’s policies. He said that because genetically engineered crops were regulated by the government, companies must carefully police how they are grown.

“We have to protect our relationship with governmental agencies by having very strict control measures on that technology,” he said.

But he added that he would welcome a chance to talk to the scientists about their concerns.

[Monsanto](#) and [Syngenta](#), two other biotech seed companies, said Thursday that they supported university research. But as did Pioneer, they said their contracts with seed buyers were meant to protect their intellectual property and meet their regulatory obligations.

But an E.P.A. spokesman, Dale Kemery, said Thursday that the government required only management of the crops' insect resistance and that any other contractual restrictions were put in place by the companies.

The growers' agreement from Syngenta not only prohibits research in general but specifically says a seed buyer cannot compare Syngenta's product with any rival crop.

Dr. Ostlie, at the University of Minnesota, said he had permission from three companies in 2007 to compare how well their insect-resistant corn varieties fared against the rootworms found in his state. But in 2008, Syngenta, one of the three companies, withdrew its permission and the study had to stop.

"The company just decided it was not in its best interest to let it continue," Dr. Ostlie said.

Mark A. Boetel, associate professor of entomology at North Dakota State University, said that before genetically engineered sugar beet seeds were sold to farmers for the first time last year, he wanted to test how the crop would react to an insecticide treatment. But the university could not come to an agreement with the companies responsible, Monsanto and Syngenta, over publishing and intellectual property rights.

Chris DiFonzo, an entomologist at [Michigan State University](#), said that when she conducted surveys of insects, she avoided fields with transgenic crops because her presence would put the farmer in violation of the grower's agreement.

An E.P.A. scientific advisory panel plans to hold two meetings next week. One will consider a request from Pioneer Hi-Bred for a new method that would reduce how much of a farmer's field must be set aside as a refuge aimed at preventing insects from becoming resistant to its insect-resistant corn.

The other meeting will look more broadly at insect-resistant biotech crops.

Christian Krupke, an assistant professor at Purdue, said that because outside scientists could not study Pioneer's strategy, "I don't think the potential drawbacks have been critically evaluated by as many people as they should have been."

Dr. Krupke is chairman of the committee that drafted the statement, but he would not say whether he had signed it.

Dr. Niebur of Pioneer said the company had collaborated in preparing its data with universities in Illinois, Iowa and Nebraska, the states most affected by the particular pest.

Dr. Shields of Cornell said financing for agricultural research had gradually shifted from the public sector to the private sector. That makes many scientists at universities dependent on financing or technical cooperation from the big seed companies.

"People are afraid of being blacklisted," he said. "If your sole job is to work on corn insects and you need the latest corn varieties and the companies decide not to give it to you, you can't do your job."

ACTIVISTS' NEW PUSH FOR PESTICIDE BAN MAY OVERCOME KEY LEGAL DISPUTE (*Inside EPA*)

2/20/2009

Environmentalists are asking the Obama administration to ban several toxic pesticides re-registered or phased out over several years by the Bush administration, a move that they say would help overcome a pending legal dispute that activists fear could broadly undermine their future efforts to target harmful pesticides and force EPA to craft a new cost-benefit method for assessing the chemicals.

"In support of legal challenges from a coalition of farmworker, public health, and environmental groups, [the EPA administrator should] direct EPA to reverse its decision to allow continued use of highly hazardous pesticides responsible for acute and chronic poisoning of farmworkers," a coalition of groups say in a recent letter to Obama and his transition team.

The letter specifically targets several classes of pesticides, such as organophosphates, carbamates and other pesticides known to disrupt the human hormone system, as well as specific chemicals, including azinphos-methyl (AZM), chlorpyrifos, diazinon, endosulfan and others. *The letter is available on InsideEPA.com.*

Environmentalists say that if they successfully lobby the Obama administration to reverse the last administration's decisions, it could make moot pending litigation aimed at reversing a district court ruling that they fear could hamper their efforts to challenge some pesticide decisions and force EPA to develop a standard cost-benefit test for toxic pesticides.

In *United Farm Workers et al v EPA*, activists and other plaintiffs are asking the U.S. Court of Appeals for the 9th Circuit to reverse a precedent-setting ruling from a federal district court in Washington state, that the plaintiffs' challenge to EPA's six-year phase-out of a common agricultural pesticide, AZM, should have been filed under section 16b of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) that grants appellate courts, not district courts, jurisdiction over the challenges.

If upheld, the lower court ruling -- which was based on the judge's finding that EPA had held a "public hearing" on its AZM phase out decision -- would also mean that activists only have 60 days to challenge such pesticide decisions.

Earthjustice, an activist law firm representing the plaintiffs, argues the EPA action can be challenged under section 16a, which follows the general six-year statute of limitations for suits against the federal government.

Requiring plaintiffs to file pesticides suits within 60 days "could make it harder to hold EPA accountable by reducing the time" plaintiffs have to file a legal complaint to 60 days after an EPA registration decision, an Earthjustice source says. "It makes a huge difference in terms of being able to actually pull together a lawsuit."

The pending appellate case on AZM has delayed lower court decisions on activists' broader goals of seeking to force EPA to develop a standard cost-benefit method in making determinations of whether to register pesticides and allow their use.

Under FIFRA, manufacturers of chemicals deemed to present unacceptably high risks to humans or the environment must prove those risks are outweighed by the benefits of their use. Often, this entails proving that there are no alternatives for treating a specific crop or pest. While FIFRA tasks the pesticide manufacturers with proving the benefits of their products outweigh the risks, EPA has taken this on without a standard process for doing so, according to the plaintiffs' legal complaints.

The pending appeal has delayed action on several other challenges to EPA pesticide decisions that are pending in district courts in the 9th Circuit. For example, judges in California district courts have delayed action on other pending suits over EPA registration decisions for the pesticides chlorpyrifos, diazinon, endosulfan, malathion and others while awaiting the outcome of the appeal.

An Earthjustice source says that if the Obama EPA were to reverse or hasten the agency's earlier re-registration or phase out decisions, the pending cases would "probably be mooted," but adds that the most likely scenario is for EPA to initiate new risk assessment processes rather than immediately reverse the decisions. If that were the case, the cases could continue or be stayed, the source says.

POLITICAL

BOXER SHUFFLES EPW PANELS TO ADDRESS AMBITIOUS ENVIRONMENTAL AGENDA (*Inside EPA*)

2/20/2009

For the second time in as many years, Senate environment committee Chairwoman Barbara Boxer (D-CA) has adopted a wholesale reorganization of the committee, creating a host of new subcommittees that provide chairmanships to each of the Democratic senators that served on the panel in the last Congress.

As part of the reorganization, Boxer has elevated climate change and National Environmental Policy Act (NEPA) review requirements to the full Environment & Public Works Committee (EPW), suggesting she will take the lead on those issues. Boxer scrapped two climate panels from the 110th Congress -- one on private sector solutions to global warming, the other on public sector solutions.

At the same time, the chairmen and ranking members of the new subcommittees are already laying out aggressive agendas ranging from oversight of the Bush administration's environmental policies to finding ways to boost infrastructure funding and from addressing a backlog of Superfund sites and other waste issues to tackling legislation to clarify the scope of the Clean Water Act.

The creation of a green jobs subcommittee, to be chaired by Sen. Bernard Sanders (I-VT), gives lawmakers on EPW a chance to reassert the panel's jurisdiction on the issue of green jobs. Boxer has also created for the first time an oversight subcommittee, to be chaired by Sen. Sheldon Whitehouse (D-RI).

The reorganization -- approved by voice vote at a Feb. 12 business meeting -- establishes seven subcommittees: Transportation & Infrastructure; Clean Air & Nuclear Safety; Superfund, Toxics & Environmental Health; Water & Wildlife; Green Jobs & The New Economy; Children's Health; and Oversight.

Many of the committee's agenda items are sure to be contentious, especially climate change. But the panel also faces heightened pressure to authorize major funding programs for water, highway and other infrastructure projects that enjoy broad bipartisan support. *The document is available on InsideEPA.com.*

One of the first items the committee plans to tackle, at a Feb. 25 hearing, is to update emerging climate change science, which could help Boxer determine the greenhouse gas (GHG) reduction goals for any climate bill. The lead witness at the hearing will be Rajendra Kumar Pachauri, chair of the United Nation's Intergovernmental Panel on Climate Change, Boxer said at the business meeting.

Boxer's recently unveiled climate principles left open a precise GHG goal, a move that some sources say opens the door for lawmakers to pursue stricter emissions targets than the 450 parts per million (ppm) target that they have previously pursued, which environmentalists and others say is necessary because new science shows the need to achieve a 350 ppm goal to prevent catastrophic warming.

But Sen. James Inhofe (R-OK), the committee's ranking Republican, is poised to oppose the effort. "The chairman has every right to be wrong on climate," he said at the business meeting. "While I remain opposed to the regulation of [carbon dioxide (CO₂)], I am committed to ensuring that any cap-and-trade proposal will protect workers and families from higher energy prices, will have realistic targets that reflect levels of reachable technology, and will be global in nature," Inhofe said.

Boxer has also offered to hold hearings on ways to accelerate NEPA reviews for infrastructure and other projects, according to Sen. John Barrasso (R-WY).

The issue could be contentious given a recent clash on the issue between Boxer and Barrasso on the economic stimulus bill. While Barrasso had originally sought to cut funds for projects which have not completed NEPA reviews within nine months, Boxer objected and the senators eventually agreed to a compromise that requires the Obama administration to report quarterly to Congress on the progress and compliance of NEPA review requirements for stimulus-funded projects.

Barrasso said at the Feb. 12 business meeting that Boxer has offered to hold hearings on NEPA, particularly on "trying to get NEPA approval for projects . . . that people would say have been delayed for far too long."

Other issues could be similarly contentious. Sen. Benjamin Cardin (D-MD), who will head up the new water and wildlife panel, told *Inside EPA* Feb. 12 that a "high priority" is moving the Clean Water Restoration Act -- a bill to clarify the scope of the water act in the wake of several Supreme Court rulings that critics say have narrowed the law's scope of isolated wetlands, intermittent streams, and other marginal waters.

But Inhofe cautioned that the panel must “circumspectly” consider the legislation that could lead to “the potential expansion of the federal jurisdiction over waters of the United States. I, with many land owners, family farmers, and county officials are understandably concerned with any attempt to expand the federal reach over state waters and personal properties.”

The new subcommittee on green jobs could help Boxer advance her effort to ensure the committee retains jurisdiction over the growing effort to advance President Barack Obama’s \$150-billion green jobs program. Boxer recently dropped plans to introduce legislation to give EPA oversight of the program after other lawmakers introduced competing legislation to give the Energy Department and other agencies a major role.

But the subcommittee will also see familiar clashes over energy issues as the panel’s ranking Republican, Sen. Kit Bond (MO), says his focus in the panel will be on promoting green jobs through increased development of renewable fuels and nuclear power. “The greenest of all jobs come from nuclear power,” Bond said.

Meanwhile, new oversight panel Chairman Sen. Sheldon Whitehouse (D-RI) told *Inside EPA* that the first focus of his subcommittee will be “making sure that the damage that was done to [EPA] in the Bush era is repaired.” Whitehouse said that his goal of restoring EPA through oversight could be achieved by examining Bush EPA actions, “understanding it, explaining it, and working with the new administration to make sure that the proper procedures are followed and that the reliance on science, on staff expertise and on fair and open administrative process are all contributing to the health and the safety of the American people.”

Sen. Frank Lautenberg (D-NJ), the new chair of the waste and toxics subcommittee, is also planning an ambitious agenda, including addressing Superfund cleanups, waste management, coal combustion waste disposal and reforming the Toxic Substances Control Act (TSCA), an effort that seeks to impose new burdens on industry to show their chemicals are safe.

But Inhofe strongly cautioned against the approach Lautenberg is planning in his TSCA reform bill, saying, “We must not allow regulatory decisions to be based on precaution, fear or uncertainty; rather they must be based on sound science.”

One area that could see bipartisan support is authorizing new funding for clean water, drinking water, highway and other infrastructure projects. Cardin, for example, said that he intends to focus on boosting EPA’s clean water and drinking water state revolving loan funds (SRFs) after the programs won significant increases in the stimulus bill.

There is a “need to make ongoing investments” in infrastructure, Cardin said, adding he would use “every opportunity I can” to find vehicles for extra funding, including SRF reauthorization, the next Water Resources Development Act (WRDA) bill funding the Army Corps of Engineers and the Surface Transportation Act.

Similarly, Inhofe emphasized his priority addressing infrastructure funding, saying he and Boxer had successfully pushed through a “long overdue” WRDA bill in the 110th Congress and he “looked forward to an even more productive working relationship in the 111th Congress,” citing highway, SRF and WRDA funding among his priorities.

In other committee assignments, Sen. Thomas Carper (D-DE) will chair the clean air panel, Sen. Amy Klobuchar (D-MN) heads the children’s health panel, and Sen. Max Baucus (D-MT) will lead the transportation and infrastructure panel.

Republicans have as their ranking subcommittee members Sen. George Voinovich (R-OH) on the transportation panel, Sen. David Vitter (R-LA) on the clean air subcommittee, Sen. Mike Crapo (R-ID) on the water and wildlife subcommittee, Sen. Arlen Specter (R-PA) on the Superfund panel and Sen. Lamar Alexander (D-TN) on the children's health subcommittee. -- *Anthony Lacey*

TOXICS

LABOR POISED FOR KEY ROLE IN CHEMICALS MANAGEMENT, SECURITY REFORM (*Inside EPA*)

2/20/2009

Organized labor groups are set to play a major role in congressional and EPA debates over toxics law reform and chemical security regulations, which may boost the fledgling "blue-green" alliance between activists and unions as the labor groups push for strict environmental rules that they say will create new green jobs.

Attracting the support of labor on chemical issues is "politically significant" because the support of labor unions ensures the backing of labor-focused Democrats, who tend to also be more conservative, one public health source says. Labor unions supported landmark environmental legislation like the Clean Air Act and the Clean Water Act which helped ensure their passage through Congress, the public health source adds.

Still, there is some lingering tension within labor groups about the impact that stricter chemicals laws may have on jobs, because of claims that more stringent rules increase businesses' costs and could lead to layoffs. At the same time, other union members are getting sick from chemical exposures in the workplace, and labor sees chemical policy reform as a way to enhance worker protections at industrial sites, a union source says.

Two key tests of the unions' role in chemical issues may soon arise in Congress with Sen. Frank Lautenberg's (D-NJ) pending bill to reform the Toxic Substances Control Act (TSCA), and separate legislative efforts to set new security rules for chemical facilities to replace temporary rules that expire in October.

At the "Good Jobs Green Jobs" conference in Washington, D.C., Feb. 4-6, United Steelworkers official Mike Wright called on labor and scientists to prepare for a fight over Lautenberg's bill to reform TSCA, the 30-year-old industrial chemical management law. Wright urged union officials to team up with activists to strongly back Lautenberg's Kid-Safe Chemicals Act against what he predicted as industry's "inevitable assault."

The bill would reform TSCA and shift the burden to industry to prove that chemicals in commerce are safe for humans and the environment. Company officials will claim the bill will impose too many

costs on industry and spur job cuts, a claim that union members need to be ready to rebut, Wright said. He did not specify how labor could do this, but other speakers at the conference pointed to the high costs of treating occupation-related diseases.

Lautenberg's bill also requires the EPA administrator to establish a program to create market incentives for developing safer alternative chemicals -- leading Wright to predict that opponents of Lautenberg's bill will argue that there are no safe alternatives to some toxic chemicals. The premise is one that scientists who support green chemistry will have to rebut, he said. "We need everybody, but especially scientists to say we can have a better economy with green chemicals," Wright said.

Chemicals policy reform "does address, directly or indirectly, workers health and safety concerns," says a public health advocate, pointing out that labor groups supported a successful effort in Maine last year to pass the Kid-Safe Product Law, a comprehensive and strict chemicals policy.

At the Good Jobs Green Jobs conference this month, University of California-Berkeley professor Mike Wilson, formerly a paramedic and union official, argued "occupational exposure to chemicals represents an enormous burden of disease." Wilson cited 2008 statistics for California, which include some 200,000 incidences of six occupation-related diseases, causing 4,000 deaths and costing the state \$1 billion.

Unions and environmentalists are also ramping up calls for lawmakers to quickly develop comprehensive legislation setting strict new security standards for chemical facilities -- including controversial requirements that facilities switch to "safer" chemical alternatives -- as interim security rules will expire in October.

A coalition including Greenpeace, the Sierra Club, United Steelworkers, OMB Watch, Environmental Working Group and other environmental, public interest, and labor groups are planning to send a letter to senators urging them to pass "comprehensive" legislation creating new security rules for the facilities. *The letter is available on InsideEPA.com.*

The group says the Department of Homeland Security's (DHS) interim rules -- authorized in the department's fiscal year 2007 appropriations law -- are too weak, and say that Congress needs to authorize new rules as the DHS standards will expire Oct. 4.

In the letter, the coalition says DHS' rules are "inadequate to protect communities" and warns that U.S. chemical plants remain one of the sectors of America's infrastructure most vulnerable to terrorist attacks. DHS' temporary chemical facility anti-terrorism standards, which exempt water plants, require regulated facilities to conduct vulnerability assessments and implement site security plans to reduce the risk from a terrorist attack.

The interim standards "fails to involve plant employees in the development of vulnerability assessments and security plans or protect employees from excessive background checks," according to the letter.

The coalition argues that some in industry agree with the proposed changes to the statute, including the Association of American Railroads, which has argued for safer substitutes.

The groups say any new law should address flaws in the temporary standards by moving towards the use of safer and more secure chemicals and processes; protecting water treatment plants; allowing states to set more-protective standards than the federal government; and requiring collaboration between EPA, DHS and other agencies to avoid "regulatory redundancy, inconsistency or gaps in supply chain security," according to the letter.

In December, sources indicated that the House homeland security and energy committees were working to draft a joint chemical security bill to introduce early this Congress that could grant EPA a formal consultative role in new DHS security rules designed to replace the interim standards. The sources also said the compromise bill could include water facilities currently exempt from the interim rules. Still, at the time it was unclear how changes on the House Energy & Commerce Committee would affect the discussions.

Last Congress, activists and union officials threw their support behind H.R. 5577, a bill that largely codified DHS's interim rules while adding water facilities and also requiring industrial facilities to switch to inherently safer technologies (IST), such as the use of less toxic chemicals.

Industry largely favors another bill that would make the interim rules permanent, and opposes mandates for IST, which, for example, could include requiring companies to switch to using chemicals that would pose less of a risk to human health and the environment in the event that a terrorist attack released the chemicals from a facility.

Another key chemicals issue for workers and occupational safety groups is the inconsistency between risk-based standards for worker exposure, which are oftentimes much less protective than those for the community at large, according to the public health source. The source adds that many groups might want to see an increase in hazard-based approaches to worker protection. -- *Aaron Lovell & Maria Hegstad*

Mine executives start trial today in deaths of 200 workers (*Greenwire*)

02/19/2009

Five former executives of a Montana vermiculite mine go to trial today on charges that they continued operations long after learning they were spreading asbestos-tainted dust into the air and downplayed health risks to workers and residents.

At least 200 deaths and thousands of illnesses are known to be related to the mine that closed in 1990 after three decades of operation by W.R. Grace & Company, which is also on trial. If convicted, the executives face as much as 15 years in prison on each of three counts of endangering Libby, Mont., through Clean Air Act violations, and lesser time on each of the other charges, plus fines that could amount to several million dollars. Conviction of Grace could mean fines of hundreds of millions.

Asbestos claims have usually remained in civil courts, but the current accusations of wire fraud, obstruction of justice, conspiracy and violations of the Clean Air Act landed it in criminal court.

Prosecutors say the company and its executives were aware of the health consequences of asbestos exposure for its workers in Libby -- a small town in the remote northwestern portion of

the state -- as early as the 1970s but took only minimal safety precautions and eschewed more effective ones for fear of causing alarm.

Grace agreed in 2008 to spend \$250 million for environmental cleanup of the town and has been paying medical bills for years. The company, which was driven into bankruptcy protection in 2001 by hundreds of millions of dollars in asbestos poisoning claims mostly unrelated to its Libby mine, reached tentative civil settlements last year to pay \$3 billion to asbestos victims (Kirk Johnson, [New York Times](#), Feb. 19). -- PR

WATER

EPA probing creek for fly ash pollution (*Standard Speaker*)

Federal technicians are checking a complaint that fly ash disposed in Mahanoy Township is polluting the mine pool and threatening water quality in Mahanoy Creek.

*BY KENT JACKSON
STAFF WRITER*

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Pennsylvania

Federal technicians are checking a complaint that fly ash disposed in Mahanoy Township is polluting the mine pool and threatening water quality in Mahanoy Creek.

The review by the United States Environmental Protection Agency is underway at Ellengowan and BD Mining, sites where for 20 years the state has demonstrated techniques for disposing of fly ash.

Policy makers and scientists have looked at Pennsylvania's regulations while considering whether to develop national regulations for fly ash. A House committee chairman asked the EPA to move toward that goal after more than a billion gallons of fly ash spilled near Kingston, Tenn.

A leader of the Mahanoy Creek Watershed Association said the Tennessee episode might have increased the EPA's interest in a petition that his group filed about Ellengowan and BD Mining.

"Because of the fly ash in Tennessee (the question of) whether fly ash is toxic or not, depending on how it's handled, is pretty important," Robert Krick of the watershed association said.

While the association filed its petition on Sept. 17, 2007, the EPA started studying Ellengowan and BD Mining in December 2008, the same month as the Tennessee spill, which occurred Dec. 22, 2008.

The Tennessee spill buried three homes, raised arsenic in a nearby river to hazardous levels and prompted the Energy and Minerals Subcommittee of the U.S. House Committee on Natural Resources to hold hearings Feb. 12.

Committee Chairman Nick Rahall II, D-W.Va., called fly ash dams "a ticking time bomb." Rahall said his bill just deals with one aspect of fly ash disposal — the dams for which the bill would require the Interior Department to draft federal regulations.

"There remains the much broader issue of regulating disposal of these wastes in landfills and coal mines," said Rahall, who asked the EPA to move forward on comprehensive regulation of fly ash.

At Ellengowan and BD Mining, fly ash is stored in mine pits, not dams. At least one of the pits held water, and the Pennsylvania Department of Environmental Protection tested techniques for putting fly ash into water there.

EPA Spokesman David Sternberg said technicians went to Ellengowan and BD Mining last week while researching whether the sites qualify for cleanup under the Superfund program.

"We're reviewing some data (and) doing some additional sampling," Sternberg said from the EPA's office in Philadelphia.

In the mine pits at Ellengowan and BD Mining, 16 billion tons of fly ash have been deposited since 1988, the Mahanoy Creek Watershed Association said in its petition.

The petition says hazardous substances such as lead, cadmium and other metals frequently have been detected above drinking water standards in the mine pool.

While ash increased the pH of mine water, which was strongly acidic, the water now is strongly alkaline and equally inhospitable to aquatic life, the association said. Although underground water normally stays at a steady temperature, "noticeably higher temperatures" were detected downgradient from Ellengowan, suggesting an impact from ash, power plant discharges, mine fires or other human activity, the petition said.

Some of the issues raised in the petition also appeared in a report that the Clean Air Task Force released in July 2007 on coal ash in Pennsylvania.

Robert Gadinski, a Schuylkill County hydrogeologist retired from Pennsylvania Department of Environmental Protection, co-authored the report. Gadinski also filed a complaint about Ellengowan to his former department in February 2007.

In a response written Nov. 9, 2007, the Pennsylvania department said acid mine drainage might have caused pollution that the Clean Air Task Force attributed to ash disposal. The task force also relied on outliers — data that varied from other sample results and could have signified sampling error, according to the state’s response.

Previous studies of Ellengowan by geologists at Penn State University detected no pollution due to ash placement, the Pennsylvania department said.

After conducting its own investigation of Gadinski’s complaints in 2007, the Pennsylvania department found reports of severe mine pool degradation to be unsubstantiated, the response said.

On Wednesday, Tom Rathbun, the department’s spokesman in Harrisburg, said Gadinski complained that coal ash caused unauthorized discharge into Mahanoy Creek.

“We didn’t find any data to support that claim,” Rathbun said.

He said the Pennsylvania department will provide any help that the EPA requests while reviewing Ellengowan and BD Mining.

“If the evidence leads somewhere, we’ll follow it,” Rathbun said.

He didn’t think the federal review at Ellengowan is linked to the Tennessee spill.

The federal agency, he said, has looked at Pennsylvania’s rules while studying national standards for disposing fly ash.

After the Tennessee spill, Pennsylvania reinspected its fly ash impoundments, Rathbun said.

“So all our coal ash impoundments will get three inspections this year rather than two,” he said.

On Wednesday, when asked about Ellengowan and BD Mining, Gadinski challenged the Pennsylvania department’s position that pollution could result from acid mine drainage, not ash disposal. The department hasn’t provided Gadinski with data from elsewhere in the anthracite region where acid mine drainage led to comparable levels of metals.

While working with the department, Gadinski said he sampled landfills from Scranton to Tremont and did not find levels of metals higher than those in the mine pool at Ellengowan.

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Incurable cancer blamed on water at Marine base (*Herald Times Reporter*)

*By Patti Zarling
Gannett Wisconsin Media*

February 20, 2009

Wisconsin

Allen Menard is proud to be a U.S. Marine.

"Love of country comes first," said the Green Bay man, holding a picture of his younger self, standing tall in military fatigues.

But the 45-year-old thinks the military downplayed the presence of toxins in the water supply at Camp Lejeune, N.C., where Menard was stationed from 1981-84. He believes the contaminated water contributed to his rare, noncurable skin cancer.

"We had no clue what was going on," he said. "When you're in the military you do what's asked of you and don't ask questions."

A few years after his return to civilian life in the late 1980s, Menard said he noticed a rash on his back. When a doctor told him it likely was psoriasis, Menard didn't treat it. A few years later, another doctor reaffirmed the psoriasis diagnosis, this time on his leg, and gave him a cream but it didn't help.

Eventually, Menard developed a significant rash on his knee, and his wife Debbie asked her doctor to look at it. He was referred to a dermatologist and was diagnosed in 2001 with a rare form of skin cancer known as mycosis fungoides.

He said he never made a connection between his cancer and the tainted water until he received a letter from the Internal Revenue Service in October 2008 indicating the Marines wanted him to be aware of water contamination at Camp Lejeune .

"That's when it all clicked," Allen Menard said. "We started to put two and two together."

Military contact

A solvent used to clean metal and a chemical used in dry cleaning were first found in Camp Lejeune's drinking water in the early 1980s, according to the Center for Disease Control's Agency for Toxic Substances and Disease Registry.

Polluted wells were shut down in 1985 and the camp was officially named a federal cleanup site in 1989.

The military learned of the contamination when it began testing the water under new Environmental Protection Agency standards in the early 1980s.

The water at the base "had an odor to it," Menard said. "I didn't think anything of it. You figure you're in a new place. It's different."

Contamination came from ABC One-Hour Cleaners, a nearby dry-cleaning facility, and a combination of industrial operations, waste-water disposal practices as well as leaking underground storage tanks, according to the toxic substances registry.

"The first thing I want to stress is that the water is safe today," said Capt. Amy Malugani, of the Marine Corps Public Affairs Office.

The federal government is asking veterans stationed at the camp up to and including 1987 to join a registry because officials are studying possible health effects from the tainted water. About 115,000 have signed up so far, Malugani said.

Allen Menard and some other veterans worry the military waited too long to contact them about the contamination. But Malugani said the military has tried to find people who served at the base.

"There were a lot of steps to be taken," Malugani responded. "First they found the contamination and did further studies. Then the process began with all the government agencies. We did conduct mass public awareness efforts, but unfortunately they didn't have the (housing) records we have now."

"We completely understand people's concerns and that's why we're doing everything we can to try to make them aware and to join the registry."

Menard continues to look for answers. He recently visited the VA Medical Center in Milwaukee and has been in touch with U.S. Sen. Russ Feingold, D-Middleton.

He wants disability compensation, but he said his main concern is finding other veterans who were stationed at Camp Lejeune who might not know about the toxic water or the registry.

The results of the studies may be released in 2009, Malugani said, but it's too early to tell how the government will respond.

"People can go to our Web site to file a claim," she said. "But with the study not being done and the link not being made to certain illnesses, they may be waiting a while ... we want to do this right, we really do."

A lifelong diagnosis

Menard's cancer went into remission after he had a form of photochemotherapy that used ultraviolet light. He sees a dermatologist and oncologist every six months, but there is no known cure, and the disease could eventually kill him.

Menard doesn't have evidence his cancer can be linked to the toxic water at Camp Lejeune, but he and his wife say the connection makes sense.

"This is a very rare cancer, only about one person in (a) million get it, and it's usually in men over 50. He was in his 30s," Debbie Menard said.

Allen Menard said his family doesn't have a history of cancer and doesn't know of a known genetic link for this type of cancer.

He had not kept in touch with people who were at the base when he was there, but is now learning of other veterans who spent time there who were diagnosed with different types of cancers, had liver problems and had children with birth defects.

Even with his cancer, Allen Menard cherishes memories of his time in the service.

"Am I upset? Sure," he said. "I think they hid a lot of things. I think they might be trying to pass the blame now, saying it was the standards of that time.

"But I'm still proud to be a Marine."

Chromium carcinogenic in water; new standard in the works (*Environmental Health News*)

Hexavalent chromium, the controversial 'Erin Brockovich' chemical, is carcinogenic in drinking water, scientists have concluded. California will soon propose a new health guideline for water supplies.

By Marla Cone

Editor in Chief

Environmental Health News

February 20, 2009

Virginia

A controversial water contaminant made famous by Erin Brockovich and a small California desert town is carcinogenic.

That conclusion by federal scientists, culminating more than a decade of debate, is likely to trigger new, more stringent standards limiting the amount of hexavalent chromium allowable in water supplies.

It's been known for about 20 years that people can contract lung cancer when inhaling hexavalent chromium, also known as Chromium 6. But until now, toxicologists have been uncertain whether it causes cancer when swallowed.

National Toxicology Program scientists reported that their two-year animal [study](#) "clearly demonstrates" that the compound is carcinogenic in drinking water. Mice and rats contracted malignant tumors in their small intestines and mouths when they drank water containing several different doses of hexavalent chromium.

"I think it's resolved, as much as it can be resolved," said George Alexeeff, deputy director of scientific affairs at California's Office of Environmental Health Hazard Assessment.

Based largely on the new cancer findings, California and U.S. Environmental Protection Agency officials are re-evaluating what concentration is safe in water supplies. Within a few weeks, California is expected to announce a proposal to set a new health guideline.

The Mojave Desert town of Hinkley, population of around 1,900, has the highest levels of hexavalent chromium reported in U.S. ground water. The compound seeped into water there from a Pacific Gas and Electric facility that used it to inhibit rust in cooling towers and discharged it into holding ponds in the 1950s and 1960s.

In 1996, PG&E paid a \$333 million settlement to about 600 residents of Hinkley after Brockovich, a law clerk, investigated the contamination and found high rates of cancer and other diseases. The town's plight drew national attention in 2000 from a film based on Brockovich's legal crusade. The payment was the largest tort injury settlement in U.S. history.

The animal study does not prove that people in Hinkley contracted cancer from drinking the tainted water. But it does resolve the debate over whether the contaminant is capable of causing some types of cancer.

Roberto Gwiazda, an assistant researcher at University of California at Santa Cruz's Department of Environmental Toxicology, called the new study a "milestone," saying it "settles the issue."

However, Gwiazda said, using the new research "to support a drinking water standard is a different matter" because extrapolating it to humans remains controversial.

Hinkley's ground water contained concentrations as high as 580 parts per billion, more than 10 times California's current drinking water standard of 50 ppb for total chromium compounds. The national standard is 100 ppb.

Because of the cancer uncertainty, California has had a tumultuous history of setting water standards to protect people from chromium.

In 1999, after the Hinkley case, California set a water guideline, called a Public Health Goal, of 2.5 ppb. It was based on a 1968 study in Germany that found stomach tumors in animals that drank the substance. However, the U.S. EPA rejected that study as flawed and determined there was no evidence it was carcinogenic in water. California's scientific advisors agreed, so the state rescinded its goal in 2001 and reverted to the 50 ppb standard, which was adopted in 1977 and based on the risks of skin irritation, not cancer.

The debate focused on whether hexavalent chromium is neutralized in the stomach by gastric acids that turn it into Chromium 3, an essential nutrient.

California officials, seeking to resolve the controversy, asked the National Toxicology Program to conduct animal tests.

The study, published online in *Environmental Health Perspectives* in December, shows that although some of the substance is reduced in the stomach to Chromium 3, it's not enough to avoid toxic effects.

"Since they found tumors in the small intestine, that shows it was not eliminated in the stomach," Alexeeff said.

Cancer in the small intestine is "relatively rare" in animals, even those exposed to other chemicals, the scientists reported. In addition, chromium caused mouth cancers, and infiltrated the cells of many organs, including livers and pancreatic lymph nodes.

Mice and rats were exposed to four different doses, and they contracted cancer at lower levels than in the 1968 study, according to Michelle Hooth, a toxicologist at the National Institute of Environmental Health Sciences who was the study's lead scientist.

That suggests California's new goal could be as stringent as the rescinded 2.5 ppb one.

Chromium is widely used in metal plating, stainless steel production, wood preservation and textile manufacturing. It has been detected in 30% of drinking water sources in California, at levels mostly under the existing 50 ppb state standard, according to the state health department.

Some of the rats and mice developed malignant intestinal tumors when fed doses as low as 57,000 ppb—100 times higher than the Hinkley water levels—for up to two years, Hooth said. The higher the dose, the more cancers found among the animals.

When setting a standard, scientists use high animal doses to extrapolate to a lower dose designed to protect people from a 70-year lifetime of exposure. Water standards are usually designed to keep the cancer risk to one case in every million or 100,000 people.

Gwiazda, who has served on EPA and California scientific advisory panels, said extrapolating the animal findings for humans creates uncertainty because the rodents had to be fed higher doses.

He said applying the data to humans assumes that the rodents' stomach eliminated the same fraction of chromium 6 at high doses that the human stomach would at lower doses.

"This assumption is flawed in my view because the stomach has a very high reducing capacity," Gwiazda said.

As a result, such extrapolations could lead to an overly restrictive water standard, he said. "On the other hand," he added, "there is probably a subpopulation of sensitive individuals with diminished stomach reducing capacity due to illness." For those people, a standard based on the animal data "may not be protective enough," he said.

There also is human evidence that drinking hexavalent chromium can cause cancer. A study in China found high rates of stomach cancers in people whose water was contaminated with so much chromium from a smelter that it had turned yellow.

California state scientists will release their draft Public Health Goal for public comment "within the next couple of weeks," said Sam Delson, the Office of Environmental Health Hazard Assessment's deputy director of external and legislative affairs.

The new study, Alexeeff said, "is a large foundation of our results." The National Toxicology Program released some of its initial data last year, but the full report came out in December.

The number that Alexeeff's staff recommends will then be used by the state's health department to formulate a maximum allowable amount for water supplies. The health department factors in the cost and technical feasibility when it sets that standard.

"We come up with a goal, and it's up to the health department to propose a maximum contaminant level," Alexeeff said.

U.S. EPA officials also are evaluating the national 100 ppb standard and plan to release their results this fall. The agency is required by federal law to review water standards every six years. The EPA had adopted a more stringent chromium standard in 1977 but raised the allowable amount in 1991 in response to the lack of cancer evidence.

EPA spokeswoman Enesta Jones said Thursday that hexavalent chromium is among 20 compounds selected in 2008 for review by the agency's Office of Research and Development. When officials there analyze all scientific literature, including the new study, they then will

decide whether to change the old toxicity levels used to set standards for water and soil cleanup, she said.

Cleanup of Hinkley's contaminated water--an underground plume that is two miles long and one mile wide--began in the late 1980s and is continuing, according to California Water Resources Control Board documents. The contamination is still spreading, so the state issued its latest cleanup order to PG&E in August.

Brockovich, now president of a consulting firm, has since fought other legal battles related to chromium and other pollutants.

Stimulus gives \$258M to Illinois for clean water (Associated Press) This story also appeared: *Chicago Tribune*

2:22 PM CST, February 19, 2009

SPRINGFIELD, Ill. - The federal [Environmental Protection Agency](#) says that the state of Illinois will receive \$258.5 million in stimulus money to go toward clean water projects.

In numbers released Wednesday, the federal EPA said that the economic recovery money would be split between two revolving state funds, one for clean water and the other for drinking water.

Illinois is to receive \$179 million in its clean water fund and \$79.5 million in its drinking water fund.

The money will go to the state Environmental Protection Agency. State EPA spokeswoman Maggie Carson said Thursday that the agency "has been compiling information for possible recipients of stimulus funds."

Court rules mining permits can be granted without review (*Waste News*)

Feb. 19 -- A federal appeals court has sided with the U.S. Army Corps of Engineers and mining companies by ruling the federal government can grant permits for surface, or mountaintop, mining without requiring extensive environmental reviews.

The 4th U.S. Circuit Court of Appeals in Richmond, Va., rejected arguments by environmentalists that the Corps of Engineers was violating the Clean Water Act by issuing permits to mining companies for mountaintop removal mining without requiring the mining operations conduct extensive environmental reviews. The environmental groups, including Earthjustice, had filed a lawsuit contending the mining operations were destroying streams and damaging the environment.

Coal mining companies employ surface mining in the Appalachian Mountains.

The appeals court decision, issued Feb. 13, reversed a U.S. District Court ruling that sided with environmentalists who argued the mining practices dump dirt, debris and contamination into streams.

"We believe the [appeals court] decision is wrong on the law and the science," said Steve Roady, Earthjustice attorney. "This fight is not over until mountaintop removal mining is over. We will continue to litigate, and, in addition, the new administration must take immediate steps to curb the terrible practice of mountaintop removal mining and undo the mistakes of the past."

Contact Waste & Recycling News senior reporter Bruce Geiselman at 330-865-6172 or bgeiselman@crain.com

STATES EYE EPA GUIDE TO CLARIFY CONTROVERSIAL STIMULUS MEASURES (*Inside EPA*)

2/20/2009

State officials are urging EPA to revise a soon-to-be-finalized draft guide to clarify spending rules governing the stimulus law's \$6 billion in water infrastructure funding, fearing that the rules may make it difficult for some states to receive and spend the funds within the strict deadlines stipulated by the law.

"Nothing in there is such a gear in the works that it's not going to turn, but there may be some possible obstacles and trouble for some states," according to one state official who participated in a Feb. 18 conference call with EPA officials on the draft guidance.

Among the concerns states identified on the conference call are measures in the bill requiring 20 percent of the funds to be spent on "green" infrastructure projects, which could force states to go back and identify new projects where money can be quickly spent; prevailing wage provisions that could make it hard for some states to find enough unionized workers that qualify for the fund, and "Buy American" requirements that states fear could slow procurement and completion of some projects.

“None of these are show stoppers,” the state source says, “though we talked [on the conference call] in show-stopping terms. None rose to that level of difficulty.”

The states’ concerns echo recent statements from agency officials who fear that the money may not be spent as quickly as the law requires and the agency has limited flexibility -- and faces significant oversight -- when it spends the funds.

The draft guidance, which agency officials are expected to finalize later this week, generally details provisions in the law governing EPA’s wastewater and drinking water revolving loan fund (SRF) money, but the agency is still working on some controversial issues -- including rules for reallocating money not spent quickly enough and project reporting requirements -- incompletely addressed by the draft document.

The agency could issue the final guidance as early as Feb. 19, state and EPA sources say. *The draft guide is available on InsideEPA.com.*

The final version of the bill, which President Obama signed into law Feb. 17, includes several new rules governing how -- and how quickly-- the stimulus funds for EPA’s clean water SRF and drinking water SRF can be spent. For example, the bill requires states to ensure that clean water projects are “under contract or construction” within a year of enactment, otherwise the EPA Administrator is required to reallocate the funds to other states.

According to EPA’s draft guidance, unused funds will be reallocated “immediately” upon the one year deadline the bill imposes for dispersing the money. The money will be reallocated according to the same formula by which SRF funds are dispersed to states. States will have to file revised “intended use plans” (IUPs) listing additional projects for which money can be dispersed within 120 days after the one year deadline, and states that did not meet the deadline in the first place -- forcing reallocation -- will not be eligible for the reallocation.

State officials say they can generally live with the new one-year deadline, an improvement over a 180-day deadline included in a version of the Senate bill.

But some EPA officials have concerns about the states’ abilities to meet the spending deadlines and the strict oversight the spending will be subject to. Peter Shanaghan, who oversees the drinking water SRF for EPA’s Office of Ground Water & Drinking Water, told a Feb. 17 meeting of the National Association of Regulatory Utility Commissioners (NARUC) that the stimulus bill is setting a high bar for the agency, requiring officials to create a program within the existing SRF programs, while requiring states to “turn on a dime” and “rapidly infuse money into the economy.”

The agency has never had this kind of pressure before, he said. This is something “dramatically, earthshakingly different,” he said, adding that the unprecedented speed with which the money must be spent is “causing a lot of heartburn.”

James Taft, executive director of the Association of State Drinking Water Administrators, downplayed the prospect that states will not be able to allocate the funds within the bill’s one-year timeframe, saying later that state officials have already documented billions of dollars worth of shovel-ready projects. “One would think . . . that states would be [able to use the money],” he told the commissioners.

Shanaghan responded that agency officials “hope” that reallocation of funds will not be necessary given the “tremendous need” across the country.

While states believe they can live with the one-year spending deadline, they are more worried about rules EPA and the administration are still developing that will require states to report on the progress and employment benefits of stimulus projects.

A wastewater industry source says states are concerned in particular about job reporting requirements they have never had to provide in the past. EPA already maintains databases of SRF reporting, but those databases are not public.

White House budget director Peter Orzag said in Feb. 18 guidance to all agencies that usual jobs reporting requirements do not take into account the timeframe over which jobs are created. "As a result, they are likely to be inconsistent with macroeconomic estimates of jobs created at a point in time. For this reason, departments and agencies should use conventional jobs estimates for internal planning purposes only," Orzag said, adding that the administration will develop the requirements at a later time.

One source says states sought to soften the reporting requirements when Congress was considering the bill, arguing the current SRF program already has a robust reporting system, but lawmakers rebuffed those efforts.

EPA's Shanaghan told NARUC that even though the SRF programs have a "record of financial integrity that is second to none," regulators are "paying a price" in the stimulus for "substantial taxpayer outrage" directed at banking industry executives who received bailout funds. "This arena is going to be very highly scrutinized" on recovery.gov, he said. "We definitely don't want anybody [receiving SRF funds] flying their corporate jets," he said.

He noted that in addition to the reporting requirements, Congress also provided the agency's Inspector General with \$20 million to oversee stimulus spending.

Meanwhile the state source says other provisions in the bill could also stymie states' ability to quickly spend the funds within the bill's deadlines.

One major concern is the bill's green infrastructure provisions, which generally require 20 percent of stimulus SRF funds to be devoted to projects that EPA says include "a wide array of practices at multiple scales that manage wet weather to maintain and restore natural hydrology by infiltrating, evapotranspiring and capturing and using stormwater."

EPA's draft guide says the bill requires states to "make a timely and concerted solicitation for [green infrastructure] projects" if "the projects in a State's IUP do not appear to contain qualifying components for a total value of 20 percent" of the projects funded by the stimulus bill.

While EPA has provided a list of projects that could qualify as "green" infrastructure, the state source says officials are still seeking additional clarification on the issue from EPA defining what constitutes a green project. The source also says states are also questioning whether stimulus funds devoted to one part of a three-part project can be counted toward the the law's 20-percent threshold, even if other phases of the project do not.

And, the source says, many states have not identified shovel-ready "green" projects prior to the bill's passage, forcing many states to reassess which projects to put forward for stimulus funds, a process that could take as long as six months. "That's not a realistic position to be in," the source says.

Another concern for states is the bill's Davis-Bacon act provisions, which require projects use unionized workers who are paid prevailing wages. The state source says that's a concern for states that have less of a union presence than other states.

The law's "Buy American" requirements are also a concern for states. According to EPA's draft guidance, the bill requires all procurement to meet a 100-percent domestic content requirements, unless there are insufficient American supplies or if the use of American supplies will increase the cost of the project by more than 25 percent.

The state source is concerned these requirements could slow projects as officials struggle to determine whether "the chips in a circuit board or the board itself [count as a domestic product]."

The draft guidance also lists the myriad requirements states must comply with when allocated SRF money in the form of grants. The stimulus bill requires at least 50 percent of the SRF funds to be dispersed as "additional subsidization," which includes principal forgiveness, negative interest loans and grants.

All told, the draft guidance lists 29 separate statutory locations that contain grant requirements. This "list of cross-cutting federal authorities for assistance grants" includes environmental laws like the National Environmental Policy Act but also civil rights laws like the Age Discrimination Act.

CRITICS WARN EPA'S CONSTRUCTION EFFLUENT PLAN AT ODDS WITH STIMULUS (*Inside EPA*)

2/20/2009

States, industry and others critics are raising major concerns over EPA's proposed effluent limitations guideline (ELG) governing stormwater treatment from a wide range of construction sites, saying the strict numeric discharge limit the agency is proposing is burdensome, unattainable and at odds with congressional efforts to stimulate the sagging economy.

In recently submitted comments on the proposal, states, localities and industry critics raise concerns that EPA's proposed numeric discharge limits -- which could set strict standards on the quality of water impacted by runoff like sediment from construction sites -- are unreasonable, excessively costly and far beyond necessary protections.

"We just want to ensure EPA's actions here are not at cross purposes with the efforts of Congress to stimulate the economy," an auto industry source says.

At issue is EPA's court-ordered proposed rule requiring strict treatment of stormwater runoff from construction sites. The proposal, issued Nov. 19, includes as one option a strict numeric turbidity limit for sites over 30 acres that meet certain soil composition and rain-level criteria. The rule, which the agency must finalize later this year, regulates stormwater runoff at a host of construction sites, including housing developments, transportation and energy infrastructure projects, industrial facilities and others.

The proposal lists as one option a numeric turbidity limit of 13 nephelometric turbidity units (NTUs), a measure of water's clarity, significantly stricter than the measures agency officials were considering while they crafted the proposed rule.

However, the proposed discharge limit only applies to larger sites in regions with a certain level of rainfall and clay in the soil content. A map accompanying the proposed rule shows construction sites in almost all areas of the country west of the Texas panhandle -- including portions of the West coast -- would be subject to the rule's limits because they meet the soil composition and rainfall requirements.

Three options proposed in the rule for limiting runoff include requiring best practicable control technology currently available -- which industry groups are pushing because it mandates less burdensome and less costly controls -- and in the alternative, two strict numeric limits that differ on what size lots would fall under the regulation.

While industry is warning about the rule's reach, environmentalists are seeking to broaden its technology control requirements even further by applying the rule to construction sites over one acre. But environmentalists are also advocating for less-costly "green" construction techniques to be included as technological options in the rule.

In their comments on the proposed rule, industry and other critics are raising concerns about the ELG's broad reach and economic costs, highlighting its potential impact on the homebuilding industry that has already been hit hard by the economic downturn. "Has the economic burden . . . and the estimated housing cost increase been evaluated in light of the current housing market crisis and job loss estimates?" a Tennessee locality asks in its comments on the proposed rule. *Relevant documents are available on InsideEPA.com.*

Similarly, the Alliance of Automobile Manufacturers (AAM) warns in Feb. 9 comments that the proposal extends well beyond the homebuilding industry to other sectors. "At first glance, and as noted by EPA in the proposal, one might believe that EPA's [construction industry] ELG proposal affects only construction companies," say the group, which represents 80 percent of the U.S. automobile market. "However . . . this proposal could have significant direct impacts on public and private entities that extend well beyond 'construction companies.'"

The auto sector is one of several that has weighed in warning of significant impacts beyond the construction sector. In recent comments, natural gas industry officials warned that the rule would be unworkable for so-called "linear" construction sites like pipelines and highways (*Inside EPA*, Feb. 6).

The increasing alarm among industry officials beyond the construction industry follows a campaign by homebuilders and others to warn about the reach of the proposed rule. A recent presentation by construction industry representatives before the Small Business Environmental Roundtable brought concerns from industry officials before a wider audience.

The presentation's slides show industry estimates that the strictest option in the proposed rule would cost up to \$40,000 per acre. That option would require expensive so-called Advanced Treatment Systems for sites over 10 acres where more than one acre was disturbed by construction.

Besides the strict numeric limits, industry is also focusing its criticism on the data collection process EPA used to generate estimates for the costs and benefits of the proposal, which officials say did not include a survey of the entities facing regulation. "We understand EPA bypassed the typical industry information collection process normally associated with prior ELG rulemakings and in large part has

based much of the proposal on vendor-supplied data,” the AAM writes in its request for a comment deadline extension.

An industry source says colleagues have called the proposed rule the “vendor stimulus” because it relied so heavily on vendor data to estimate the costs of the proposal.

But during the drafting of the proposed rule, EPA struggled with whether to include the numeric limits it eventually proposed and was pressured heavily by “green” infrastructure and other stormwater vendors and environmentalists who argued EPA’s cost estimates were far too high.

Meanwhile, states and localities are also weighing in with concerns about the plan. Wisconsin, which has one of the most stringent stormwater programs in the nation, is expected to file comments harshly critical of the proposed rule, sources say, in which the state is expected to claim that the 13 NTUs limit is not scientifically defensible as required to protect the environment.

Comments from the Indiana Association for Floodplain and Stormwater Management, a group representing stormwater officials and professionals, says the strict numeric turbidity limit is “unattainable for most of Indiana.” The comment also says “unfunded” mandates like in the proposed rule “have already created a tremendous burden on state and local governments and the proposed ELGs would present yet another hardship.” That criticism mirrors state sources who say stormwater regulations are among the most costly and resource-intensive to enforce.

Localities are also pressing the cost of the rule given the bad economy as well as the benefits of such a strict numeric limit. A comment from Shelby County, TN, posits that “the burden to discharge 13 NTU stormwater into the tributaries of the Mississippi River,” which have much more turbid waters, “is unreasonable.”

An EPA spokeswoman says “before finalizing any rule, EPA will thoroughly evaluate economic affordability as required by the effluent guidelines provision of the Clean Water Act.” -- *Jonathan Strong*

STUDY MAY DRIVE NEW FOCUS ON PHARMACEUTICAL FACILITY WASTE STREAM (*Inside EPA*)

2/20/2009

A 2007 study sounding alarms about the waste stream from pharmaceutical plants could drive a new focus on chemical releases from pharmaceutical facilities, a move that could shift EPA and congressional attention to the issue after recent scrutiny of agency efforts to limit consumer disposal of unused drugs.

The study, “Effluent from Drug Manufacturers Contains Extremely High Levels of Pharmaceuticals,” printed in the *Journal of Hazardous Materials* in July 2007 tested wastewater influent downstream

from a group of pharmaceutical manufacturing facilities in India and found 11 of 59 tested pharmaceuticals at never-before seen levels in the water. *The study is available on InsideEPA.com.*

“The high levels of several broad-spectrum antibiotics raise concerns about [bacterial] resistance development. The concentration of the most abundant drug, ciprofloxacin (up to 31,000 g/L) exceeds levels toxic to some bacteria by over 1000-fold. The results from the present study call for an increased focus on the potential release of active pharmaceutical ingredients from production facilities in different regions,” the study concludes.

The study, which the author discussed at a recent conference, has already gained considerable attention and was the focus of a widely distributed Associated Press (AP) report.

Pharmaceuticals in drinking water took national stage last year when a three-part series of articles by AP raised public concern about the prevalence of unwanted drugs in drinking water, and the failure of common treatment techniques to remove them, say sources familiar with the news service’s inquiries.

The news service’s series prompted several congressional hearings and efforts by some House lawmakers to ramp up EPA research on the risks posed by the presence of the pharmaceuticals in drinking water. The public concern also prompted EPA officials to reconsider their criteria for determining whether pharmaceuticals should be included on the agency’s list of substances being considered for possible drinking water regulation.

Sources say that the AP and *Nature* magazine will soon feature articles dealing with pharmaceuticals in the waste stream coming from domestic drug-producing facilities. One source says reporters for the service are asking questions about EPA regulation and permitting of the facilities and the levels of pharmaceuticals from those plants that make their way into the environment. The source says the service is also questioning companies about high codeine levels in the Delaware River Basin area as well as the presence of active pharmaceutical ingredients in Colorado waters. AP did not respond to a request for comment.

Sources following the issue say the new concern about facility waste streams could drive a new policy focus on the issue.

In Congress, Rep. Carolyn McCarthy (D-NY) is expected to reintroduce her bill setting strict deadlines for EPA to complete a series of recommendations identifying what pharmaceuticals and personal care products are in the nation’s water, their health effects and how to address them.

Proponents said they would make a concerted effort at passage this Congress, with one environmentalist saying the bill could pass “by veto-proof majorities” given concerns about the safety of drinking water supplies coming from big city mayors and governors.

STATES SEEK GHG CREDITS FOR WETLANDS PROTECTION IN CAP-AND-TRADE PLAN (*Inside EPA*)

2/20/2009

State wetland managers in a just-released report are calling for policymakers to allow wetlands protection efforts to qualify for greenhouse gas (GHG) offset credits under an emissions cap-and-trade program as a way to preserve the significant methane storage potential of wetlands and help preserve them from changing climate patterns.

The call for wetlands preservation efforts to qualify for offset credits is one of several items -- including funding, research and increased regulatory coordination -- the state officials are asking federal policymakers to address in upcoming climate legislation and other policymaking vehicles.

In a revised report released late last month, the Association of State Wetland Managers called for a "regional cap and trade programs . . . to be formed to certify offset credits for wetland restoration and sequestration."

The report, *Recommendations for a National Wetlands and Climate Change Initiative*, says that because wetlands naturally store large volumes of methane -- one of the most potent GHGs -- they should be preserved as a way to prevent increased GHG concentrations in the atmosphere. *The report is available on InsideEPA.com.*

But the report warns that many wetlands face threats due to climate change as permafrost wetlands melt, others are threatened by fire, while some may be drained. "Because methane is a very active greenhouse gas, the climate change 'forcing' function of methane may exceed the gains from carbon sequestering, particularly on a short term basis," the report says.

As a result, the report calls for wetland preservation efforts to qualify for offset credits -- which, under a cap-and-trade plan, emitters can purchase to offset their actual GHG emissions.

In addition to the offset approach, the report also asks Congress to develop a National Wetland Climate Initiative as part of broader climate change legislation. Such planning for wetlands health should be incorporated into "coastal zone regulatory, infrastructure development, watershed management and land planning management programs," the report says.

The report also advises creation of a National Wetland & Climate Change Coordinating Committee that includes EPA, the Council for Environmental Quality, the U.S. Fish & Wildlife Service, U.S. Geological Survey, National Oceanic & Atmospheric Administration, U.S. Army Corps of Engineers and other agencies, to better coordinate research, information and climate change mitigation activities for wetlands.

STATES RETAIN WATER ACT PUSH TO CUT MERCURY, DESPITE NEW EPA AIR RULE (*Inside EPA*)

2/20/2009

State regulators are vowing to continue their push under the Clean Water Act (CWA) to force EPA to limit harmful power plant mercury emissions that impair water quality, despite promises by the Obama administration to develop a strict new emissions rule regulating the toxic emissions.

States and environmentalists -- who have fought the Bush administration's controversial mercury emissions rule over concerns it did not do enough to limit depositions that impair water quality -- say they welcome the Obama administration's announcement that it plans to develop a strict new Clean Air Act rule, but plan on retaining their pending water act challenge to address the depositions in hopes of ensuring the final emissions rule addresses the needs of water quality regulators dealing with mercury accumulation in water due largely to air deposition.

EPA's plan to develop an air act regulation for mercury emissions comes after the Obama administration Feb. 6 withdrew the Bush EPA's petition to the Supreme Court to review a lower court's ruling vacating its contentious clean air mercury rule (CAMR) emissions trading program.

A separate petition for review by the Supreme Court filed by the Utility Air Regulatory Group remains in play, but one environmentalist predicts that the government abandoning its appeal will effectively end all attempts to revive the rule. "Industry will maintain its request, but with the U.S. dropping out, Supreme Court review is highly unlikely," Natural Resources Defense Council attorney John Walke said in a Feb. 6 statement.

Administrator Lisa Jackson told a Feb. 6 green jobs conference that the solicitor general's decision to drop the prior administration's high court appeal clears the way for the agency to develop a strict new regulation governing power plants' mercury emissions. "Now EPA has to get to work and actually start a rulemaking process, this time hopefully one that will stick throughout the legal system."

Jackson added, "The court said we have to begin a rulemaking under section 112 [of the Clean Air Act], and we'll begin a rulemaking to do just that." The section requires EPA to develop a strict maximum achievable control technology standard to mandate emission cuts from sources of hazardous air pollutants.

Under CAMR, the Bush EPA removed power plants from the list of section 112 pollution sources and instead developed a cap-and-trade program to reduce mercury emissions. Critics charged that the rule did not go far enough because it did not restrict emissions by the 90-percent level they say is necessary to limit harmful effects.

The new administration's decision could be a boon for water regulators and environmentalists who have been advocating for more stringent mercury air controls as a way to deal with the presence of mercury in water. One activist says there are fish advisories for mercury in all 50 states and most states have some waters impaired by mercury.

The issue has been especially difficult for state officials seeking to develop pollution load limits -- known as total maximum daily loads (TMDLs) -- for mercury-impaired waters because they have been unable to enforce limits on emissions from out-of-state power plants that are major contributors to water quality impairment. Because their waters remain impaired, however, they fear they could be vulnerable to suits from environmentalists. But any effort to enforce their TMDL limits against power plants under the water law was vulnerable to legal challenge from industry, whose officials warned such actions would be unlawful.

While environmentalists and states successfully challenged the legality of the mercury rule under the air act, they also pursued some innovative strategies under the water act. For example, New York and the New England Interstate Water Pollution Control Commission in 2007 successfully petitioned EPA to approve a first-time, multi-state TMDL, which allowed states to show they are doing everything within their powers to address mercury. Their petition argued they were unable to reduce mercury levels further without more stringent federal controls on mercury emissions -- such as Clean Air Act Title V permits for Midwestern power plants and other upwind facilities.

After winning EPA approval, the states in October petitioned EPA under CWA section 319(g) -- a never-before-used provision of the water act -- to require plant-specific air emissions controls of mercury in other parts of the country in order to address waterbodies impaired by atmospheric deposition of the toxin. Section 319(g) allows states to petition EPA to convene "a management conference of all States which contribute significant pollution resulting from nonpoint sources."

The petition asked the agency to convene a management conference with 11 states that contribute a major portion of mercury emissions to the Northeast. The petition says Pennsylvania, Virginia, New Jersey, Ohio, West Virginia, Maryland, Michigan, Indiana, Kentucky, North Carolina and Illinois each contribute significant nonpoint source mercury pollution that prevents the Northeastern states from meeting their CWA goals.

The Northeastern states say such action is necessary if they are to implement their EPA-approved regional TMDL, designed to reduce mercury concentrations in fish so that water quality standards can be met.

Environmentalists also sought to challenge the Bush EPA's rule under the water act. They successfully petitioned the North American Commission on Environmental Cooperation (CEC) -- a panel created by the NAFTA side accords -- to examine whether CAMR violated the water act. While the CEC lacks enforcement authority, its finding could have helped environmentalists argue that CAMR did not go far enough.

A source involved in the 319(g) petition says that EPA has not yet scheduled a conference, but the group does not plan to drop the petition in light of the planned rulemaking. "I don't think . . . as a result of their [CAMR] decision . . . that [it] changes our intentions or our beliefs that the conference is still needed," the source says.

"I think the conference . . . could potentially play an influential role" in the outcome of the new rule, the source says. The group in its Northeast TMDL quantified the needs for mercury reductions, the source says, and with the new rule, now "there's potential that our TMDL could be implemented."

The conference would provide "an opportunity for EPA to take the information that we've already gathered and packaged for them," the source says, detailing mercury contributions from both inside and outside states into waterbodies. It "helps give them some direction," the source says, and "it's an opportunity for EPA and the states to potentially collaborate on what might be needed in the rule."

There has been no official word from EPA on when the conference will be held, sources say.

APPELLATE RULING INTENSIFIES COURTS' SPLIT ON CWA JURISDICTION TEST (*Inside EPA*)

2/20/2009

A second appellate circuit has agreed with the Department of Justice (DOJ) that regulators may use either one of two Supreme Court tests to determine whether wetlands and other marginal waters are governed by the Clean Water Act (CWA), a move that appears to boost regulators' ability to regulate marginal waters in the absence of clear direction from Congress.

The ruling could be especially significant as EPA Administrator Lisa Jackson is signaling the agency is likely to ramp up its CWA enforcement efforts to protect wetlands.

But the ruling is drawing criticism from one legal expert, who says that while the court's final ruling may have been correct, the ruling may further complicate the question of how to determine when waters are regulated. "The Court's discussion of jurisdiction unnecessarily complicated the relevant analysis, suggesting (as have other courts) that there are multiple paths for asserting jurisdiction [in the wake of the high court's ruling]," Case Western University law professor Jonathan Adler wrote in a recent blog posting.

The U.S. Court of Appeals for the 6th Circuit ruled Feb. 4 in *United States of America v. George Rudy Cundiff, et al.* that the defendant violated the Clean Water Act for developing wetlands without a permit. *The ruling is available on InsideEPA.com.*

The court sided with the government's reasoning -- allowing use of either one of the high court's tests -- in the increasingly contentious and complicated case law surrounding the Supreme Court's *Rapanos* ruling, further exacerbating the split between the courts.

Appeals courts have faced great difficulties coming to terms with the Supreme Court's 2006 plurality ruling in *Rapanos, et ux., et al. v. United States* -- which set two competing tests for determining federal jurisdiction under the water law -- together with other rulings that address how courts should choose among competing legal tests stemming from plurality rulings.

In *Rapanos*, four justices, led by Justice Antonin Scalia, said federal jurisdiction only applies to "relatively permanent, standing or continuously flowing" waters or to wetlands that are immediately adjacent to such waters. Justice Anthony Kennedy voted with Scalia and the four other judges to remand the case to a lower court but said that waterbodies with a "significant nexus" to navigable waters should still be protected if the government can show the nexus significantly affects the chemical, physical and biological integrity of navigable waters.

The courts have thus far been struggling to determine which jurisdictional test to apply, with courts split over whether the government can apply the Kennedy test or the Kennedy-or-Scalia approach favored by the Department of Justice.

Traditionally, in high court cases with plurality rulings like *Rapanos*, lower courts have looked to the justices who concur on the narrowest grounds as the controlling opinion, following the precedent in *Marks, et al. v. United States*. A 2006 high court ruling in a case on congressional redistricting in Texas -- *League of United Latin American Citizens, et al. v. Perry, et al.* -- provided DOJ with more

leeway to urge individual justices to “mix and match” their views and allow them to use either jurisdiction test.

But appellate courts have split over what “narrowest” grounds mean in the post-*Rapanos* context. The 1st Circuit -- and now the 6th Circuit -- have backed the government’s approach, while the 7th, 9th, and 11th circuits have opted in favor of a Kennedy-only approach.

ACTIVISTS SCRAMBLE TO KEEP SUIT ON EPA SHIP PERMIT IN PREFERRED COURT (*Inside EPA*)

2/20/2009

Environmentalists are scrambling to keep open the option that their lawsuit targeting EPA’s controversial ship discharge permit will be heard in the U.S. Court of Appeals for the 9th Circuit, their preferred venue, after EPA and the shipping industry moved separately to keep their suit out of the judicial lottery that will decide the venue.

In a bid to preserve their option, Northwest Environmental Advocates (NWEA) -- the group that successfully sued to force EPA to develop the permit -- Feb. 13 filed a new suit in the 9th Circuit challenging EPA’s permit based on Feb. 12 revisions the agency made to the permit to reflect the state-specific requirements for Alaska and Hawaii, which were not finalized when the permit was initially issued late last year. *Relevant documents are available on InsideEPA.com.*

Environmentalists and industry sources say that should they lose their effort to preserve their option, it will not keep them from participating in the final litigation but it will prevent the suit from being considered in their preferred venue. In addition, if the group is not able to keep the suit in the 9th Circuit, another environmental group -- the Natural Resources Defense Council (NRDC) -- has filed a separate suit in the 2nd Circuit which is also seen as favorable.

In instances where multiple suits are filed in different venues challenging the same rule, the U.S. Panel on Multidistrict Litigation determines by a lottery which circuit will review the challenges, with other suits being consolidated into the selected circuit. Litigants say the process can often help their efforts if a court with favorable precedents is selected. For example, industry officials were recently buoyed when the panel selected the 5th Circuit to review their challenge to EPA’s rule governing discharges from animal feeding operations because they view it as a favorable venue (*Inside EPA*, Jan. 23).

EPA had been under an order by the U.S. District Court for the Northern District of California to issue by Dec. 19 a permit to regulate commercial vessels’ discharges. The ruling was upheld last year by the 9th Circuit in *Northwest Environmental Advocates v. EPA et al*, which found that EPA’s long-standing CWA exemption for ships’ discharges was unlawful, opening shippers to CWA liability in the event they release unpermitted discharges.

To comply with the court’s order, EPA Dec. 18 issued the long-awaited final permit. The permit -- which governs ballast water discharges from commercial ships over 79 feet in length and also greywater, bilge water, and deck runoff discharges, among others -- also includes a lengthy list of

conditions states have attached to the permit as part of their water quality certifications. Hours before EPA issued the permit, the agency also won a 45-day stay from the court on the threshold liability issue.

Since its issuance, the permit has drawn multiple challenges, including the one by NWEA in the 9th Circuit, another by NRDC in the 2nd Circuit and another by the Lake Carriers' Association (LCA) in the D.C. Circuit.

But both EPA and LCA are seeking to block the panel from considering the NWEA's petition to the 9th Circuit in the judicial lottery.

The Department of Justice, on behalf of EPA, Feb. 11 filed a motion arguing that the multidistrict panel should not consider the NWEA suit filed in the 9th Circuit for the lottery because the agency was not notified of the group's suit in the correct manner. The agency said it should have been notified by certified mail, or in person, not by Federal Express.

NWEA "did not serve EPA by 'certified mail' or 'personal delivery' within the applicable ten-day period" because the notice was sent via Federal Express, "which is not in conformity with EPA's clear regulation," DOJ's motion says.

The motion argues only the U.S. Postal Service's "certified mail" is eligible for serving notice because "[o]nly the Postal Service offers 'certified mail,' a form of delivery that is expressly mandated in at least one of the Federal Rules," adding, "many courts have concluded that service using Federal Express does not comply with requirements that documents be served by mail."

The motion also argues NWEA served notice to the EPA Administrator, not the Office of General Counsel, again contrary to the plain requirements of the applicable regulations."

In a Feb. 16 response, NWEA rejected DOJ's argument, charging that the the Federal Express shipping method included a "return receipt," which the group received as an electronically preserved signature dated Jan. 13, satisfying the intent of the relevant rule. That rule's preamble, the group notes, says the rule was promulgated to allow EPA to "ascertain the day on which the petition was received at the agency and thus determine whether it falls within the ten-day period."

NWEA also argues the regulation in question does not specify the U.S. Postal Service must be used. However, Federal Express does not advertise any service on its web site as "certified mail," instead referring to a return receipt as a range of options including "Direct Signature Required."

But "documents sent via U.S. Mail are often delayed" because of post-9/11 security restrictions, NWEA argues. Such delays force a "more distant challenger" to rely on the other option -- personal delivery -- "at substantial financial cost."

"EPA's interpretation of its extra-statutory requirement thereby imposes an unjustified burden on ordinary citizen challengers and grassroots organizations and places them at a disadvantage vis-a-vis well-resourced trade associations and other 'inside the beltway' entities," NWEA's motion argues.

The industry lawyer agrees the post-9/11 security requirements make it very difficult to get certified mail through to government offices in the ten day window.

An environmentalist familiar with the case says EPA's motion shows the agency is "still playing hardball" on the case despite the fact that President Obama has taken office. And even the industry

lawyer says the government's objection is "pretty technical" and says serving notice via Federal Express is not unusual.

Meanwhile, LCA, the industry group, also filed a Feb. 13 motion to the panel arguing that both the NWEA and NRDC suits were untimely filed for the lottery because EPA's permit was "issued" upon announcement, rather than when it was published in the *Federal Register* Dec. 29.

LCA is arguing that because the permit was made effective when it was released, the ten-day window for suing EPA ended Jan. 5 -- before either environmentalist suit was filed. "The challenged permit was 'issued' for purposes of judicial review and 28 U.S.C. § 2112 on December 18, 2008. While EPA's notice to the Panel claims, citing 40 C.F.R. § 23 .2 that the challenged NPDES permit was not issued until January 12, 2009, it utterly fails to address, let alone rebut, the undisputed fact that the permit on its face states that it was signed and 'issued' on December 18, 2008, and the agency expressly stated the permit was effective the next day," LCA's motion states.

The motion cites the permit's *Federal Register* notice -- which says, "This permit is effective December 19, 2008" -- but also an EPA power point slide that says, "December 18, 2008 -- final [Vessel General Permit] issued."

However, DOJ says in its notice to the multidistrict panel that EPA did not provide for a deviation from its usual practice that permits are eligible for suit two weeks after their publication in the *Federal Register*. "The Agency did not provide otherwise here; therefore, the Permit was deemed issued on Jan. 12, 2009, two weeks after its Dec. 29, 2008 *Federal Register* publication," the DOJ notice says.

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ADMINISTRATOR JACKSON

JACKSON SEEKING RAMPED UP ChAMP PROGRAM, SIGNALING TSCA REFORM MODEL (*Inside EPA*)

4/10/2009

EPA Administrator Lisa Jackson is urging agency staff to ramp up the Bush administration's controversial chemical screening program, the Chemical Assessment and Management Program (ChAMP), in a move that could strengthen industry and staff arguments that the program should be part of any legislative reform of the Toxic Substances Control Act (TSCA).

Jim Jones, EPA's acting toxics and pesticides chief, told the GlobalChem chemical industry conference in Baltimore, MD, April 7 that at the office's first meeting with Jackson, she urged them to focus on both increasing the pace of the chemical assessments and increasing risk management options stemming from the screenings.

Jackson said that "ChAMP is fine, but I want to see more, more quickly," Jones said. "She's asked us to look at how we can be more active with risk management" following the ChAMP screenings. "So we're looking at that."

He said that pesticides and toxics staff is now discussing how to expand development of risk management options stemming from the ChAMP screenings, and that Jackson has asked them to provide her with suggestions at the end of April.

Since taking office, Jackson has hinted that she favors the current chemical management system as a basis for reforming the program. For example, she told reporters recently that that agency's existing program for collecting safety information on new chemicals could provide a model for reforming the program, a suggestion that fell short of environmentalists' calls for her to endorse a pending bill that would significantly strengthen U.S. chemical management law.

The Bush administration created ChAMP, a program intended to expand chemical screening and improve chemical management. The program includes an expanded screening program for high- and medium-production volume inorganic chemicals, removing obsolete chemicals from the inventory of chemicals in commerce and completion of risk or hazard characterizations for 6,750 chemicals. President George W. Bush committed the United States to complete the characterizations by 2012 as part of a 2007 agreement with Mexican and Canadian officials.

Chemical industry officials strongly favor the approach, arguing it will quickly produce results, as long as Congress provides adequate funds. But many environmentalists and public health officials say it does not go far enough and are urging Congress to pass legislation to strengthen TSCA along the lines of the European Union's Registration, Evaluation, Authorization and Restriction of Chemicals (REACH) laws.

Like REACH, the legislation set to be introduced by Sen. Frank Lautenberg (D-NJ), known as the Kid Safe Chemicals Act, puts the onus on industry to show products are safe before they can be registered, a change from TSCA which currently puts the onus on EPA to show chemicals are harmful.

But Jones said that he sees the ChAMP program as a model for the new chemical management framework that could emerge from TSCA reform efforts. "Any approach I've heard seriously talked about is mandating existing chemicals' risk assessment and risk management. I see [ChAMP] as being part of the framework and becoming mandatory," Jones said, adding that whatever new regulatory system is created has "got to assess, manage and be comprehensive" and ChAMP performs those functions.

However, he said he expects Jackson to wait for the new pesticides and toxics chief to take office before publicly rolling out any changes to ChAMP. Jones said he anticipates a six- to eight-week process before Stephen Owens, President Obama's pick to head the pesticides and toxics office, can be officially nominated and confirmed.

Jones said the administration has yet to take a position on TSCA reform as some environmentalists have sought -- something he again expects to wait until Owens' arrival -- but he says the administrator is "very interested" in the issue and has discussed the issue "with her small political team several times." He said Jackson's team includes Robert Sussman, Jackson's senior counsel, who Jones noted has "done TSCA work" for industry while serving in private practice, as well as Arvin Ganesan, a former legislative aide to Lautenberg now serving in EPA's congressional affairs office.

Jones pointed to two examples -- formaldehyde and mercury -- where EPA has risk management options underway for chemicals flagged through the ChAMP screening process. He said that EPA will be "articulating a path forward" on formaldehyde in the fall, and added that the agency will also be "moving forward with a regulatory approach" on mercury.

Jones told *Inside EPA* that the agency will use its existing TSCA authorities to regulate substances deemed of concern through the ChAMP screening process, including test rules and section 6 enforcement actions, which allow EPA to require industry to turn over toxics data. -- *Maria Hegstad*

AIR

Richmond may be placed back on list of smoggy regions (*Richmond Times Dispatch*)

By [REX SPRINGSTON](#)

Published: April 9, 2009

Virginia

The Richmond area appears to be headed back onto the nation's list of smoggy regions.

Levels of ozone, the main pollutant in smog, over the past three summers did not meet tough new federal limits, a state Department of Environmental Quality spokesman said today.

That means the federal Environmental Protection Agency could put the region on its dirty-air list when the next list comes out in March 2010.

Regions on the dirty-air list have to take actions to clean their air. New and expanding industries in the high-smog regions face tougher pollution controls than those outside the region.

DEQ spokesman Bill Hayden said state and local officials will determine over the next few years how to make the air cleaner.

Options include requiring emissions tests for cars, which have been required for years in smoggy Northern Virginia. State and local officials have long tried to avoid the inspections in this area.

The Richmond area has been on the dirty-air list twice since the mid-1990s but managed to clean its air and get off the list each time.

The area, as defined by the federal government, encompasses the cities of Richmond, Hopewell, Petersburg and Colonial Heights and the counties of Henrico, Hanover, Chesterfield, Charles City and Prince George. Composition of the area has changed slightly over the years.

Clearing the air (*Fairfax County Times*)

[Fairfax County](#)

Source: Fairfax County Times

THURSDAY, APRIL 9 2009

The proposed elimination of the Fairfax County's air pollution control program "impacts every resident of the county," according to its listed impact in county budget documents. In essence, we all breathe the air.

A staff of four is responsible for keeping tabs on air quality here through a set of monitoring stations that check levels of a variety of pollutants. Fairfax's monitors remain a key part of a regional network that reports data to the Environmental Protection Agency.

The \$231,300 program is slated for elimination in County Executive Anthony Griffin's proposed budget.

Air quality and pollution controls are tracked on the regional level, explains Barbara Hardy, air quality program manager for the Fairfax County Health Department. If any monitor in the Washington metropolitan region detects high pollutant levels, that can put the region out of compliance with the EPA.

Through the Metropolitan Washington Council of Governments, Virginia, Maryland and Washington, D.C. develop and adhere to a regional plan for improving air quality.

"[The EPA] could hold up highway funding, for example, if we're not doing what we said we would do," Hardy said, adding that that would never happen because the jurisdictions comply with their plan.

Fairfax only does monitoring and education. Any enforcement operations are left to the state and federal government.

The county organizes its own educational efforts and also supports the work of a group called Clean Air Partners, which conducts regional outreach and public service announcements to educate people about what individuals can do to improve air quality.

"The biggest thing in this region is to try and get people out of their cars," Hardy said.

The county air pollution control staff have been focusing particularly on educating children about how they can help, in hopes that they will then talk to their parents.

Air quality monitoring and education efforts won't go away if the Board of Supervisors decides to eliminate the program, but what is left won't be as good, according to Tom Crow, the county's director of environmental health.

"We in Fairfax County monitor for a lot of pollutants that others don't," he said.

For example, the county monitors air quality around the county's waste-to-energy incinerator in Lorton and checks for particulate matter in the air near stone quarries. The county also monitors levels of some heavy metals that are not required by the EPA, he said.

The EPA and the region also rely heavily on county data. One monitoring station, in Lee District Park, is state run and would not be affected by the county cuts, but could still be affected by state budget reductions, Crow said.

"The regional model would still be in place," he said. "But if our program went away, the Council of Governments would have to redo all the models."

EPA awards \$1.73 million to N.J. DEP to reduce emissions (*Waste News*)

April 9 -- The EPA has awarded \$1.73 million to the New Jersey Department of Environmental Protection to support projects and loan programs to reduce emissions from diesel engines.

The money is being awarded under the American Reinvestment and Recovery Act of 2009 -- also known as the stimulus act. The funds will go to the state's Clean Construction Program to retrofit construction vehicles that are privately or publicly owned and used on projects conducted or funded under various state programs.

Neighboring New York is receiving an identical amount of money to pay for retrofitting vehicles that are owned by four eligible regional transportation authorities.

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

Under ARRA's State clean diesel funding program, \$88.2 million is divided equally through a noncompetitive allocation process, meaning that all 50 states and the District of Columbia will receive \$1.73 million.

States, local governments, non-profits and tribal agencies can also compete for a portion of \$206 million under ARRA's National clean diesel funding program.

Information on the EPA's implementation of the American Recovery and Reinvestment Act of 2009 is available at www.epa.gov/recovery.

Contact Waste & Recycling News senior reporter Bruce Geiselman at 330-865-6172 or bgeiselman@crain.com

EPA FACES DOUBTS ON ASBESTOS OVERSIGHT AS STATES RETURN PROGRAMS (*Inside EPA*)

4/10/2009

EPA staff and other sources are raising questions over whether the agency has the funding, tools and staff to adequately oversee asbestos control efforts at demolition and renovation sites as a small but growing number of states return their delegated asbestos enforcement programs to EPA due to budget woes.

The sources say the agency has no consistent oversight or tracking system in place to monitor compliance with its asbestos standard in states despite decades-old calls from the Government Accountability Office (GAO) and others for EPA to improve its enforcement of the program.

In addition, EPA had not planned to set aside additional funding for enforcing the program, which sources say could exacerbate existing concerns about EPA's oversight and raise questions over whether EPA will be able to adequately enforce the asbestos requirements in certain regions if states return their delegated asbestos enforcement programs.

"We pretty much have every state operating in a vacuum" on enforcing asbestos requirements, one EPA source says.

But states, which are delegated authority to enforce EPA's asbestos national emissions standard for hazardous air pollutant (NESHAP), have already begun transferring their asbestos programs back to EPA as state budget cuts eliminate funding for the program.

For example, Michigan is weighing a plan to eliminate inspections and enforcement of EPA's asbestos NESHAP, while sources say changes to Indiana's environment department may hinder enforcement of the standard. Meanwhile, Georgia recently returned its delegated asbestos NESHAP inspection and enforcement program to EPA Region IV because of budget constraints.

EPA's asbestos NESHAP outlines requirements for minimizing exposure to the mineral fiber during renovation or demolition. "It is essential for these regulations to be enforced in every state," according to a March 30 EPA press release announcing the return of Georgia's delegated asbestos enforcement program to the agency.

Region IV says that by mutual agreement with the state, Georgia will continue to process notification for asbestos renovation and demolitions, issue asbestos contractor licenses, and approve asbestos supervisor training courses. EPA will conduct inspections and enforcement of asbestos abatement renovation, disposal and demolition projects for commercial, public, industrial and certain multi-family residential structures. The Clean Air Act allows for fines of up to \$37,500 per day for each violation of the standard.

An agency spokesman says EPA is "always concerned when a state is unable to continue with any environmental program." The potential public health problems caused by asbestos are "well known" and EPA intends to monitor the situation "and provide our assistance in the interim," the spokesman says.

In addition, the EPA source acknowledges the difficulty states are facing. "Given budget problems it's becoming harder for states to administer programs like the delegated NESHAP program," the source says. "It's a big deal because EPA has been unable to identify any safe level of exposure to asbestos, so monitoring asbestos abatement is critical" to protect human health, the source says.

But the EPA source warns that the agency “has not planned for taking these [delegated] programs back and they can be resource intensive.” While President Obama has proposed funding EPA at \$10.5 billion in FY10 -- a boost of roughly \$3 billion over current funding levels -- it is unclear what the budget will be for EPA enforcement, and the source says that figure does not factor in the return of delegated asbestos programs.

“It’s a resource issue. Both states and EPA are pinched,” one activist says. The Obama EPA is focusing on power plant and other major enforcement cases and “it makes sense for states to do the door-to-door NESHAP enforcement,” but that situation could be hindered amid shrinking budgets, the source adds.

While Obama’s budget offers a significant boost in funding for EPA, inadequate allocation of funding for enforcement could make it difficult to acquire the tools and staff necessary to answer criticisms of EPA’s oversight of the program.

“I think you will find that EPA is no longer conducting some of the promised oversight and national support activities it had promised to do” in response to GAO and EPA Inspector General reports from the 1990s and earlier that said EPA must take steps to improve compliance with its asbestos regulations, the EPA source says.

For example, the agency source cites the termination of EPA’s National Asbestos Registry System (NARS) that tracked states’ data on contractors cited for NESHAP violations. In this system, EPA encouraged state and local agencies to use an Asbestos Contractor Tracking System (ACTS) to submit quarterly data on violations that EPA then compiled in its NARS so there would be a searchable national database of contractors. However, the agency ended funding support for ACTS, and EPA’s Web site says the registry is no longer available.

“That means that owners and operators who want to hire an asbestos abatement company cannot check out its compliance history very easily,” the source says. “EPA does have more modern databases but I do not believe they track all the asbestos contractors the way NARS did years ago.”

GAO and others have long raised concerns over EPA’s ability to ensure compliance with the asbestos NESHAP. For example, in a February 1992 report GAO found “substantial inaccuracies” with NARS, and found EPA may lack the information it needs to assess performance and develop appropriate compliance-monitoring strategies. *The report is available on InsideEPA.com.*

The GAO report also found other concerns about EPA’s enforcement of the asbestos NESHAP that echoes concerns sources are raising over whether the agency in the present day has the staff, funding or other resources to take over state asbestos NESHAP enforcement programs.

The GAO report said EPA did not always take the appropriate steps with enforcement, for example not imposing penalties high enough to deprive contractors who violated the NESHAP of the economic benefit of not complying with the regulations. However, the report did note that at the time EPA was revising its enforcement policy and delegated agencies were taking steps to strengthen their enforcement.

But the report also noted that EPA and the delegated agencies attributed difficulties in implementing the asbestos program to a lack of resources because the program must compete for funding with numerous requirements in the Clean Air Act and other environmental laws -- a concern raised over the recent developments.

The EPA source says demolition and renovation projects are often short-term and require inspectors who can get to sites quickly. But agency regions typically have just one major office overseeing several states, and federal inspectors would have to travel from that office to potentially remote locations in every state in the agency region to inspect NESHAP compliance -- a major resource-intensive task.

The source says that EPA is unprepared for such an effort both in terms of funding and staffing levels. Most states have delegated authority over the asbestos NESHAP enforcement so EPA has not retained many front-line staff trained to inspect and enforce the standard, the source adds.

“The concern is that states could see [returning the enforcement of the NESHAP] as a way to save money,” but EPA is unprepared for such a move, the source says, adding, “Due to the big workload and nature of this program we would much rather have the states doing this work.”

One informed source says returning the programs to EPA “could definitely effect the level of enforcement.” The agency “would need to increase their staff or increase their staff’s coverage area if they took over this responsibility from the local authority. It could be done, but it would require some infusion of new personnel,” the source says, but it is unclear whether EPA will hire new staff due to uncertainty about the president’s plans for funding EPA’s enforcement program. -- *Anthony Lacey*

CALIFORNIA EXPECTED TO CUT CAFE DEAL TO WIN NATIONAL GHG AUTO RULES (*Inside EPA*)

4/10/2009

California officials are expected to accept an alternative compliance option under the federal corporate average fuel economy (CAFE) standard for automakers to meet the state’s landmark greenhouse gas (GHG) rules for vehicles, according to EPA officials and environmentalists.

The move would resolve the long-running fight over the state’s request for EPA to grant a Clean Air Act waiver for the GHG standards while retaining industry’s preferred compliance mechanism under CAFE.

Several sources say EPA is likely to follow historical precedent and federalize the state rules, as part of the agency’s reconsideration of the Bush administration’s denial of the state’s waiver request, which blocked the state from implementing its GHG standards that more than a dozen other states have already adopted.

But the administration appears to be acting in line with automakers’ calls for a single national standard by coordinating overlapping EPA and Department of Transportation (DOT) regulatory processes, both of which are responses to legal pressure for stringent vehicle standards that reduce GHG emissions. The moves also appear set to be issued imminently, as EPA faces deadlines to propose new rules to meet its legal mandates.

A major issue, however, is whether California will agree to modify its rules to create a pathway for automakers to meet its standard through a federally applied attribute-based system for calculating the fuel efficiency requirements or by an EPA-backed emissions standard. California's GHG rules currently use the class-based, fleet-wide average calculation, but federal rules would likely use the attribute-based calculation to avoid the patchwork of standards that industry opposes.

Sources closely following the issue now say the state may be willing to accept such a compromise, which automakers are calling for and that would allow EPA to nationalize the state rules.

California officials would not confirm the move, but indicated a willingness to consider it as long as it resulted in emissions reductions at least as strict as their standard. "Assuming [the federal standard] achieves the same level of stringency or greater, we are happy to let EPA lead as long as we retain our legal right under the Clean Air Act to go further in the future. Until we see the details, we cannot comment on whether it meets this test," a spokesman for the California Air Resources Board (CARB) said in a statement.

But a key EPA official is indicating that DOT is furiously working to issue vehicle efficiency standards at a level that meets the California rules. DOT is working hard on a rule that would create "a single fleet of automobiles to meet all relevant requirements," Lisa Heinzerling, EPA's chief climate counsel, told an April 2 meeting of the American Law Institute-American Bar Association (ALI-ABA) in Washington, DC.

Another EPA official, Robert Sussman, senior counselor to the EPA administrator, confirmed in a recent interview that EPA is working closely with DOT and the National Highway Traffic Safety Administration on the upcoming CAFE rulemaking, and said EPA's new GHG risk assessment is informing the analysis.

And environmentalists say they expect California to go along with the proposal. David Doniger of the Natural Resources Defense Council (NRDC) told the ALI-ABA meeting April 2 that he expects the agencies to coordinate their efforts to produce a final CAFE rule -- for model years 2012 through 2015 -- by March 31, 2010.

Doniger said DOT's CAFE rule could be set at the level of the California rules' requirements, but include the attribute-based compliance calculation that was included in the 2007 energy law's vehicle efficiency mandates. The attribute-based calculation is set according to a vehicle's footprint and size and is strongly favored by automakers as fairer to domestic manufacturers, as compared with the fleet-wide average concept the CAFE rules traditionally employed. Environmentalists say they would support the attribute-based calculation, as long as the standard is equivalent to California's.

EPA is reconsidering the California GHG waiver at the same time it is crafting a key assessment of the risks GHGs pose to human health and welfare under Clean Air Act section 202, which regulates vehicle emissions. If the agency finds that GHGs do pose a threat, it is then required to promulgate rules to reduce the emissions. The Supreme Court mandated the so-called endangerment finding in its April 2007 landmark decision in *Massachusetts v. EPA* and the agency is hoping to issue a proposed endangerment finding later this month.

A leaked copy of the draft GHG risk assessment makes a positive finding that GHGs endanger human health and welfare, which would justify stringent standards.

Meanwhile, DOT is crafting CAFE standards for model years 2012 through 2015, following a 2007 ruling in a federal appellate court that vacated the Bush administration standards for those years

because they did not take into account GHG reductions as part of the cost-benefit analysis for the rule.

DOT will need to soon issue its proposed rules for notice and comment for at least model-year 2012, because the statute requires that the model year rules be issued one-and-a-half years before they go into effect.

Another environmentalist says implementing the California standards in a coordinated way via CAFE can ensure automakers are not required to meet multiple standards. EPA and other federal officials are “looking at the possibility for how you solve that patchwork problem for model-year 2012-2016 If EPA developed standards, which are bootstrapped up to the California equivalency level, California could develop an alternative compliance pathway to allow automakers to comply with the federal [standards], instead of the so-called patchwork of 14-plus state [rules],” said Roland Hwang, NRDC vehicles policy director, at an advanced diesel engine industry-hosted forum in Sacramento, CA, April 2.

This plan “makes a lot of sense” because it advances a stringent standard but provides “planning certainty” for automakers, Hwang said, adding that he believes California officials are “satisfied for the most part” with this potential plan. -- *Jenny Johnson and Curt Barry*

ACTIVISTS URGE EPA TO GRANT DECADE-OLD REQUEST TO LIST H₂S AS AIR TOXIC (*Inside EPA*)

4/10/2009

More than 20 environmental groups are urging EPA Administrator Lisa Jackson to follow through on a decade-old petition asking the agency to list hydrogen sulfide (H₂S) as a hazardous air pollutant (HAP), which the groups say should prompt new emissions control and toxics reporting requirements for the chemical.

Sierra Club and a host of other organizations sent a March 30 letter to Jackson saying it is “past time” for EPA to take action to formally acknowledge hydrogen sulfide’s serious acute and chronic toxicity.” The letter urges Jackson to list H₂S as a HAP under Clean Air Act section 112(b), which would spur rules to limit daily exposures, and to require annual reporting of H₂S under EPA’s Toxic Release Inventory (TRI). *The letter is available on InsideEPA.com.*

But the move will likely spur strong opposition from several industry groups that could face new emission requirements under a HAP listing for the chemical. Several sectors that emit H₂S -- including chemical manufacturers and oil and gas production -- have previously expressed opposition to a listing. For example, the oil industry early last year said it was developing studies that would undermine calls for listing because they would show no correlation between exposure to H₂S and harmful neurological health effects.

The activists’ new letter could revive a January 1999 petition for listing submitted to then-EPA Administrator Carol Browner by 145 public health, environmental and community groups. The

petition asked Browner to list H₂S as a HAP based on scientific studies suggesting chronic, low-level exposure cause permanent damage to the brain and central nervous system. Browner is now Obama's top White House climate advisor.

"As EPA Administrator, you have [Clean Air Act] authority to do the right thing based on a compelling body of H₂S medical evidence and air quality data indicating a need for better regulation," according to the coalition, which also includes Earthjustice, the Environmental Integrity Project and several other groups.

Describing H₂S as "one of the worst regulated air toxics," the groups say that the chemical is currently regulated under the accidental release provisions of section 112(r) of the air act. A HAP listing under section 112(b) could "bridge the gap" of a lack of regulation to address daily exposures to the chemical at sublethal concentrations, in addition to preventing accidental releases, according to the letter.

In addition, the group says that requiring the reporting of H₂S to TRI would help EPA compile more accurate data on the chemical. H₂S is not reported to the inventory due to a 1994 administrative stay "evidential under a legal threat by the American Petroleum Institute," the letter says.

Mike Petruska, director of EPA's TRI program, told attendees March 31 at a TRI training conference in Bethesda, MD, that H₂S is one chemical EPA may consider adding to the list of chemical releases that companies must report annually to TRI, but said that no decisions have been made. "Adding a chemical is not something we take lightly," he said.

Besides oil production, the environmentalists' letter says that at least 73 different industries -- including pulp and paper mills, confined animal feeding operations, Portland cement kilns, geothermal power plants, municipal waste landfills, and fertilizer production -- emit H₂S in "varying rates and volumes."

EPA has initiated an informal review of H₂S due to the agency's health concerns and the 1999 request for regulation, and the agency's Office of Air Quality Planning & Standards performed in 2007 a new Integrated Risk Information System assessment, according to the letter, which describes H₂S as likely the most common air toxic pollutant found in both urban and rural communities.

The letter says that 34 states have adopted ambient air quality standards for H₂S as low as 10 parts per billion and that California's emission management program, in particular, can serve as a model for a national air monitoring network, industry-specific rules and modeling requirements. -- *Molly Davis*

OBAMA EPA TO RECONSIDER DEFENSE OF KEY BUSH AIR TOXICS RISK POLICY (*Inside EPA*)

4/10/2009

The Obama EPA is asking a federal court to hold in abeyance a pending suit over a Bush EPA air toxics rule that could be a key test for whether the agency can use risk assessments in its review of

technology-based emission standards, a move that activists see as a signal the new administration may revise and strengthen the rule.

EPA April 3 filed an unopposed motion with the U.S. Court of Appeals for the District of Columbia Circuit in *Sierra Club, et al. v. EPA* asking for a voluntary remand of the administrative record in the suit brought by activists and industry over EPA's air toxics standards for small dry cleaners. EPA also wants pending May 14 oral arguments in the case put on hold while it "reconsiders the rule under review, in light of the change of administration." *The motion is available on InsideEPA.com.*

EPA in its motion says that the slated May 14 oral arguments would require the agency to decide whether to defend the final rule based on the arguments presented in the Bush administration's December 2008 merits briefs. However, EPA currently has vacancies in certain key personnel positions -- including its air and enforcement offices -- that make it "difficult" for the new administration to determine by the date of the scheduled oral arguments whether to defend the Bush EPA rule, the motion says.

Remand of the administrative record would give the agency the opportunity to reconsider the rule, and the lawsuit may even become moot if EPA promulgates a new or revised rule following such reconsideration, the motion says.

At issue is the agency's July 2006 emission standard to reduce perchloroethylene (perc) emissions from small dry cleaners that are co-located in residential and commercial buildings.

EPA conducted a risk assessment and used the results as a basis for setting separate standards for dry cleaners in residential and commercial buildings, with a phase-out of perc in dry cleaners co-located in residential buildings by 2020. For small dry cleaners in their own buildings or housed with other commercial tenants, EPA determined the level of risk was not high enough to bar the use of perc, but the rule instead requires enhanced monthly leak detection tests and other technological enhancements.

Sierra Club and other environmentalists are suing over the rule want EPA to completely phase-out perc from all the sources. Industry is also suing over the rule, saying EPA does not have the statutory authority to ban a substance, but only reduce it. The suit will be a key test for the Obama EPA's approach to air toxics regulations and represents a test for whether the agency has the statutory authority to use risk assessments in its review of technology-based standards for small facilities known as area sources.

The Obama EPA defended the Bush administration's rule in a March 2 brief, though one activist said at the time it is likely that the brief merely reflects the lack of a political head of the agency's air and other offices. The April 3 motion for voluntary remand of the administrative record emphasizes the need to review the regulation in light of the change in administration and possible changes the Obama EPA may make to the rule.

EPA did not respond to requests for comment by press time.

PORK INDUSTRY FIGHTS EPA TO HEAR EPCRA REPORTING SUIT IN TRIAL COURT (*Inside EPA*)

4/10/2009

Pork producers are fighting EPA efforts to have a federal appellate court review the agency's right-to-know reporting rule for animal feedlot emissions in an effort to have the suit heard in a federal district court in Wisconsin where industry hopes for a speedier resolution to the case.

The Wisconsin district is one of two "rocket dockets" in the country that can complete cases in seven to eight months, compared to other districts that can take more than two years to complete a case, one source familiar with the issue says. Industry wants a speedy resolution because there is no accepted method for quantifying emissions and farmers are uncertain whether they could be subject to penalties under EPA's rule, the source says.

The agency's Dec. 18 rule exempts all concentrated animal feeding operations (CAFOs) from reporting air emissions from animal manure under the Comprehensive Emergency Response, Compensation & Liability Act (CERCLA), also known as Superfund, and exempts all but the largest CAFOs from reporting their emissions under the Emergency Planning & Community Right to Know Act (EPCRA).

Environmentalists and industry groups, including the National Pork Producers Council (NPPC), challenged both the EPCRA and CERCLA portions of the rule in the U.S. Court of Appeals for the District of Columbia. However, NPPC later filed suit against the rule in the United States District Court for the Western District of Wisconsin and Feb. 19 withdrew its challenge in the D.C. Circuit, in its bid for a quick resolution to the case.

On March 23 NPPC filed a motion in the D.C. Circuit requesting the court stay the briefing schedule for the case until the jurisdiction issue is resolved.

NPPC argues that the EPCRA and CERCLA portions of the case should be split to allow the EPCRA portion of the case to be heard in the Wisconsin trial court. CERCLA explicitly requires rule challenges to be heard in appellate court, but EPCRA is silent on the issue, so rule challenges fall under the Administrative Procedures Act, which requires cases to be heard in district courts, NPPC says. *Relevant documents are available on InsideEPA.com.*

EPA, however, is urging the court to keep the case in the appellate court, where industry and activists have both challenged the rule. EPA is arguing that Superfund law, which is also an underlying statute for the rule, requires that the case be heard in the appellate court.

However, industry argues the D.C. Circuit does not have jurisdiction over the EPCRA claim just because there are also challenges to the Superfund portion of the rule. "Agencies cannot create appellate jurisdiction by publishing two separate rules in the same Federal Register notice," the brief says.

The source familiar with the issue says the district court may not necessarily be more favorable to farmers than the D.C. Circuit because the D.C. Circuit is more familiar with air rules and has ruled in favor of the agriculture industry in several cases in the past. However, the source notes the district

court is located in the 7th Circuit, which the source says is more familiar with agricultural issues than the D.C. Circuit.

The industry is seeking to overturn the EPCRA reporting requirements, arguing that right-to-know law has an exemption for farms that use substances only for "routine agricultural operations."

BACKERS OF HIGHER ETHANOL BLENDS FIGHT CLAIMS OF OZONE INCREASES (*Inside EPA*)

4/10/2009

Supporters of a petition for EPA to boost the level of ethanol allowed in gasoline beyond 10 percent (E10) are rejecting claims that higher blends will spur spikes in ozone levels.

In an April 6 interview with *Inside EPA*, three experts involved in Growth Energy's petition to immediately lift the E10 cap to allow E12 and E13 -- while studying the merits of lifting the cap to allow E15 -- also said there is no evidence to justify engine manufacturers' and other critics' claims that higher blends could damage engines and create liability concerns for the manufacturers under vehicle and equipment warranties.

Independent automotive consultant Doug Mancini said that data on 11 vehicles from model years 2003 and 2007 showed that when E15 and E20 were tested in the vehicles, exhaust emissions of pollutants that contribute to ozone formation were at or below applicable exhaust emissions standards.

"These test results show ground level ozone will be unaffected due to all vehicles performing within their allowable exhaust emission standards," according to the findings, which are based on an October 2008 peer-reviewed study prepared by Oak Ridge National Laboratory for the Department of Energy (DOE). "I firmly believe this action of going to E15 will not cause a ground-level ozone increase," Mancini said.

Jim Mennell, managing partner of the Environmental Law Group that assisted Growth Energy in its petition to EPA, said that the agency can waive its prohibition on higher blends as long as the applicant has shown that the fuel or fuel additive won't cause a failure of an emission control device or a violation of an emission standard. A "slight increase" in emissions "is not relevant to this determination -- failure is the only factor," Mennell said, but stressed that studies show higher blends will not boost emissions.

"If a fuel or fuel additive caused degradation, that is relevant, but EPA's statutory charge is simply to look at the emissions impact of a fuel or a fuel additive." Mennell also cited an October 2008 Rochester Institute of Technology study that he said found nitrogen oxide (NOx), carbon and hydrocarbon emissions decreased with the use of E20 in 10 legacy vehicles after 75,000 collective miles were driven.

The comments aim to rebut claims by environmentalists and some state officials that higher blends of ethanol will boost emissions of some smog-forming air pollutants despite modest reductions in greenhouse gases. For example, EPA in an April 10, 2007, regulatory impact analysis (RIA) for its renewable fuel standard required by the 2005 energy law found that the rule could increase volatile organic compounds between four and five percent, and NO_x emissions could increase between six and seven percent (*Inside EPA*, April 19, 2007).

In addition, the American Lung Association's (ALA) Blake Early in April 1 testimony to the Senate Environment & Public Works Committee (EPW) said the Oak Ridge/DOE study is the only scientifically-based study to date on tailpipe emissions from cars operating on E15 or E20, and that it has a number of flaws and more study is needed.

The DOE study "understates the problem," Early said, adding that it fails to report that nine of 16 vehicles using E20 had increased NO_x emissions, six with increases reaching 25 percent or higher. Six vehicles had increased NO_x emissions using E15, four of them of 25 percent or more. DOE finds these increases "statistically insignificant" given emission decreases in other vehicles, but Early said the emission increases are significant.

However, all three Growth Energy officials in the interview said there is a wealth of data that supports granting the waiver to allow the use of E15. The data in the group's petition "should allow EPA and others to see that E15 is a safe and viable fuel," said Dr. Mark Stowers, vice president of research and development at POET, an ethanol production company.

In response to EPA's RIA, a Growth Energy spokeswoman says that EPA's own national air quality status and trends report through 2007 shows ozone concentrations were five percent lower in 2007 than in 2001, largely due to NO_x reductions. "It seems that while EPA's modeling has predicted increases in the past, empirical evidence shows to the contrary," the spokeswoman says. Also, the most recent ALA "State of the Air" report found most cities made progress decreasing ozone levels from 2004-2006, compared to 2001-2003, the spokeswoman added.

As EPA reviews the Growth Energy petition, one issue the agency will take comment on is whether the agency should partially or conditionally grant the waiver, a move that would allow blends up to E15 to be used in some vehicles, according to written testimony at the April 1 EPW hearing by Margo Oge, of EPA's transportation office.

But Mennell said, "There is no evidence to support the need for a partial waiver. All the evidence we have supports the use of higher blends . . . [they] shouldn't have any negative impacts on emissions."

The officials also took issue with criticisms that the infrastructure does not exist for pumps above E10 nationwide. Some critics have also claimed that ethanol producers will focus on producing higher blends without continued production of E10 (*Inside EPA*, March 13).

But Stowers said, "The science supports using E15 blends and pumps," and noted that Underwriters Laboratories -- an independent product safety testing and certification group -- announced in February it supports authorities that have jurisdiction to permit existing pumps to use blends up to E15. -- *Kate Winston & Anthony Lacey*

ACTIVISTS URGE AGENCY TO INCLUDE ALASKA IN SHIP EMISSIONS PROPOSAL (*Inside EPA*)

4/10/2009

Environmentalists are urging EPA to include Alaska in the agency's proposal to mandate major emissions reductions along American and Canadian coastlines under international law, arguing that cutting ship pollution in Alaska will help protect the arctic state from global warming.

Nine environmental groups, including Earthjustice and Defenders of Wildlife, sent a March 27 letter to EPA Administrator Lisa Jackson and Bryon Bunker of the agency's National Vehicle & Fuel Emissions Laboratory urging Alaska's inclusion in EPA's plan to designate U.S. coastal waters as an emissions control area (ECA). The proposal would mandate reductions in ships' emissions of sulfur oxides, nitrogen oxides and particulate matter within the ECA. *The letter is available on InsideEPA.com.*

On March 30, Jackson announced that EPA had submitted a bilateral proposal to the International Maritime Organization (IMO) that seeks to establish 200-mile ECA -- a buffer zone that would be wide enough to improve air quality as far inland as Kansas -- along the the contiguous United States, Hawaii and much of Canada. The IMO must vote on the proposal to establish the ECA, which would apply to all ships in the area regardless of their country of origin.

But while the request includes routes into Anchorage, AK, it does not include the Aleutian Islands and points north in the Bering, Chukchi and Beaufort Seas. An Earthjustice attorney says it is important to expand the requirements of the ECA to include the entire state because the arctic oceans are likely to see an increase in shipping traffic as melting arctic ice opens up shipping channels and oil and gas exploration areas, and the ECA requirements could help reduce air pollution and climate change in Alaska.

The groups acknowledge that the letter, which was sent three days before EPA announced its application to IMO, does not give the agency much time to alter their application to include Alaska. However, the letter also recommends that EPA amend its request after the proposal has been submitted but before the IMO holds a vote on whether to approve the ECA request, which the Earthjustice attorney says is slated for March 2010.

Texas cement plant gets 10-year permit without public hearing (*Greenwire*)

04/09/2009

North Texas' largest industrial plant and biggest air polluter was issued a 10-year permit renewal from state regulators yesterday in a 2-1 decision that ruled out the opportunity for a public hearing.

The Texas Commission on Environmental Quality approved TXI's renewal request at its Midlothian plant, citing the plant's good compliance record and response to public complaints over smog and other concerns.

Commissioners Bryan Shaw and Buddy Garcia rebuffed calls by the dissenting commissioner, Larry Soward, for a public hearing to determine if TXI's permit complies with federal smog rules and new pollution control methods.

Yesterday's commission meeting was primarily a debate between the commissioners themselves and didn't include public comments, except from state Rep. Lon Burnam (D), who argued that the permit deserved a formal public hearing.

An attorney for TXI, Al Axe, said that the Midlothian plant was already one of the most closely scrutinized facilities in Texas and that the public had had many opportunities to weigh in on its environmental performance (Randy Lee Loftis, [Dallas Morning News](#), April 8). -- **PT**

Traffic fumes impact birth weight -- study (*Greenwire*)

04/09/2009

A mother's exposure to traffic pollution could hinder the development of a baby in her womb, new research has found.

The study, published in the *Journal of Epidemiology and Community Health*, evaluated 336,000 babies born in New Jersey between 1999 and 2003. Researchers looked at the demographic and health information of selected New Jersey women, as well as where they lived when their babies were born.

Researchers then used daily air pollution readings from US EPA monitors around the state to determine the mothers' exposure to air pollution during each of the three trimesters of pregnancy.

Mothers who were younger, less well educated, African-American, smokers, poorer and single parents were more likely to have babies with small or very small birth weights, the study found. But even after accounting for these factors, air pollution was found to restrict fetal growth.

Tiny sooty particles and nitrogen dioxide -- both produced by cars -- were found to have a harmful impact ([BBC News](#), April 8). -- **TL**

BROWNFIELDS

NEW YORK BROWNFIELDS PLAN MAY PROMPT NOVEL PACT TO LIMIT EPA SUITS (*Inside EPA*)

4/10/2009

New York City officials are poised to introduce legislation to implement a state-approved brownfields program that if enacted would set the city on a path to seek a first-time agreement with EPA that the agency will not pursue parties who clean up sites under the city's program.

If EPA signs the agreement, it would be the first time officials have done so with a municipal government.

A spokeswoman for New York Mayor Michael Bloomberg says the agency has already signaled its intention to sign such an agreement once the city council approves upcoming legislation authorizing the mayor's Office of Environmental Remediation (OER), which will oversee the brownfields cleanup program.

An EPA Region II spokesperson referred questions on the issue to the mayor's office.

The mayor's spokeswoman says the mayor's office is planning to introduce legislation before the New York City Council within the next few weeks that will officially designate OER as an office of the mayor and approve its charter to address city properties with "light to moderate" contamination.

The mayor's office spokeswoman says the purpose of the office is to take over less urgent projects within city limits from the state Department of Environmental Protection, because the state was preoccupied with addressing the most contaminated sites across the state instead of the numerous, more lightly contaminated sites in the city.

She says the city is in ongoing negotiations with the state to determine the details of the city's program. EPA has told the city that it will issue a memorandum of agreement with the city promising not to pursue parties who had successfully cleaned up sites to the city's satisfaction, according to the mayor's office source.

Under brownfields provisions contained in section 128 of the Superfund law, EPA can agree to limit overfiling at brownfields sites if the sites are cleaned up in accordance with an EPA-certified voluntary cleanup program.

But an environmental attorney says there is a question whether EPA could sign such an agreement because section 128 only gives EPA authority to limit overfiling for state or tribal brownfields programs. "Technically the state response under 128 says EPA will not overfile if the indemnity is being undertaken by a state," the source says. "But technically that wouldn't apply to a city, because they're not a state. I don't know where they are with that."

Nevertheless, the source says if EPA and the city could work out an arrangement, it could prove to be a model for other cities to follow. The attorney says if a memorandum of understanding or some other order did grant New York the authority and deference to handle its own brownfields indemnities -- and those efforts were successful -- it could spark interest in a number of other cities to mimic the program.

Since many cities already take on their own zoning responsibilities and green building initiatives, it follows that brownfields indemnities would be a logical extension of those authorities. "It makes sense," the source says. "They make local land use decisions already, so this way they're controlling the destinies of their own sites."

The mayor's office spokeswoman said OER was established in 2007 as part of Bloomberg's 2007 PlaNYC initiative, which is intended to integrate sustainability programs into the city's management practices. OER has since been working towards establishing itself within the city's bureaucracy and establishing its authority to confer indemnity to developers who choose to take on contaminated or potentially contaminated land.

"It started as a strategy for land use planning," the spokeswoman says. "At the height of the economic boom, there was development everywhere . . . and both developers and communities said we need someone to focus on brownfields in the city. It's not duplicative, because we're doing what the state's not doing."

But Bloomberg's office acknowledged in a 2008 progress report on PlaNYC that they had not reached a formal agreement with EPA. "Our most significant brownfields proposal is to create a streamlined, City-administered program for moderately-contaminated sites that would implement State cleanup and provide liability relief upon successful remediation. . . . This program would supplement the state's cleanup efforts as well as address the public health issue of sites that are currently being cleaned up without any government oversight," the report says.

BUDGET/STIMULUS

EPA in the Business of Economic Recovery (*Political Affairs Magazine*)

By [PA Staff Writers](#)

[click here for related stories: environment](#)

4-09-09, 10:57 am

The Environmental Protection Agency (EPA) allocated close to \$300 million this week in funds appropriated through the economic stimulus package passed last February. Those funds have been sent to states for "shovel ready" environmental clean-up projects and the agency's "clean diesel" program.

According to an EPA statement released this week, \$197 million will be used to assess and clean up underground storage tank petroleum leaks. Another, nearly \$90 million has been sent to each state and the District of Columbia to retrofit an estimated 11 million public buses to use cleaner alternatives to diesel or help reduce use of fuel.

"We're providing immediate growth opportunities for communities across the nation, as well as long-term protection from dangerous pollution in the land and water," said EPA Administrator Lisa P. Jackson. "EPA is putting people to work by serving our core mission of protecting human health and the environment."

The greatest potential hazard from a leaking underground petroleum storage tank is that hazardous substances seep into the soil and contaminate groundwater. About half of all Americans get drinking water from groundwater sources, the agency estimated.

The clean diesel projects could reduce premature deaths, asthma attacks and other respiratory ailments, lost work days, and many other health impacts every year. Experts believe that the health benefits from diesel emissions reductions outweigh the costs by a ratio of up to 13-to-1, according to the EPA.

About \$6 million of the underground petroleum storage tank clean-up money has been set aside for Indian tribal governments. An additional \$108 million for the clean diesel program will be awarded in June, the EPA stated. Tribal governments and non-profit groups will be able to compete along with state and local governments for those resources.

The EPA did not provide estimates on the number of jobs created or saved through these two efforts, but the efforts are national in scope, are labor intensive and have clear positive impacts on the environment, health and safety.

State to get stimulus dollars for diesel engines (Associated Press)

By The Associated Press
Thursday, Apr 09, 2009 - 12:05:27 pm CDT

Nebraska will get \$1.73 million from the federal stimulus package to help reduce emissions from diesel engines.

Sen. Ben Nelson announced the award on Wednesday, calling it good for the state's economy and environment. He said in a news release it could create green-collar jobs in the state.

The dollars will come from the federal Environmental Protection Agency and will be used to switch to cleaner fuels and retrofit diesel engines with new emissions-reducing equipment, among other things.

Nebraska is a major transportation corridor traveled by diesel trucks. According to the Federal Highway Administration, 15 percent of all trucks transporting goods travel through Nebraska per year.

EPA DIVIDES \$100 MILLION STIMULUS FUNDS AMONG BROWNFIELDS PROGRAMS (*Inside EPA*)

4/10/2009

EPA is divvying up the \$100 million it received from the economic stimulus for its brownfields program, with \$40 million being added to its brownfields revolving loan fund, \$45 million being devoted to its brownfields grant program and \$5 million slated for a worker training program.

The agency has also recently announced that it will be rolling its stimulus brownfields funds into its existing brownfields funding programs for fiscal year 2009 as a way to speed distribution of the money. "In order to ensure that money under the [stimulus] is distributed as quickly as possible, EPA will use the current FY09 competition for assessment, revolving loan fund, and cleanup (ARC) grants to award Recovery Act funds and Brownfields general program funds to selected applicants," the agency says.

Although EPA is dividing its stimulus funds among the brownfields programs, it is not clear what has happened to a planned guidance to rank brownfields sites based on their potential for clean energy development.

EPA Administrator Lisa Jackson said recently that the agency was discussing ideas for assessing projects on a scale of "energy positive -- meaning they generate energy -- [to] energy neutral" as a way of "magnifying" President Obama's promotion of renewable energy sources. But so far, EPA has not released any guidance (*Inside EPA*, March 6).

David Lloyd, director of EPA's Office of Brownfield Cleanup and Redevelopment, on April 7 told attendees of a conference hosted by RTM Communications Inc. in Washington, DC that the agency is planning to dedicate approximately \$40 million for the revolving loan program -- which enables

local governments to provide loans to developers interested in cleaning up brownfield sites -- and will make the funds available to FY09 program participants that are "high performing."

Lloyd did not elaborate on what criteria EPA would use to define which loan program participants are "high performing," but one source familiar with the issue believes the agency will deem local governments and other entities with a proven track record of successfully using loan funds to cleanup and redevelop a significant number of sites in their respective areas.

Meanwhile, Charles Bartsch, vice president for ICF International, told conference attendees that EPA would allocate approximately \$45 million to its existing competitive grant program, which funds proposed brownfield cleanup and redevelopment projects.

The money will effectively allow the agency to award more grants to its existing pool of applicants, Bartsch said, with an added bonus being that those projects that receive money through the stimulus package will be exempt from the usual state cost-sharing requirements that brownfield grant recipients are usually subject to.

EPA announced last month that it was allocating \$5 million of the brownfields funds to job-training activities.

EPA WAIVES 'BUY AMERICAN' RULES FOR SOME STIMULUS WATER PROJECTS (*Inside EPA*)

4/10/2009

EPA is waiving the economic stimulus law's "Buy American" procurement requirements to allow some already-funded water infrastructure projects to refinance loans to access the stimulus laws' more attractive financing options.

The waiver does not apply to projects that have not yet been funded or were funded prior to the start of the current fiscal year last October, some of which are facing delays due to the law's procurement rules. But it is the agency's first formal step to provide flexibility to the "Buy American" requirement that states and industry say is difficult, if not impossible, to meet.

EPA is "granting a nationwide waiver of the Buy American requirements" of the stimulus bill "for eligible projects for which debt was incurred on or after October 1, 2008 and before February 17, 2009" -- the day President Obama signed the legislation, according to an April 7 *Federal Register* notice. *The notice is available on InsideEPA.com.*

SRF funding in the stimulus bill allows the \$4 billion for clean water projects and \$2 billion for drinking water projects to be retroactively applied to projects that received SRF loans after Oct. 1, for instance as a grant that pays back a traditional SRF loan already incurred.

But the law's "Buy American" provision, contained in section 1605, requires all procurement to meet a 100-percent domestic content requirement, prompting concern because only a limited amount of water infrastructure equipment and materials is manufactured in the United States, sources say.

Many state officials have also been concerned because EPA has not issued guidance for how to implement the procurement requirements, including how to seek waivers -- which the law allows if there are insufficient American supplies, if the use of American supplies will increase the cost of the project by more than 25 percent or if granting the waiver is in the public interest.

The issue is particularly complicated because many state and local governments ramped up their efforts to initiate projects late last year as Congress debated stimulus legislation but were unprepared for the "Buy American" requirements, which Congress added during its consideration of the package.

EPA says in the *Federal Register* notice the procurement requirement will delay states that receive SRF money from distributing the funds to municipalities that incurred debts after the start of the fiscal year through the stimulus law's enactment Feb. 17.

The final version of the bill limited the refinancing option to debts incurred after Oct. 1, limiting SRF managers' ability to take advantage of the stimulus law's "window" to refinance existing projects. The industry source says since enactment of the law, SRF managers had been told the stimulus bill's additional requirements would not apply to projects that received SRF loans between Oct. 1 and Feb. 17 -- loans now eligible for attractive refinancing with stimulus bill dollars but begun before the stimulus bill's requirements were known.

The industry source says stakeholders see the "window" as an opportunity to refinance projects without the stimulus bill's strings and at better interest rates.

To allow SRF managers to access the stimulus funds, EPA is exercising authority in the law to waive the procurement requirement, citing authority contained in section 1605. EPA says in the *Federal Register* notice that applying the requirements to projects already started would entail "time-consuming delays and thus displace the 'shovel ready' status of these projects."

EPA provides stimulus cash for states' diesel cleanups (*Greenwire*)

Robin Bravender, E&E reporter

04/09/2009

U.S. EPA has begun awarding \$88 million from the federal stimulus package to states for programs to clean up or retrofit diesel engines.

The American Reinvestment and Recovery Act funding will go to state agencies developing and implementing grant and loan programs for replacing or retrofitting older, dirtier diesel engines. States and the District of Columbia are each eligible to receive \$1.73 million under the program.

"This is part of the nationwide clean energy transition that is clearing the air and creating millions of jobs across America," said EPA Administrator Lisa Jackson in a statement. "Communities using innovative measures to cut harmful diesel emissions are cutting costs, creating jobs, and keeping people healthy."

The projects are aimed at reducing premature deaths, respiratory ailments and other health problems caused by emissions of particulate matter and nitrogen oxides from the nation's fleet of more than 11 million diesel engines, EPA said.

The stimulus package provides \$300 million for programs that clean up or retrofit diesel engines. In addition to the \$88 million for state programs, \$206 million will be distributed through competitive grants to state and local governments, nonprofit organizations and tribal agencies to implement clean diesel projects. The remaining \$6 million will cover administrative costs.

CHILDREN HEALTH

JACKSON NAMES EPA WASTE OFFICIAL AS CHILDREN'S HEALTH ADVISOR (*Inside EPA*)

4/10/2009

EPA Administrator Lisa Jackson is adding Peter Grevatt, a long-time EPA environmental justice and solid waste official, to her front-office team as senior advisor for children's environmental health.

Jackson announced the appointment during a March 30 speech at a children's environmental health conference hosted by the Columbia Center for Children's Environmental Health at Columbia University and WE ACT for Environmental Justice in New York City, according to a copy of her speech.

"Peter brings to the position a wealth of scientific, risk assessment, environmental justice and children's health experience," Jackson said. "He has worked on asbestos, PCBs, lead and arsenic cleanup and protection, and brings extensive inter-agency leadership experience."

Grevatt served as director of the Resource Conservation and Sustainability Division within EPA's Office of Resource Conservation and Recovery. He has also worked as head of the national water quality monitoring program, senior science advisor for EPA's waste cleanup programs and senior health scientist for Region II.

According to Jackson, he has also played a leading role in several significant environmental justice initiatives, including the development of EPA Region II's interim environmental justice policy, a study on the administration of the Superfund program in environmental justice areas in Region II and an inter-agency agreement establishing a scientific basis for protecting children's health at the Vasques Boulevard 1-70 arsenic-contaminated site in Denver.

Jackson has said children's health will be a priority and recently launched a study of air quality around U.S. schools. "We have important obligations to look ahead and be proactive about preventing and, where necessary, mitigating the particular effects climate change will have on children's health and welfare," she said at the event. "We need to step up our efforts to assess and manage chemical risks that are particularly harmful to children."

The conference was focused on three health concerns that affect children in cities, "air pollution from fossil fuel combustion, residential pesticides and endocrine-disrupting chemicals found in common consumer products," according to a statement.

CLIMATE CHANGE/GLOBAL WARMING

Revived EPA Takes on Climate Change and More (*U.S. News & World Report*)

Under President Obama, the Environmental Protection Agency is starting to flex its muscles again

By [Kent Garber](#)

Posted April 9, 2009

Over the past 10 weeks, the Environmental Protection Agency has been pumping out proposals and directives on everything from climate change to pollution from ships. In one high-profile move last month, the EPA said it will launch detailed reviews of permits for mountaintop coal mining operations, which can have profound effects on nearby waterways.

By moving so quickly, [President Obama's](#) EPA has in effect reproached the Bush administration for dawdling on climate change. In calling for tougher regulations, it has

also criticized Bush officials for catering to businesses and industry. "There's a larger message that we have to give to the American people, which is that EPA is back on the job, that we are guardians protecting [clean air](#) and clean water," says [EPA Administrator Lisa Jackson](#).

Because many of these proposals only begin to lay the groundwork for future regulations, they are, to a certain degree, still symbolic. Some Republicans say they have seen few surprises or radical moves, much to their relief. Nevertheless, the agency under the new administration has clearly enjoyed a dramatic boost in morale and stature after eight years of being stifled.

"They are very empowered, much more so now, to take action on some very controversial issues," says Christie Whitman, the former Republican governor of New Jersey who served as EPA chief in the Bush administration from 2001 to 2003, before resigning in frustration. "There is a whole different attitude." Unlike Bush, who once belittled the EPA as a "bureaucracy," Obama appears to view it as a central player in his clean-[energy](#) agenda.

This new tone is most obvious with matters of climate change. Two years ago, the Supreme Court ordered the EPA to determine whether carbon dioxide emissions are a threat to public health. Bush's EPA refused to issue a verdict, even though career agency officials concluded in a preliminary document last summer that CO₂ does indeed pose a risk. Jackson's EPA ended the standoff last month by agreeing that CO₂ is a dangerous pollutant and should be regulated. The decision, called an endangerment finding, was sent to the White House.

Two other climate change actions stand out. First, a proposal announced last month would require large emitters of greenhouse gases to annually track and report their outputs, starting in 2010. The rule, Jackson says, is "the Obama administration acknowledging that as we move toward a clean-energy future, we will need to know where CO₂ emissions are coming from." The agency also is reconsidering a request from California and at least a dozen other states to impose stricter standards on [greenhouse gas emissions](#) from cars and trucks that was denied by Bush in 2007.

As the endangerment finding suggests, many of the agency's early moves draw heavily on existing analyses by its scientists that had been ignored by previous political appointees. But Jackson's EPA has also taken notable steps on its own. Late last month, it started to scrutinize as many as 200 permits for mountaintop coal mining operations, citing the need for further review. This week, it proposed new emissions limits for ships that will apply to much of the U.S. coastline and said it will begin monitoring air quality at dozens of schools.

The EPA also has been reviewing a spate of environmental regulations the Bush administration wrote in its final months. "EPA is a pretty big writer of regulations, so we had a quite a workload there," Jackson says. The review has flagged a number of rules that the agency might want to modify, she adds.

Among EPA watchers, the key question is how aggressively the agency will follow up on these initial moves, especially with respect to climate change. "So far, there have been very splashy announcements that obviously play well to a core Democratic constituency but don't really have an impact," says Jeff Holmstead, a former Bush EPA air quality chief. "This endangerment finding will be greeted with great excitement by the environmental community and others, but it really is more of a political statement than a regulatory change." Holmstead says that it could take more than a year to finalize the endangerment finding and an additional 18 months to write an actual regulation.

Certainly, the EPA is in line to get more money. Obama's 2010 budget proposes increasing the agency's funding by more than 33 percent, to \$10.5 billion. (In addition, the EPA is helping distribute \$7.2 billion in [stimulus](#) funding, much of which is going to state and local governments.)

But there is still a large degree of uncertainty over what the EPA's role will be amid all the other players jostling for attention, particularly [Carol Browner](#), Obama's high-powered White House climate change czar, not to mention the reigning Democratic environmental and energy leaders on Capitol Hill, [Rep. Henry Waxman](#) and Sen. Barbara Boxer.

A big debate is already kicking up over what will happen once the EPA does formally label CO₂ a threat. For one thing, the Clean Air Act will most likely require the agency to regulate CO₂ emissions from a whole host of sources, including [power plants](#), factories, and farms (although there is still significant debate on this point). This week, Waxman, who chairs the House Energy Committee, released a highly anticipated draft of a cap-and-trade bill to limit emissions, suggesting that lawmakers may be getting ahead of the EPA. That may be exactly what Obama aides want. "My view is what they're really trying to do is keep the pressure up on Congress to do something more sensible on greenhouse gas emissions as opposed to letting EPA figure out something," says Holmstead. "It seems to me it is a very calculated move—and that's not meant to be criticism. They are taking slow steps." Had the EPA wanted to move more quickly to regulate CO₂, for example, there were more aggressive strategies it could have pursued.

Meanwhile, Jackson will have some opportunities to prove how serious she is about restoring scientific rigor to the EPA's decision making after the Bush years. The EPA, for instance, is trying to figure out how to interpret the science on contentious ethanol-related issues, including whether to allow cars to run on higher blends of ethanol and how to measure emissions associated with biofuel production.

Weighing in are lobbying groups, businesses, manufacturers, powerful farm-state senators, and the heads of other cabinet departments. It will be an early test of Jackson's leadership and her ability to stand up to competing voices within the Obama administration. "I still believe that one of the biggest challenges is this idea of czars, of having policy people in the White House," says Whitman. "It creates confusion in the agency about who you would go to." But, Whitman adds, "I will tell you that Lisa is plenty tough. If anyone can deal with it, she can." It also doesn't hurt that she will probably have the biggest budget in the EPA's 39-year history.

Read [Carol Browner on Climate Change: 'The Science Has Just Become Incredibly Clear.'](#)

Read more [energy and environment news](#).

KEY SENATE AIDE DOWNPLAYS ENVIRONMENT COMMITTEE ROLE ON CLIMATE (*Inside EPA*)

4/10/2009

A top aide to Senate Environment & Public Works Committee Chairwoman Barbara Boxer (D-CA) is downplaying the role the panel will play in formulating climate change policy, saying the real action on climate legislation will occur on the Senate floor, and likely only after the House has passed its own cap-and-trade bill.

The remarks, made by Senate staffer Joe Goffman at an April 8 Energy Information Administration (EIA) conference in Washington, follow a suggestion from Boxer earlier this month that the Senate may simply defer to the House on climate policy. Boxer told reporters April 1 that an energy/climate bill could be passed by the House while the Senate will likely pass a stand-alone energy bill, with the differences reconciled in committee.

Goffman told attendees of the EIA event that, “in the Senate . . . sometimes process is policy,” explaining that the body’s rules empower individual members equally, implying cap-and-trade skeptics will have a greater ability to block legislation than they would in the House. As a former legislative director for Sen. Joseph Lieberman (I-CT), Goffman was closely involved in drafting the cap-and-trade legislation the Senate took up last summer that was blocked by a Republican filibuster.

Because of the nature of the Senate, “the action on climate policy will not be so much in the Environment and Public Works Committee as it will be on the Senate floor,” said Goffman. “In that respect, interesting legislative formulation will occur not at the moment that . . . Chairman Boxer releases her first draft for climate or [her committee] reports its bill, but really in the journey from the committee to that point when 60 members of the Senate will find themselves comfortable . . . voting for a climate bill.”

Goffman added that the “next hurdle for us in the Senate” will be engaging skeptical lawmakers who do not sit on the environment panel, adding that “there’s a very good chance that the senators we are going to have to engage will need to see progress over on the House side” before agreeing to act on climate change. Furthermore, “as a matter of both basic politics and technical resources,” the Obama administration may need to take on a greater role in drafting climate legislation, informing Capitol Hill “as to its insights, its analysis, and in many cases its preferences on how some of these issues are resolved.”

As for the details of a bill, Goffman said many lawmakers appear to be most focused on “the question of redistribution of allowance value.” Particularly since the “post-enactment politics could very well be as sensitive as the pre-enactment politics” on a climate bill, he said, lawmakers are most interested in distributing allowance value in such a way that they can go home to their constituents and point to specific aspects of the bill that will benefit them. -- *Charles Davis*

EPA GHG REGISTRY CRITICS SEEK COST STUDY ON THIRD-PARTY VERIFICATION (*Inside EPA*)

4/10/2009

Critics of EPA's proposal not to include third-party verification in its pending greenhouse gas (GHG) registry are asking the agency to conduct a cost-analysis of the verification, a move that could increase pressure on EPA to include external review of industry emissions data if the analysis finds it to be cost-effective.

Auditing firms and officials from the voluntary Climate Registry (TCR) argued in favor of independent verification if it is found to be cost-effective at an April 6-7 public hearing on EPA's proposal in Arlington, VA. EPA's March 10 proposal would give agency staff authority to review and verify all reported GHG emissions, spurring fears from some that EPA may not have the resources for the undertaking.

However, industries that would be subject to first-time GHG reporting requirements under the agency's proposal generally said at the hearing that they agree with EPA that third-party verification is unnecessary.

The proposed emissions registry would require suppliers of fossil fuels and industrial chemicals, manufacturers of vehicles and engines, and other facilities that emit 25,000 metric tons or more of GHG emissions to submit annual emission reports to the agency. The sources account for up to 90 percent of U.S. GHG emissions. The registry was mandated by Congress in the 2007 energy law and is viewed as the first step in the eventual implementation of an economy-wide cap-and-trade system to reduce GHGs (*Inside EPA*, March 13).

Most existing programs to track industrial GHG releases require third-party verification to ensure the veracity of the data. California, the European Union and most voluntary U.S. registries all require external review of data submissions. At the hearing, several speakers argued for the same approach in EPA's proposal.

TCR, a major voluntary registry that includes 39 U.S. states, requires independent verification and has long urged EPA to do the same in the federal registry. "[TCR]'s primary focus is ensuring that the data collected by EPA is high-quality, accurate and reliable and that EPA's verification process is consistent with the highest standards for ensuring accuracy," TCR Eastern Director Denise Sheehan told *Inside EPA* in an interview.

Sheehan said EPA's proposal lacks a full analysis of the cost of using independent auditors, and EPA should conduct such analysis as part of its rulemaking process. TCR intends to provide EPA with information on the costs associated with its own program, Sheehan said.

EPA says in the preamble to the registry proposal that in-house verification is consistent with other regulatory programs the agency administers, and that the approach would reduce costs for both reporters and the agency, but acknowledged some disadvantages to the rule, namely "the greater potential for inconsistent and inaccurate data in the absence of independent verification and the lower level of confidence that the public, stakeholders and EPA may have in the data."

But the agency says in the proposed rule that its internal verification process would be sufficient to perform the essential task of verifying the data companies submit.

“Quality control -- in the form of both good practices (such as documentation procedures) and checks on whether good practices and procedures are being followed -- is applied at every stage of inventory development and document preparation,” the EPA proposal says. The agency outlined an in-house quality assurance/quality control process that includes both general and source-specific reviews of the emissions data submitted by industries, as recommended by Good Practice Guidance from the Intergovernmental Panel on Climate Change, as well as data quality assurance reviews by both experts and the public.

But several commenters cited flawed cost analysis in the proposal and asked EPA to reevaluate its position on external audits. “We believe that there are several flaws in EPA’s rationale as it relates to the costs and benefits of third-party verification,” said Keith Dennis of First Environment Inc., an accredited verification firm for TCR and the American National Standards Institute, among other emissions-reporting protocols.

Dennis said EPA should strive for consistency with other GHG reporting programs -- such as the California state program -- which generally require third-party verification, rather than consistency with other EPA air quality programs, which he said are fundamentally different from the proposed registry.

KEMA, a company that also verifies GHG emission reports, said that third-party reviews have proven to be effective and efficient in other programs and significantly reduce agency expenses by using auditors located near the facilities subject to reporting requirements and by shifting travel costs from the agency to the emitters. “I think the direct approach using EPA-only personnel would be very difficult to scale up and manage in the timeframe indicated, and of course very costly and burdensome to the tax payer,” said KEMA witness Henri Pierre Salle.

Industries that would be subject to the reporting requirements generally agree with EPA that third-party verification is unnecessary, according to comments from the National Petrochemical and Refiners Association and the Edison Electric Institute (EEI). “In general, EEI supports . . . EPA’s decision not to make third-party verification mandatory, particularly when utilities are already delivering ‘quality data’ in their current reporting under the acid rain program,” EEI’s Eric Holdworth said.

One utility industry source says that EPA’s long-running acid rain program -- in which EPA verifies emissions data submitted by industry -- has provided such “quality data” and the registry could do the same.

ACTIVISTS VOW TO PUSH EPA TO EXPAND GHG RULES BEYOND AUTOMOBILES (*Inside EPA*)

4/10/2009

EPA's pending finding that greenhouse gases (GHGs) endanger public health and welfare, which will spur emission rules for motor vehicles, is prompting environmentalists to call for broader regulation of other mobile sources including planes and ships, and to urge the agency to pursue separate rules to cut GHG emissions from power plants.

Activists say that swift issuance of agency regulations mandating cuts in GHG emissions from major mobile sources and power plants will address the most significant contributors to climate change while also adding to pressure on Congress to pass broad legislation creating a cap-and-trade program to cut GHGs.

However, industry sources counter that EPA's current plan to issue GHG rules only for motor vehicles hints at an optimism in the agency that Congress will take the lead on addressing all emissions sources, rather than have the agency conduct the extensive administrative process to issue a host of climate rules.

EPA is slated as early as April 16 to release a proposed endangerment finding for GHGs, which is expected to make a general finding that GHGs harm human health and the environment, and a more specific finding that motor vehicles "cause or contribute" to this pollution. The agency is not expected to issue a finding that other sources, such as ships or power plants, cause or contribute to the pollution, according to several sources.

The pending finding is a response to the Supreme Court's April 2007 ruling in *Massachusetts v. EPA*, which directed the agency to reconsider an earlier finding that GHGs from motor vehicles do not endanger human health or welfare and therefore do not need to be regulated under the Clean Air Act. A positive finding for endangerment to human health and/or welfare from GHGs under section 202 of the Clean Air Act, which sets motor vehicle emissions and fuel standards, would trigger first-time EPA GHG rules for vehicles (*Inside EPA*, March 13).

After finalizing a positive endangerment finding the agency is expected to develop such rules for motor vehicles but not immediately for other sources. Activists are now vowing to push EPA to expand the proposed endangerment finding to include other mobile sources and pursue separate rules to cut GHG emissions from power plants.

One Earthjustice attorney says that if the endangerment finding is limited to motor vehicles, activists will immediately send a letter to EPA urging an expanded determination that finds ships and airplanes also cause or contribute to climate change, in an effort to speed the agency's regulation of the sectors.

EPA should expand the finding because the agency already faces formal requests to regulate emissions from the ships and airplanes, the attorney says. Earthjustice, on behalf of Friends of the Earth, the Center for Biological Diversity and Oceana, in July filed a notice of intent to sue EPA for failing to regulate the sectors. In addition, emissions from the sectors are significant enough to be regulated, because aircraft contribute three percent of total U.S. GHGs and ships account for five percent of U.S. transportation GHGs, the attorney says.

According to a draft EPA presentation on the finding, the agency has in the past found that sources that account for as little as one percent of mobile source emissions of criteria pollutants have been found to contribute to pollution. But the document also shows that EPA may find that sources that emit a *de minimus* amount of GHGs do not cause or contribute to climate change, a move that clears the way for the agency to exempt small GHG sources from regulation. *Relevant documents are available on InsideEPA.com.*

Another key environmentalist is urging EPA to act quickly to regulate GHGs from power plants. Although the source does not suggest that the agency should broaden the upcoming endangerment finding to include the sector, the source believes that EPA should move to regulate power plants later this year.

In lieu of climate legislation, the best approach would be to issue emission standards for power plants -- most likely as a new source performance standard (NSPS) -- while not precluding the need for Congress to pass legislation creating a more comprehensive climate cap-and-trade program, the source says.

Activists see EPA's pending NSPS for coal-fired power plants -- which activists hope will be set to limit emissions at a level equivalent to a natural gas plant -- as a key tool in their efforts to regulate GHG emissions in part because it will set a standard that will be applied to both new and existing plants. The revision of the NSPS for electric generating units is currently before the agency, after a federal court remanded the 2006 standard back to EPA on the issue of whether it should include limits for carbon dioxide following the Supreme Court ruling in *Massachusetts v. EPA* that CO₂ is an air pollutant (*Inside EPA*, March 20).

One state official notes that EPA does not need to expand the endangerment finding or issue a separate "cause or contribute" finding in order to begin regulating emissions from power plants. The Bush administration when it issued an advance notice of proposed rulemaking for regulating GHGs under the Clean Air Act late last year indicated that it could move forward with requiring carbon dioxide limits in NSPSs, which apply to stationary sources, regardless of whether an endangerment finding has been issued, the source says.

However, a third environmentalist is comfortable with EPA addressing only motor vehicles for now. It makes sense for EPA to focus on that sector because it was the basis for *Massachusetts*, and EPA's finding for motor vehicles will give the agency the authority to move on to other sectors, the source says.

If EPA focuses on mobile sources and power plants after issuing the finding it could also narrow agency "interference" with climate legislation that would create an emissions credit trading program covering a broad range of industrial sectors, the key environmentalist says.

One utility industry source says EPA may be taking a sector-by-sector approach in the hope Congress will enact comprehensive climate legislation. "There is some optimism on the part of EPA that if by waiting for a while, Congress would enact something," the source says. Then EPA could concentrate on implementing climate legislation rather than pursuing rules for each sector, the source says. -- *Kate Winston & Jenny Johnson*

WAXMAN-MARKEY DRAFT CLIMATE BILL WOULD BOLSTER CITIZEN SUITS (*Inside EPA*)

4/10/2009

House energy committee Democrats' draft climate legislation includes provisions affirming individual citizens' rights to bring lawsuits to protect the environment from greenhouse gas emissions, including language enabling plaintiffs to seek financial compensation for the government's failure to act on certain climate issues.

The inclusion of the citizen suit provision is likely to generate intense interest among industry groups who in the past have often regarded such lawsuits as something to be held in check. Observers say the language would also resolve uncertainties surrounding the legal standing of individual citizens to bring climate-related claims, in cases where the actual damages from emissions may be small or the risk is spread out among many potential victims.

Questions about the standing of individuals have persisted after the 2007 Supreme Court ruling in *Massachusetts v. EPA* affirmed the rights of states to bring suits to force EPA action on global warming, but did not directly address the ability of individual citizens to do so.

At issue is language in the discussion draft -- from House Energy & Commerce Committee Chairman Henry Waxman (D-CA) and energy subcommittee Chairman Edward Markey (D-MA) -- that defines even small incremental emissions as a hazard and augments current citizen suit provisions in the Clean Air Act to specifically take into account climate change and cover implementation of the legislation's provisions.

Language in the draft revises the citizen suit and judicial review portions of the Clean Air Act with new language specifying that harm from air pollution includes any effect, including climate change, "currently occurring or at risk of occurring," including hazards associated with a "small incremental emission" of greenhouse gases. The definition holds "whether or not the effect or risk is widely shared," according to the draft.

Additional language authorizes the awarding of compensation from the U.S. Treasury in cases where a federal agency has failed to perform a "nondiscretionary act or duty" to limit greenhouse gas emissions.

Also, the draft legislation includes general legislative findings discussing the importance of even small amounts of greenhouse gas emissions and dispersed risks. The findings state in part that "controlling emissions in small and large amounts" is essential to combat climate change, and that the fact that the risks from greenhouse gas emissions can be widely shared "does not minimize the effects individual persons have suffered."

An analysis being circulated by the Center for Progressive Regulation, authored by Nina Mendelson, says the Waxman-Markey draft "reaffirms the importance of citizen enforcement of the environmental laws against both potential violators and agencies" that have the responsibility to implement them. The analysis argues that the draft bill responds to a series of court decisions, and specifically Supreme Court rulings, that have raised questions on the scope of traditional citizen enforcement under environmental laws.

EDITORIAL/COMMENTARY/OP ED/LETTERS

'No' vote on wastewater contract is shortsighted (Seacoastonline.com)

April 10, 2009 6:00 AM

The town elections were a month ago, but the fallout is just beginning in some Seacoast communities.

Officials in towns where the municipal and/or school budgets were defeated are working to make ends meet with less money in the face of rising prices. In addition, towns are forgoing repairs to equipment that should have been replaced years ago so they can make it through yet another year, and union and town negotiators are back at bargaining tables trying to come up with contracts that will satisfy voters.

Thanks to a vote in Hampton, officials in the town of Rye are now faced with a decision they never thought they would have to make — how to raise the money to construct a wastewater treatment facility of their own to serve the Jenness Beach area of that community.

On March 10, Hampton voters approved a five-year extension of that town's contract with Rye to treat the wastewater from the Jenness Beach area, but also voted to tell Rye that after this latest contract period is over, there will be no further renewals.

Officials conjectured the reason voters chose to discontinue accepting Rye wastewater was because there is no sewer service available to residents who live on the west side of Hampton. The rationale is that, until Hampton can provide sewer to its residents, it shouldn't be giving away a portion of its wastewater treatment capacity to another community.

We think the voters in Hampton made a mistake and that they made it for at least two reasons other than the one stated above.

The first has to do with a lack of understanding. Hampton receives in excess of \$93,000 a year from Rye in payment for use and necessary improvements to the plant.

Town officials consistently confirm that since the beach sewer program has been completed, the treatment plant has plenty of capacity available. It seems contrary to common sense for voters to turn down money from any source that helps offset the cost of operating that plant and would help cover the future expenses involved with upgrading it as the Environmental Protection Agency discharge requirements grow more and more stringent.

The second reason some voters may have turned down future contract extensions with Rye, has to do with the all too prevalent feeling that anything Hampton has or does should be solely for the benefit of its citizens. It's what we like to call the "OIMBY" (Only In My Back Yard) syndrome.

This feeling is particularly disturbing since wastewater treatment — along with solid waste disposal, growth planning and mosquito control — are really regional issues that all the coastal communities must deal with. To take a parochial attitude toward any of these issues makes the solutions both more costly and time consuming.

We also wonder how the majority of Hampton residents would feel if the town of Exeter decided it would no longer take the wastewater generated by the almost three dozen homes located in Hampton, close to the town line. We also wonder how many Hampton residents are even aware of that arrangement.

Hampton selectmen have indicated that they recognize the problem created by the vote against future Rye wastewater contract extensions and have discussed the possibility of putting an article on the 2010 warrant requesting that voters rescind the 2009 vote. We hope they follow through with that idea and support a continued relationship with Rye for the foreseeable future.

ENERGY

Garbage collectors (*World Magazine*)

ENVIRONMENT: Where most people simply see trash, some see renewable energy—or even dinner | *Mindy Belz*

April 25, 2009, Vol. 24, No. 8

WASHINGTON, D.C.—Brent Dieleman likes to talk about a facility near Washington, D.C., that burns trash, which heats water for steam to turn turbines to make electricity. There are only 87 such facilities in the United States, and none has been built in the last 15 years. Covanta Energy's trash-to-energy plant in Fairfax, Va., outside Washington processes 3,000 tons of garbage every day, producing enough energy to power 75,000 homes.

The emissions from the process—while cleaner than fossil fuels—look toxic. "They're clean, but nobody wants them in their communities," said Dieleman, 28, who analyzes trash for a living at an environmental consulting firm, SCS Engineers, in Washington. In communities where these biomass plants are proposed, residents object because of quality of life: What will happen to their asthmatic children? they demand. The perception, Dieleman says, comes from plants that did emit harmful chemicals many years ago—practices that have changed under restrictions from the Environmental Protection Agency.

Trash-to-energy has an unlikely champion in Virginia gubernatorial candidate Terry McAuliffe, former head of the Democratic National Committee. He toured Covanta's facility in March and proclaimed his support the whole way through. But he is an exception among politicians. Trash-eating, smoke-belching energy plants aren't a politically popular idea, and they barely garner a mention on Capitol Hill.

The concept has a more persistent champion in Dieleman. In a recent trip to Texas, he puttered through landfill after landfill, scrutinizing the types of waste and the management of each site. Texas, he says, has a lot of potential for projects to recycle landfill gas, or methane, into energy. Dieleman and his team also have taken on the dumpsters at the University of Maryland, divided each scrap of trash into over 60 categories, and were able to engineer better ways for the university to manage its solid waste.

Washington may be a city where people pride themselves on the nobility of their jobs and the titles that go with them, but Dieleman sees his devotion to solid waste management as noble, too, and a calling from God: "I'm just a garbage man. . . . Everybody plays an important role in bringing about God's kingdom."

Part of promoting God's kingdom, he believes, is eliminating wastefulness. But private and public recycling programs are falling by the wayside as markets slide and the price of recyclable materials per ton plummets. "We live in such a throw-away society," said Dieleman. "The natural world, the way God created it—there is no waste."

At dawn on Saturday mornings in Pella, Iowa, when his classmates were either asleep in their beds or watching cartoons, 9-year-old Brent Dieleman would ask his father to take him out to collect trash. For the next eight years, he and his father scoured the roadsides on Saturdays for recyclable litter, and once he got his driver's license, young Dieleman went on his own. His father was relieved.

Dieleman's garbage sifting disgusts even his colleagues, but the clean-cut engineer continues his childhood hobby by going dumpster diving for recyclables on weekends. The addiction once helped solve a crime: On a Saturday morning rummage through a trash can at a truck stop in Iowa, Dieleman found a half-full Pepsi bottle. He dumped the soda out and discovered a wad of checks stuffed inside, over 60, made out to a Pizza Hut in Wisconsin. The restaurant had been robbed at gunpoint the day before. Because Dieleman was wearing gloves when he picked up the bottle, police were able to dust the bottle for fingerprints and track down the criminals.

"I thought I would get free pizza for a year," he said. "All they sent me was a pencil and a fake sheriff badge."

But paying attention to waste is paying off—not usually in solving crimes, but in finding "renewable energy" in something most people simply want to be rid of: trash.

When politicians talk about "renewable energy," they're usually referring to wind or solar energy, both expensive to generate. With credit markets floundering, policy makers assume that the government will have to provide capital for investing in renewable energy infrastructure—especially if the United States is to meet the goal set by the Obama administration of doubling renewable energy generation in the next two years.

Hudson Clean Energy, an energy equity firm, estimates that the price tag for reaching the goal will be \$134 billion, according to The New York Times. Other renewable energy ideas run the gamut, from drilling into the earth's magma to harnessing ocean waves to installing smart energy use meters in every home in America. Most of the ideas require substantial investment in infrastructure.

For Dieleman trash is also renewable energy. Landfill gas, for one, can be channeled into energy, but that is an icky, unpopular idea, especially with the climate-change lobby, with its concern for letting loose in the atmosphere methane, a potent greenhouse gas. To that Dieleman shakes his head:

"There are so many good uses for garbage!"

Elsewhere in Washington, a like-minded group is going at the problem in a more grubby way, with the only investment being their own time. They are dumpster divers who haunt the backside of grocery stores, restaurants, and bakeries to get their daily bread. Ryan Beiler, one of the ringleaders and web editor for Sojourners magazine, said his family eats well as a result: On one of his first runs he boasts that he found several jars of beluga caviar. If that doesn't sound entirely appealing, he also has found prime cuts of beef, smoked salmon, and fresh vegetables.

Thirty million pounds of food are thrown out every year, according to the EPA. Often, food has to be discarded when it is past its expiration date, though it may not be spoiled. The divers say they are careful about getting food that won't make them sick—but untouched food in the trash, they say, is God's provision. Beiler said since he hasn't spent very much money on groceries, he has more money to give away. He sometimes ends up with bags of artisan breads that he brings in to share at work. Other divers will come up with "a bumper crop of organic apples, or a surplus of Belgian chocolate pudding," he says. And they always share.

Vizio's New HDTV Doesn't Sacrifice Quality for Ecology (*Invention & Technology News*)

Published: Thursday, April 09, 2009 10:03 AM EST 79 Views

Author: [Brian Reinhardt](#)

It's time to replace your current flat screen television or – dare I say – tube television with a newer model. You are aware of the Energy Star logo when appliance shopping, but did you know that you can also add Energy Star efficiency to your home electronics collection? Products that display the Energy Star logo meet rigorous energy efficiency guidelines set forth by the U.S. Environmental Protection Agency and the U.S. Department of Energy. You can now go green while watching your favorite television program with Vizio's new uber energy efficient HDTV.

The [Vizio VECO320L](#) is a 32-inch HDTV that exceeds the Energy Star's current minimum standards for active and standby power by 15 % and uses approximately 44% less electricity than a traditional 32-inch LCD HDTV. While using less electricity and saving money in the process, you are also getting a superior-quality, high def television. The Vizio VECO320L supports 720p and 1080i signals, has 2x HDMI inputs, component, composite, RF and RGB inputs, so you can incorporate the other components of your home entertainment system. As a full high-definition television displaying the highest resolution available in more than 16 million colors, the Vizio VECO320L is an environmentally friendly HDTV option that doesn't scrimp on quality. If you're

still watching Monday Night Football on a clunky 32-inch tube T.V., you might have to enlist some of your friends to help you carry the old set out – but not the new one in – because the Vizio VECO320L weighs in at a manageable 40 pounds.

There is an average of two televisions per U.S. household and approximately 275 million nationwide. As of November 2008, more stringent standards for Energy Star qualified TVs were put into place. This means that newer products are not only better for the environment – helping to minimize your carbon footprint to a greater degree – but these products will also save you more money over time. By purchasing ecologically friendly products, you are preventing global warming and promoting cleaner air while saving money on a high quality electronic device that you were going to buy regardless.

Irvine, California-based Vizio, Inc. is the #1 selling brand of flat panel HDTV's in North America and has been honored with numerous awards, including ranking first in the Inc 500 Top Companies in Computers and Electronics. As a result, Vizio is the first American brand in over ten years to top major categories for sales of televisions. Vizio offers a one-year warranty on their products, as well as free lifetime technical phone support.

The Vizio VECO320L is available for purchase for approximately \$499.00. Visit Vizio.com for your nearest retailer.

ACTIVISTS OPPOSE ENERGY BANK BILLS' NEPA EXCLUSION PROVISIONS (*Inside EPA*)

4/10/2009

Activists are fighting provisions in two bills to establish a government-owned clean energy bank to fund clean energy projects that would allow the bank to adopt other agencies' existing categorical exclusions from National Environmental Policy Act (NEPA) review, claiming the provisions may expand existing exclusions.

However, one NEPA academic expert counters that the provisions are reasonable and necessary to promote clean energy projects. The Department of Energy (DOE), EPA and other agencies that have already developed regulations detailing what categories of projects are exempt from NEPA review have more expertise than the bank would to determine when the exemptions are appropriate, the source says.

The dispute highlights an ongoing rift over how to streamline the NEPA environmental review process for clean energy projects. Activists are already divided about how -- if at all -- to revise

NEPA to promote green jobs, solar power and other projects with environmental benefits (*Inside EPA*, Nov. 14).

Rep. Chris Van Hollen (D-MD) March 24 introduced his clean energy bank bill and Senate Energy & Natural Resources Committee Chairman Jeff Bingaman (D-NM) is expected to soon introduce a similar companion bill to create a government-owned bank to fund clean energy and energy efficiency projects.

The Van Hollen bill would establish an independent corporation with no ties to other agencies to administer the clean energy bank, while a draft of the Bingaman bill would establish the bank within DOE. *Relevant documents are available on InsideEPA.com.*

Both the Van Hollen bill and the draft Bingaman bill include language that allows the bank to adopt categorical exclusions developed by other agencies, if the White House Council on Environmental Quality (CEQ) approves of the action. Categorical exclusions are a regulatory determination by an agency that a certain type of activity never triggers an environmental review under NEPA. The bills would still require the bank to conduct environmental reviews for actions that are not covered by a categorical exclusion.

“In providing any financing support under this section, the bank may, with the concurrence of [CEQ], adopt by reference and rely on any applicable categorical exclusion or environmental review promulgated by any other federal agency pursuant to [NEPA,]” the Van Hollen bill says.

Similarly, the Bingaman bill would allow the bank to adopt wholesale existing agencies’ categorical exclusions. Where an exclusion does not apply the draft legislation says the bank should “in consultation with [CEQ] and any other applicable agencies, use the administrative records of similar reviews conducted throughout the executive branch to develop the most expeditious review process practicable.”

Activists oppose the bank adopting other agencies’ exclusions because it would allow the bank to bypass the normal NEPA process for establishing categorical exclusions. Environmentalists want to maintain a careful, agency-by-agency process for categorical exclusions, because they consider the exclusions to be “loopholes” and oppose any language that appears to broaden those loopholes, one environmentalist says.

It would not be appropriate for the bank to adopt another agency’s categorical exclusions because the decision must be based on the agency’s experience and practice, the source says. Individual agencies should conduct separate analyses because each agency may be dealing with the same practice in different situations, the source says.

For example, there would be different considerations for mowing grass if it is done on a playground or if it is done on a wildlife refuge, the source says. If the bank were to adopt an agencies’ existing exclusions rather than draft its own list, it could ignore such considerations and damage the environment, the source says.

The activist says that Bingaman, who has not yet formally introduced his bill, may have dropped the categorical exclusion language and only retained the provision on consultation with other agencies over expedited NEPA reviews. The source says this would be the best approach to expediting NEPA as the bank would be able to draw on other agencies’ expertise, but still be required to come to its own conclusions.

Bingaman’s office declined to comment on the bill because it has not yet been introduced.

Despite activists' concerns over the categorical exclusion provisions, the academic expert says the language is appropriate and necessary to speed clean energy development. Other agencies have already developed categorical exclusions for when a wind or solar project doesn't need a full NEPA review and many agencies have more expertise than a bank would in developing environmental criteria, the source says. "It may be punting on the issue, but punting to an agency with greater expertise," the source says.

The approach would expedite NEPA while not "cutting off its wings entirely," the source says. The bank would still need to identify and analyze substantive issues for projects that don't have categorical exclusions, and it is unlikely that a project that would have significant environmental impacts would have won a categorical exclusion from an environmental agency, the source says.

The difference in opinion on the green bank bills' NEPA language echoes an ongoing division within the environmental community about how to expedite NEPA for so-called green projects.

For example, some activists advocate streamlining NEPA for "smart growth" transportation projects, arguing that speedier NEPA reviews are justified by the broad economic and long-term environmental benefits the projects would provide. Other environmentalists -- particularly local, grassroots groups -- fear revising the law would be opening a Pandora's box and would potentially eliminate an effective tool they have used to block projects at the local level for decades.

In other examples, some groups strongly backed the Bureau of Land Management's decision to freeze solar energy projects to conduct NEPA analyses while others criticized the move because it delayed progress on solar power. And activists were divided about a Nov. 5 decision by DOE to limit its NEPA review of a rule governing \$25 billion in loans subsidizing the retooling of auto factories to build low-emissions, fuel-efficient cars.

FUEL

U.S. ethanol credit prices drop on blending delay (Reuters)

Thu Apr 9, 2009 3:49pm EDT

NEW YORK, April 9 (Reuters) - U.S. ethanol credit prices have dropped on diminished expectations that the government will allow increased levels of the alternative fuel to be blended into regular gasoline this year.

Prices for the credits, known as Renewable Identification Numbers, or RINs, have fallen since late March.

On Thursday, 2009 RINs, which expire in 2011, were valued at 8.5 cents, down nearly 30 percent since March 27, according to New York-based Rinxchange, the only bourse on which the credits are currently traded.

Vintage 2008 RINs, which expire in 2010, were pegged at 4 cents, down about 47 percent.

RINs prices had surged in January after ethanol prices hit a premium of more than 40 cents above gasoline as a fleet of ethanol plants shut on financing difficulties and poor margins.

Since then RINs have fallen amid weak fuel demand and after Valero Energy Corp (VLO.N: [Quote](#), [Profile](#), [Research](#), [Stock Buzz](#)) bought seven ethanol plants from bankrupt ethanol producer VeraSun Energy Corp (VSUQE.OB: [Quote](#), [Profile](#), [Research](#), [Stock Buzz](#)), which the oil refiner plans to run at capacity.

Prices of RINs dropped further after the Environmental Protection Agency said this month it will take another year of tests to see whether the higher blends will not harm car engines.

"It's going to take longer than most thought to even think about additional percentages of ethanol as an additive to gasoline," a RINS broker in an e-mail.

Ethanol producers have lobbied the government to increase the maximum blend of ethanol into gasoline that can be burned in normal cars to 15 percent from 10 percent.

U.S. fuel blenders and refiners are required to blend about 11.1 billion gallons of biofuels, mostly ethanol, into gasoline this year under a 2007 law known as the Renewable Fuels Standard. The mandate goes up to 36 billion gallons by 2022.

Each blender has to mix a required amount of biofuel into their gasoline or face fines. To track how they are doing, the government assigns each gallon of biofuel a RIN. Each year refiners prove they have met their obligation by turning in the RINs to the Environmental Protection Agency.

Instead of blending all the biofuels themselves, refiners also have the option to simply buy excess RINs from other refiners who have done extra blending.

(Reporting by Timothy Gardner; Editing by David Gregorio)

HAZARDOUS WASTES

EPA to distribute \$197 million to assess petroleum leaks (*Waste News*)

April 9 -- The U.S. EPA is distributing \$197 million appropriated under the American Recovery and Reinvestment Act of 2009 to assess and clean up underground storage tank petroleum leaks.

The funds -- part of what is better known as the economic stimulus package -- will create or retain jobs and contribute to at least 1,600 cleanups around the country, according to the EPA.

The greatest potential hazard from a leaking underground storage tank is that the petroleum or other hazardous substances seep into the soil and contaminate groundwater, which is the source of drinking water for nearly half of all Americans, according to the EPA.

The funds will be used for overseeing the assessment and cleanup of leaks from underground storage tanks or directly paying for assessment and cleanup of leaks from federally regulated tanks where the responsible party is unknown or unwilling or unable to pay for the cleanup, or when the cleanup is an emergency response.

States and territories will get \$190.7 million of the total funding in the form of cooperative agreements to address shovel-ready sites within their jurisdictions. The EPA will use \$6.3 million of the total funding to assess and clean up shovel-ready sites in Indian country.

The EPA's regional underground storage tank programs will enter into cooperative agreements with states and territories in spring 2009. These cooperative agreements will include detailed descriptions of state spending plans.

Information on the underground storage tank funding and the EPA's implementation of the American Recovery and Reinvestment Act of 2009 is available online at www.epa.gov/oust/eparecovery

Contact Waste & Recycling News senior reporter Bruce Geiselman at 330-865-6172 or bgeiselman@crain.com

PESTICIDES

US wages war on bugs afflicting troops abroad (Associated Press)

By JANET McCONNAUGHEY

NEW ORLEANS (AP) — Fluorescent rodent feces, a promising new mosquito repellent and a better flytrap are all part of a war on bugs designed to protect U.S. troops around the world.

Researchers in the Pentagon's Deployed Warfighter Protection Research Program highlighted pest-fighting innovations this week at the American Mosquito Control Association convention attended by some 800 scientists and insect control experts. Their aim: to take no prisoners among disease-carrying flies, mosquitoes and other bugs that threaten Americans in uniform abroad.

Even the common fly is counted among the enemy.

"When you're deployed, I would say 90 percent of all soldiers, service members, are going to have issues with filth flies," said Army Lt. Col. Jason Pike, executive officer of the 65th Medical Brigade's Force Health Protection and Preventive Medicine program headquartered in South Korea.

"Filth flies carry many organisms which cause diarrhea ... It might not be fatal, but one soldier out of commission affects a lot of other people," he said.

Begun in 2004, the Deployed Warfighter Protection Research Program dispenses \$5 million a year to find new ways to combat disease-carrying insects that threaten the troops — applications that ultimately could protect the public at large.

Military-driven research has produced past innovations against malaria and dengue and helped develop DEET, a key ingredient in most modern repellents. It even has led to chemical-treated fabrics that ward off ticks and mosquitoes.

Fighting bugs is a "global perpetual need," said program coordinator Graham B. White of the Armed Forces Pest Management Board. "Even if nobody went to war for a long time, these things would still need to be developed."

He said small insecticide sprayers developed through the program are now in use. The program also backed testing that secured recent Environmental Protection Agency approval of an insecticide spray that is highly toxic at low doses to adult mosquitoes but safe for mammals.

Now Navy Corpsman Joe Diclaro II is taking aim at the housefly. "I like to think of it as a death device," Diclaro said of a fold-up flytrap designed to ship flat and be rolled into bug-catching tubes in the field.

For starters, he changed the color of the trap.

"Almost everything on the market is yellow," said Diclaro, who is working on a doctorate in medical entomology at the University of Florida in conjunction with the Agriculture Department's Mosquito and Fly Research Unit.

When Diclaro released house flies in a dark tunnel between boxes lit in different colors, he found flies prefer blue or white over yellow.

So his trap is made of blue signboard. Tests show it has killed about 3,000 flies in 24 hours. Diclaro said his university's technology office has applied for a patent.

The research is among nearly three dozen studies funded by the Pentagon program since 2004.

Stephen Duke, of the National Center for Natural Products Research in Oxford, Miss., described possible bug repellents derived from American beautyberry, a shrub common to the Gulf coast. Duke said work began after a botanist remarked that relatives had rubbed farm mules with beautyberry leaves for bug protection.

Two colorless, odorless compounds in the leaves — callicarpal and intermedeol — seem about as good as DEET against mosquitoes and repel black-leg ticks and fire ants, Duke said. He said a decision on possible commercial uses is still a few years away.

The fluorescent feces are being used at Louisiana State University to learn whether sandflies can be killed by feeding sand rats a chemical harmless to the rodents but lethal to larvae that eat their feces.

Leishmaniasis, which causes disfiguring open sores and is spread by sandfly bites, is an enormous concern in the Middle East, White said. The disease infects an estimated 2 million people a year, according to the World Health Organization.

More than 2,000 U.S. troops in Iraq and Afghanistan have suffered from the disease, said Kenneth Linthicum, director of the Agriculture Department's Center for Medical, Agricultural and Veterinary Entomology.

To show that something eaten by a rodent could affect a sandfly, LSU researchers fed hamsters a dye that glows hot pink under fluorescent light. Sandfly larvae that ate the rodents' feces glowed, too.

They then fed hamsters two different chemicals known to kill sandfly larvae. Larvae ate their feces and died.

The fluorescent bait is being tested in Kenya and more work is planned on it, said researcher Thomas Mascari, a postdoctoral student in entomology.

"In 2010, we'll be going to Egypt to work with the Navy," he said.

STUDIES MAY BOOST BID FOR EPA TO ASSESS PESTICIDES' 'SYNERGISTIC' EFFECTS (*Inside EPA*)

4/10/2009

Activists say recent National Marine Fisheries Service (NMFS) endangered species analyses that find exposure to multiple pesticides results in "synergistic" harm greater than the combined harm of the individual pesticides underscores the need for EPA to grant their request to consider such risks when assessing pesticides' impact on humans.

However, an industry source says the NMFS analyses overreach because they base their conclusions about the synergistic effects of pesticide mixtures on a single study conducted by the National Oceanic & Atmospheric Administration (NOAA) that has methodological flaws. More studies need to be conducted before EPA can make any conclusions about the effects of pesticide mixtures on humans, the source says.

Activist groups have long urged the agency to consider what they say are the real-world effects of pesticides on humans -- including the risks of exposure to multiple pesticides -- in all ongoing pesticide registration and re-registration decisions. EPA only considers cumulative risks for pesticides residues on food -- not for pesticide registrations -- and the agency evaluates these risks by aggregating pesticides' individual risks rather than calculating their total combined risk.

But activists say the NMFS findings show the flaw in such an approach, because it found a basis for so-called synergistic effects of pesticides in fish, which occur when pesticides have more adverse effects acting in combination than would be expected if the individual risks of the pesticides were added together.

At issue are recent and pending NMFS biological opinions about the risks that certain types of pesticides pose to endangered salmon. EPA is under a court order to consult with NMFS about the risks of a slew of pesticides, after a federal district court found EPA had failed to protect salmon from pesticides under the Endangered Species Act (ESA). The U.S. District Court for the Western District of Washington in the case *Washington Toxics Coalition [WTC], et al. v. EPA* imposed mandatory no-spray buffer zones preventing the use of pesticides near some waterways until EPA consults with the Fisheries Service to modify pesticide labels.

To date, NMFS has issued a Nov. 18 final biological opinion for chlorpyrifos, diazinon and malathion and is expected to finalize an opinion for carbaryl, carbofuran and methomyl in the coming weeks.

The opinions cite research about the synergistic effects of diazinon, malathion, chlorpyrifos, carbaryl, and carbofuran conducted by NOAA. The study found that many salmon died when exposed to pesticide combinations, even though no salmon died when exposed to an individual pesticide.

NMFS' findings on the combined, or synergistic, effects of the pesticides is one of several factors that spurred NMFS to suggest that EPA dramatically expand the no-spray buffer zones in order to protect salmon. The court in the *WTC* case ordered buffer zones of 60 feet for ground application and 300 feet for aerial applications, but for some pesticides NMFS recommends expanding the requirements to 600 feet for ground application and 1,000 feet aerial application. *Relevant documents are available on InsideEPA.com.*

Activists praise the opinions' consideration of synergistic effects and expect NMFS opinions for the more than 30 remaining pesticides under the court order will also consider similar effects. Research showing synergistic effects of pesticides "is a clear message to EPA that . . . you absolutely need to look at chemicals jointly," according to a source with the Northwest Coalition for Alternatives to Pesticides (NCAP).

In addition, the research and biological opinions shows that EPA can and should be looking at the risks that pesticide combinations pose to humans, the NCAP source says. As systems are developed to better evaluate risks that multiple chemicals pose to salmon, EPA will be able to use those models for people, the source says, adding, "Absolutely it's a hill that needs to be climbed."

An attorney with Earthjustice says activists expect the Obama EPA to issue guidance or regulations about how to assess the risks of pesticide mixtures.

EPA currently considers cumulative effects in setting pesticide tolerances, which is the amount of residue that is allowed on food, both imported and domestically grown. However, EPA limits its tolerance analysis to the cumulative impacts of pesticides that work through the same biological pathways, and does not consider cumulative impacts in pesticide registrations.

But the industry source says neither NMFS nor EPA should rely on the limited amount of research to draw conclusions about pesticide mixtures. NMFS' opinions appear to rely only on the NOAA study, which the source says has flaws because it used higher pesticide concentrations than would be found in real-world pesticide use.

Industry met with NMFS and EPA April 7 to express their concerns about the carbaryl, carbofuran and methomyl draft opinion, including their belief that NMFS has insufficient evidence of synergistic effects, the source says. In addition, the source says it is much too early for EPA to be drawing conclusions about the human health effects of pesticide mixtures. More research needs to be conducted before EPA applies the data to humans, the source says. -- *Kate Winston*

POLITICAL

INHOFE OPENS DOOR TO BLOCKING VOTE ON EPA AIR OFFICE NOMINEE (*Inside EPA*)

4/10/2009

Sen. James Inhofe (R-OK) is leaving the door open to placing a hold on the nomination of Gina McCarthy, President Obama's pick to head EPA's air office, citing Democrats' past opposition to Bush administration nominees and pointing to precedent for a hold unless he receives swift, complete answers to his questions for McCarthy.

"The Senate has not confirmed a nominee for this position in eight years, not since 2001. And it's due entirely to the opposition of my colleagues on the other side of the aisle," Inhofe said in his opening statement at McCarthy's April 1 Senate Environment & Public Works Committee (EPW) confirmation hearing.

A spokesman for Inhofe -- ranking member on EPW -- says the senator currently has no plans to place a hold on McCarthy's nomination, which would block a full Senate vote to confirm the nominee. However, the spokesman says there is precedent for a hold if Inhofe fails to receive timely and full answers to his questions for McCarthy.

Opposition to President Bush's nomination of William Wehrum to head EPA's air office and other nominees "arose from allegations that nominees failed to provide timely and complete answers to questions submitted to them," Inhofe said in his opening statement. "In effect, Madam Chairman, a standard was set by you and your colleagues: in order to advance this nomination as expeditiously as possible, the minority will need timely and complete answers to our questions. Let's hope that occurs."

Jeffrey Holmstead was the last confirmed EPA Office of Air & Radiation assistant administrator, serving from the beginning of the Bush administration to 2005. After Holmstead quit the agency, Wehrum -- an EPA official and former industry lawyer alongside Holmstead at the law firm Latham & Watkins -- took over in an acting capacity, and Bush eventually nominated Wehrum to the slot in February 2006.

However, EPW Chairwoman Barbara Boxer (D-CA), at the time a member of the panel's minority when the Republicans controlled the Senate, placed a hold on Wehrum's nomination due to her concerns about his record on various clean air rulemakings. The then-GOP majority on the committee approved the nomination 10-8 in April 2006, but Boxer's hold prevented Wehrum from ever being confirmed to head up EPA's air office.

Boxer's hold was due to her concerns about Wehrum's role in Bush EPA rules that she said were too industry-friendly, including EPA's mercury emissions trading rule and changes to the new source review program. Boxer's opposition eventually led Wehrum to submit his resignation in May 2007 and deputy air chief Robert Meyers then served in an acting capacity until the end of the administration.

In 2005, Boxer also used a hold on Bush EPA Administrator Stephen Johnson's nomination to secure his commitment to cancel a controversial study evaluating the use of pesticides on children. Johnson canceled the study directly in response to Boxer's vow to hold up his nomination.

Now, Inhofe is suggesting that he could put a block on McCarthy's nomination to head the air office unless he receives what he sees as timely, complete responses to policy questions.

Inhofe said his comments had nothing to do with McCarthy personally, and pointed out that McCarthy had already provided answers to his first round of questions, which typically ask nominees to provide their career history, possible conflicts of interest and other details. However, Inhofe said he would likely have further questions, saying, "I'm sure there's some things we may want to pursue."

Although it is unclear what concessions Inhofe might seek to overcome his possible opposition to McCarthy, he raised concerns about climate regulations under the Clean Air Act.

Inhofe said that EPA's pending endangerment finding will extend the reach of EPA's regulations to all aspects of the economy, and he urged caution in EPA's rules. "I hope that you will approach pending decisions on greenhouse gas regulations with care and to the extent that you can, ensure that the concerns of small business, families and every American that uses energy receives a proper hearing," Inhofe said.

Sen. George Voinovich (R-OH) also expressed concern about greenhouse gas regulations under the Clean Air Act, and urged McCarthy to take a bipartisan approach. "The act's principle regulatory programs were enacted decades ago for the purpose of controlling local and regional air pollution. It was designed not to address the global phenomenon of greenhouse gases. I think that all of these things are going to have to be taken into consideration. I am confident that you will try to throw the ball down the middle."

Other lawmakers pressed McCarthy on a range of other issues. For example, Boxer pushed McCarthy to promise to expand EPA's newly announced effort to monitor air toxics at schools. Boxer had urged Obama EPA Administrator Lisa Jackson during her confirmation hearing to pursue the monitoring, and EPA March 31 announced that 62 schools located near industrial facilities or in urban areas would undergo monitoring.

However, Boxer indicated that the monitoring plan does not go far enough. "If confirmed will you commit to use the full extent of EPA's authority and to work with us to expand the monitoring plan around schools and to address the problem of toxic air pollution at schools?" Boxer asked McCarthy.

McCarthy praised the resources Jackson has already committed to the effort, but added, "I will, if confirmed, go back to the agency, get a good understanding of the schools they have identified and why, and we will make sure we work with the state and local level to do testing that's necessary to identify the risk and to move forward as quickly as possible to reduce any risks that we find."

McCarthy has worked on air, climate and radiation issues for the last 25 years, in environmental positions in Massachusetts and as the Commissioner of the Connecticut environment department. She was also involved in developing the Regional Greenhouse Gas Initiative, the northeast region's carbon dioxide cap-and-trade program.

Committee Democrats Boxer, Carper and Sen. Tom Udall (D-NM) generally supported McCarthy, praising her experience and hailing her ability to build alliances. Sens. Edward Kennedy (D-MA), John Kerry (D-MA), Christopher Dodd (D-CT) and Joseph Lieberman (I-CT), who are not on the environment committee, also submitted testimony in support of her nomination. -- *Kate Winston*

OBERSTAR INQUIRY, OBAMA EARMARK SEEN PUSHING CANNON'S EXIT FROM EPA (*Inside EPA*)

4/10/2009

Jonathan Cannon's abrupt withdrawal as nominee for EPA's deputy administrator slot was due primarily to an ongoing inquiry into America's Clean Water Foundation (ACWF) -- a now-disbanded organization on whose board Cannon once served -- by House transportation committee Chairman James Oberstar (D-MN), which sources believe could have complicated Cannon's confirmation hearing.

But his withdrawal, which has left EPA without a nominee for a key slot, may also be due to several other factors, including then-Sen. Barack Obama's (D-IL) support for a \$3 million earmark for the organization even after ACWF officials had briefed some lawmakers -- though not Obama -- that a former bookkeeper had embezzled hundreds of thousands of dollars from the organizations.

Cannon hinted at the Oberstar investigation in a March 25 statement withdrawing his name from consideration, saying the organization, which was established to monitor farms' environmental performance but was disbanded after a critical EPA Inspector General (IG) inquiry, "has become the subject of scrutiny."

He added that while his service on the organization's board is not the subject of scrutiny, he feared that the scrutiny could delay his confirmation and distract from the challenges facing the agency.

Sen. James Inhofe (R-OK), the ranking Republican on the Senate environment committee, acknowledged in a March 25 statement that his staff had queried Cannon about the IG report, but had not demanded his withdrawal. "I want to make clear . . . that . . . Inhofe staff expressed to Mr. Cannon that, though the organization committed serious missteps in managing federal grants, it did not warrant opposition to his nomination," he said.

But sources say another factor that may have contributed to Cannon's withdrawal is that Obama and other farm-state senators had successfully backed ACWF's efforts to win a \$3 million earmark in EPA's fiscal year 2006 appropriation bill, because the revelation could have proved embarrassing for the president given political criticism of his support for earmarks.

The other supporters of the earmark request were Sens. Kit Bond (R-MO), Ben Nelson (D-NE), Charles Grassley (R-IA), Richard Durbin (D-IL), Norm Coleman (R-MN), Richard Burr (D-NC), Mary Dayton (D-MN), Tom Harkin (D-IA), James Talent (R-MO) and Elizabeth Dole (R-NC). *The earmark request is available on InsideEPA.com.*

Obama and the other lawmakers had sought the earmark even after ACWF officials had briefed some lawmakers -- though not Obama -- that a former bookkeeper had embezzled thousands of dollars from ACWF and other water organizations, according to a source familiar with the issue. The bookkeeper's embezzlement eventually prompted the IG's inquiry.

A spokeswoman for Oberstar says the 2007 IG report is the reason the chairman began investigating ACWF. Several sources said the lawmaker's investigation and the prospect of future revelations was a key cause for concern.

Cannon abruptly withdrew his name from consideration as deputy administrator March 25, the day before a scheduled confirmation hearing in the Senate environment committee. His withdrawal has left EPA without a nominee for a slot that sources say is critically important for overseeing scores of day-to-day issues that require a lot of "heavy lifting."

Cannon had sat on the board of ACWF from 2002 until the organization was forced to dissolve because it ran out of funds.

The organization primarily provided farmers confidential environmental assessments of their farms under the On Farm Assessment and Environmental Review (OFAER) program. Sources familiar with the program say it was highly successful and popular with farmers. Some states even required farmers to participate in the OFAER program which made the organization's services more important there. Some critics charged that the program's environmental assessments should not be confidential, but ACWF thought confidentiality was "critical" to ensure participation, sources say.

One farm source who was not involved with the organization gives it "a lot of credit" and says the OFAER program and ACWF's involvement is a reason the pork industry -- which participated thoroughly and early on -- has generally fared better on environmental issues in recent years than other livestock sectors.

The earmark request from Obama and the other senators also backed the program, saying "it provides livestock producers an objective, thorough and fully confidential assessment of environmental strengths, risks and challenges at their operations at no charge. These assessments are conducted by teams of well trained and experienced professionals certified in the use of a tested and proven assessment tool."

Although highly regarded by many, the organization's problems began in April 2005 when officials discovered its bookkeeper had embezzled over \$300,000 from ACWF, as well as the Association of State and Interstate Water Pollution Control Administrators (ASIWPCA), which had shared offices.

In the wake of the embezzlement discovery the IG began investigating ACWF, eventually concluding that EPA should try to reclaim the more than \$25 million in federal grants that had gone to the organization. The IG's February 2007 report found ACWF "did not comply with the financial and program management standards and the procurement standards," and demonstrated a range of accounting shortcomings.

One source familiar with the matter says the organization wasn't "perfect" but that ACWF consistently provided contracts and other documentation to EPA for comment and review before making final decisions, and that EPA staff overseeing the program had often praised the organization.

The source also says that a two-year audit from the EPA's IG from 2001-2003, during which the funds were being embezzled, did not find improprieties. The 2007 IG report does not mention the embezzlement, but another source says the bookkeeper did not steal federal grant dollars because "she was too smart for that."

Discovery of the embezzlement came after the bookkeeper's alleged death when ACWF switched auditing firms, a common business practice because auditors analyze records in different ways.

ACWF officials immediately brought news of the embezzlement to the FBI, D.C. Police, EPA and relevant lawmakers, sources say.

But that did not stop Obama and others from seeking the earmark. -- *Jonathan Strong*

SOLID WASTES

EPA CONSIDERS NOVEL 'PRODUCT' DETERMINATION FOR STORED MERCURY (*Inside EPA*)

4/10/2009

EPA is weighing how to classify elemental mercury that will be stored at a Department of Energy (DOE) facility under the Resource Conservation & Recovery Act (RCRA), a decision that could lead to a novel situation in which the agency chooses to regulate the substance under RCRA as a "product" and not a discarded waste.

At issue is how to implement the requirements of the Mercury Export Ban Act, a law Congress approved late last year that requires DOE to store mercury banned from export at a facility permitted under RCRA Subtitle C but does not specify whether the mercury should actually be considered a solid waste, according to Matt Hale, director of EPA's Office of Resource Conservation & Recovery. Typically, RCRA requirements only apply to materials that have been discarded and are therefore considered a solid waste.

Elemental mercury has traditionally been considered a product and not a waste because it could be traded on the market, Hale told *Inside EPA* in an interview, but under the new law it is unclear whether the mercury banned from export is discarded and thus becomes a waste when it is sent to the DOE storage facility.

Hale said it is unlikely that EPA's decision on whether to consider the elemental mercury a solid waste or a product will have an impact on how it will regulate the DOE storage facility because the export ban law specifies that the facility will be subject to RCRA Subtitle C regulations regardless.

But the decision could have other implications, Hale said. For example, if EPA decides to consider the mercury a product, companies that ship mercury to the DOE facility would not be required to maintain a hazardous waste manifest for the mercury, as is typically required for waste shipments under RCRA, Hale said. The decision could also have implications for land disposal restrictions.

One source that follows waste issues has preliminary concerns with the prospect of EPA considering the elemental mercury stored at the DOE storage facility a product, explaining that a hazardous

substance that is stored in such a long-term fashion would under any other circumstance be considered discarded and thus a solid waste subject to all pertinent RCRA regulations. Creating an exception to that rule could create a negative precedent for other materials in similar situations, the source says.

Hale acknowledged that considering the stored mercury a product even though it is stored at a RCRA Subtitle C facility “would be unique,” but said EPA has not yet studied all the legal ramifications of the possible decision. Hale brought the issue to the attention of state regulators -- some of which may be involved in the permitting of the DOE facility -- during a public meeting of the Environmental Council of States late last month, and asked them to consider the issue and provide EPA with feedback.

EPA will likely study the issue further as it oversees DOE’s preparation of an environmental impact statement for the facility in the coming months, Hale said.

EPA READIES FINAL PLAN FOR WASTE MANAGEMENT LIFECYCLE APPROACH (*Inside EPA*)

4/10/2009

EPA is preparing to release in May the final version of its long-pending plan to comprehensively overhaul waste management and will recommend a number of key steps including focusing existing agency programs on a new “lifecycle” approach that will address each step in the product development process.

At a March 25 National Advisory Council on Environmental Policy & Technology (NACEPT) briefing, Derry Allen of the agency’s Office of Policy, Economics & Innovation previewed the final plan that he said will mark the first steps in a “generation-long shift” in the management of materials. The plan includes a potential advisory role for NACEPT on issues including developing lifecycle strategies for materials management.

The report will encompass final recommendations outlined by a draft document that EPA released last April outlining plans for implementing a 2002 agency document, *Beyond RCRA: Prospects for Waste and Materials Management In The Year 2020*. Provisions in the 2002 document sought to clean up all RCRA sites and develop by 2020 a plan to reduce risks from waste products during their entire lifecycle.

Allen said the final report, *Sustainable Materials Management: The Road Ahead*, has undergone peer review and final changes are being made to reflect the peer review recommendations. The report will be presented to EPA senior staff in May, and discussions are underway on how to implement the plan.

The report will make three broad recommendations: that EPA begin managing materials and products on a lifecycle basis, that the government should integrate materials management approaches in existing programs, and that EPA accelerate the “broad, ongoing public dialogue” on lifecycle materials management.

The materials management approach emphasizes regulating not only the disposal of materials but every aspect of the lifecycle of materials -- from their extraction to their processing, design, manufacture, use, collection and disposal. As a means to that end, the agency has been analyzing existing data and developing implementation strategies for materials management that would effectively eliminate the need for waste management.

The report analyzes the lifecycles of a number of materials and judged them based on their environmental impacts, energy use, water use, material use and material waste, ranking each relative to one another for their adverse or positive impacts in each category. Allen said food, textiles, fossil fuels, metals and forest products “generally ranked high,” which is consistent with other similar studies.

The report also focuses on reducing the amounts of materials used overall, thus diminishing the environmental impacts on a larger scale. “If you think this way, this goes far beyond what our current programs do right now,” Allen said. “And that’s where this begins to get interesting and innovative.”

The report recommends that EPA begin the materials management transformation process with pilot programs for a handful of materials, though Allen did not say which materials would be recommended. In the meantime, Allen said the report recommends refocusing existing programs more directly on lifecycle management rather than on waste alone. “These are recommendations, they are not policy yet,” Allen said. “But the feedback we’ve been getting from people is very much confirming that these are directions we ought to be heading in.”

Allen’s presentation to the meeting also says that NACEPT will be invited to read the final report and have a role advising EPA and commenting on the plan. NACEPT could be asked to advise on the general approach and implementation of the plan, and/or specific issues including data priorities or lifecycle materials management strategies.

NACEPT member Bob Gruening said the approach Allen laid out, if adopted, would represent a fundamental shift in society’s attitude towards waste, rendering it less a fact of life than a failure in the supply chain. “I think this is fundamental rethinking going on in the agency,” Gruening said. “To move to a future where there is no waste management, because waste is just a design failure -- it’s a very profound approach.” -- *John Heltman*

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SUPERFUND

Gowanus Canal, Polluted for Many Decades, May Become Superfund Site (*New York Times*)

By [MIREYA NAVARRO](#)

April 10, 2009

The [Environmental Protection Agency](#) has proposed to add the Gowanus Canal, in Brooklyn, to its list of [Superfund](#) sites, a step that advocates hope will revitalize a waterfront hobbled by environmental problems from its industrial past.

“The Superfund nomination is an important step toward reclaiming the canal for valuable community development and restoring contaminated waters to health,” [Nydia M. Velázquez](#), who represents the area in Congress and helped obtain federal financing for a study to assess the extent of the contamination, said in a statement Wednesday.

The canal, extending about a mile and a half north from Gowanus Bay near the neighborhoods of Red Hook, Carroll Gardens and Park Slope, is one of 67 sites proposed for the Superfund National Priorities List, which steers federal money to contaminated areas for cleanups.

Elizabeth Totman, a spokeswoman for the agency, said that most sites proposed eventually got listed, depending on the volume and nature of the comments received during a 60-day public comment period, which began Thursday.

“E.P.A. has done preliminary assessments of the sites we propose, and we propose them because we feel that the listing is warranted based on what we’ve found,” she said.

Sampling at the Gowanus Canal has found a variety of pollutants, the agency said, including pesticides, metals and the cancer-causing chemicals P.C.B.’s. The contamination, agency officials said, stems from the canal’s history since its completion in the 1860s as a busy industrial waterway for the oil refineries, coal yards, concrete-mixing facilities and tanneries along its banks, and from being “a repository” of untreated industrial wastes and raw sewage and runoff.

Most of the industrial activity has stopped, and some community advocates say they are concerned that a Superfund designation could interfere with efforts already under way to build new housing and commercial developments in the area.

Salvatore Scotto, a founder of the [Gowanus Canal Community Development Corporation](#), a neighborhood preservation group, said that some private developers had agreed to conduct their own cleanups in order to build, and the city had been working on a rezoning plan to allow them to do it.

“We want to make sure they’re not precluded from building,” Mr. Scotto said. “Can the government work with the private sector? This has to be worked out.”

A spokesman for Robert C. Lieber, deputy mayor for economic development, said the city was reviewing the Environmental Protection Agency proposal to make sure a Superfund designation would not slow existing cleanup plans or impede public and private investment.

But Marlene Donnelly, a member of another neighborhood group, Friends and Residents of Greater Gowanus, said a Superfund designation would address the environmental plight of the canal in a more coordinated way.

“It’s an area-wide problem, and a piecemeal approach is not going to get to the problem,” she said.

Representatives Velazquez and [Yvette D. Clarke](#), both Democrats from Brooklyn, will hold an informational forum on the Superfund nomination on Tuesday at 7 p.m. at the auditorium of Public School 32, 317 Hoyt Street.

Brooklyn's Gowanus Canal may get Superfund cleanup (*The Star-Ledger*)

by The Star-Ledger Continuous News Desk

Friday April 10, 2009, 5:23 AM

New Jersey

The Gowanus Canal in Brooklyn has been proposed to be added to the Environmental Protection Agency's list of Superfund sites, which could make it eligible for federal cleanup funds, according to [a report in The New York Times](#).

Elizabeth Totman, an EPA spokeswoman, told the newspaper most sites proposed eventually join the list after 60 days of public comment. The canal runs about a mile and a half north from Gowanus Bay close to Brooklyn sections Red Hook, Carroll Gardens and Park Slope. It is among 67 sites offered for the Superfund National Priorities List.

See more in [Environment](#), [New York City](#)

EPA may add Puerto Rico plant to Superfund list (Associated Press) This story also appeared: *Washington Post*

April 9, 2009; 4:44 PM

SAN JUAN, Puerto Rico (AP) — The U.S. Environmental Protection Agency may add a paper and plastic bag factory in central Puerto Rico to its list of hazardous waste sites, a spokeswoman said Thursday.

Scientists say contamination from the Papelera Puertorriquena Inc. plant in the mountainous town of Utuado may have polluted soil and a river with industrial chemicals including ethyl acetate and isopropanol. Businesses and homes surround the plant, and several public schools are within a half-mile (half-kilometer).

EPA spokeswoman Beth Totman said the federal agency has proposed putting the facility on its Superfund National Priorities List, a program for investigating and cleaning up the most severe hazardous waste sites.

Papelera Puertorriquena has manufactured bags at the Utuado plant for more than 40 years. Phone calls to the company went unanswered Thursday.

In a statement announcing the proposal on Wednesday, EPA acting regional administrator George Pavlou said that by adding the site to the Superfund list, the EPA "can better ensure that students, workers and residents in the area are safeguarded against the contaminants coming from the site."

A public comment period will be held for the next two months.

Montco site added to Superfund list (*Philadelphia Inquirer*)

By Tom Avril

Inquirer Staff Writer

Posted on Thu, Apr. 9, 2009

Pennsylvania

A 35-acre Montgomery County site, long contaminated with residue from the nearby manufacture of asbestos, is being added to the national Superfund cleanup list, federal officials announced yesterday.

The parcel, in Ambler, Whitpain, and Upper Dublin, was used for the disposal of asbestos-containing material from the early 1900s until the late 1980s, according to the Environmental Protection Agency.

The Superfund designation, which was proposed in September and formally takes place today, makes the site eligible for a special pool of federal cleanup dollars. No estimate of cleanup costs has been made yet for the tract, named the BoRit site because part of it was apparently once owned by a member of the Rittenhouse family, according to residents and the EPA.

Superfund cleanups typically run into the many millions of dollars. Asbestos, when inhaled, can cause a rare form of lung cancer, and the EPA said the site posed a potential risk. But it has said airborne levels of the contaminant are well within acceptable limits.

Sharon McCormick, cofounder of the BoRit Community Advisory Group, which had been pushing for the Superfund listing, said she was pleased by the move.

"We need a bigger pot of money," she said. "That's why we wanted to get it there."

McCormick said she spoke on her own behalf and not for the group.

The site includes a waste pile, a pond, and a park.

The portion that contains the waste pile is owned by a development company called Kane Core, according to Ambler officials. The park portion is owned by Whitpain Township and the pond by the Wissahickon Waterfowl Preserve.

The telephone number at Kane Core has been disconnected, as has the home telephone for David F. Kane, a company official. Mark Marino, who joined Kane in proposing to build a

condominium building on the site five years ago before withdrawing the plan, said he was no longer involved with the company and had no comment.

Contact staff writer Tom Avril

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Superfund designation considered (*Wilkes-Barre Citizens Voice*)

WRIGHT TWP. — The U.S. Environmental Protection Agency has proposed adding a Mountain Top chemical spill to the Superfund National Priorities List.

***BY ELIZABETH SKRAPITS
STAFF WRITER***

Published: Thursday, April 9, 2009 4:06 AM EDT

WRIGHT TWP. — The U.S. Environmental Protection Agency has proposed adding a Mountain Top chemical spill to the Superfund National Priorities List.

However, if the company that caused the spill continues to cooperate with the federal agency to clean up the site, an official Superfund designation might not be necessary.

“I’m glad to see they’re finally moving. It’s about time,” said Sally Martin, one of the Church Road residents affected by trichloroethene contamination.

Superfund sites contain hazardous substances that pose a threat to human health and the environment. There are 60 days for public comment to EPA after a site is proposed for Superfund designation. EPA makes a decision after evaluating and responding to the comments.

“We hope and think it’s not necessary to finalize it,” Foster-Wheeler Vice President and Associate General Counsel Thomas Kowalczyk said.

He was representing the company at a meeting at St. Jude’s School on Wednesday for residents to check out resumes and select a neutral mediator to help form a community advisory group.

The group, to be comprised of residents, elected officials and other representatives, would provide a tool for more open communication between the community and the federal agency,

EPA Community Involvement Coordinator Larry Johnson said.

The group would eventually perform independently as a means for residents to have more say as things progress.

“At the EPA we like to have a strong and well-balanced (community advisory group) because, quite frankly, we’re going into these people’s homes and yards,” he said. “It’s only fair they have input.”

The Foster Wheeler Energy Corporation operated at 348 Crestwood Drive in the Crestwood Industrial Park from 1953 to 1984, manufacturing pressure boilers. The plant used trichloroethene, or TCE, as an industrial de-greaser. The chemical contaminated the groundwater and subsequently affected about 36 residences on nearby Church Road.

A settlement made a few days ago requires Foster Wheeler to conduct a remedial investigation to determine the extent of the contamination and a feasibility study to evaluate cleanup options, at the company’s expense, according to EPA spokesman Roy Seneca.

“Normally it’s at least a six-month process before it (Superfund process) becomes final. This allows it to get started right away,” he said, adding, “They’ve been very willing to cooperate and get the site cleaned up.”

If Foster Wheeler complies with all the requirements for a Superfund site, there may be no need for it to receive the actual designation, Seneca said. Instead, the company could enter a Superfund Alternate Agreement, Johnson said.

“Foster Wheeler has been exemplary. They’ve been a very good corporate citizen,” he noted.

But the process of performing the remedial investigation and then the feasibility study will take time, Johnson said.

“There’s going to be a lot more unfolding over the next two or three years, so I would just counsel people to have patience,” he said. “We have a lot of work ahead of us.”

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EPA adds 9 new hazardous waste sites to Superfund list (*Waste News*)

April 9 -- The EPA is adding nine new hazardous waste sites to the National Priorities List of Superfund sites and is proposing to add another 13 sites to the list.

Superfund is the federal program that investigates and cleans up the most complex, uncontrolled or abandoned hazardous waste sites in the country.

The EPA to date has placed 1,596 sites on the NPL. Of those, 332 sites have been deleted, resulting in 1,264 final sites currently on the NPL.

With the proposal of the 13 new sites, there are 67 proposed sites awaiting final agency action.

The nine sites added to the list are the Raleigh Street dump in Tampa, Fla.; the Arkla Terra property in Thonotosassa, Fla.; U.S. Smelter and Lead Refinery Inc. in East Chicago, Ind.; Fort Detrick Area B Ground Water in Frederick, Md.; Behr Dayton Thermal System VOC plume in Dayton, Ohio; the New Carlisle Landfill in New Carlisle, Ohio; BoRit Asbestos in Ambler, Pa.; Barite Hill/Nevada Goldfields in McCormick, S.C., and the Attebury Grain Storage Facility in Happy, Texas.

TOXICS

EPA POISED TO REQUIRE RESUBMISSION OF 2008 TRI DATA UNDER STRICTER RULES (*Inside EPA*)

4/10/2009

EPA is poised to issue a rule reversing Bush administration regulations relaxing Toxic Release Inventory (TRI) reporting requirements that would require companies that have submitted data for 2008 under the Bush rules to resubmit the data under the older, stricter requirements.

Mike Petruska, director of EPA's TRI program, told attendees March 31 at a TRI training conference in Bethesda, MD, that agency Administrator Lisa Jackson could sign the rule in a matter of days. The rule will scrap the Bush reporting requirement changes -- which raised the threshold for reporting chemical releases from 500 pounds to 2,000 pounds and set a first-time threshold of 500 pounds for reporting persistent bioaccumulative toxins -- and reinstate the previous requirements that supporters say are more stringent and require greater reporting of toxic releases.

The 2009 omnibus spending law included language requiring the agency to return to the TRI reporting requirements in place prior to the Bush administration changes. One EPA source says that the rule Jackson is preparing to sign will be "very straightforward," but will require facilities that have already submitted TRI reports for the 2008 data set under the Bush requirements to resubmit their reports under the old requirements.

Prior to the spending law's passage some sources had raised concerns that switching back to the old reporting requirements mid-year could create uncertainty for business, but the EPA source says relatively few facilities have already submitted their reports.

In addition to the pending rule, Mike Flynn, acting deputy administrator of EPA's Office of Environmental Information, repeated past comments that the agency is weighing "enhancements" to TRI, including adding new chemicals to the list of those companies must report.

Prior to the training conference, Flynn said in a March 19 interview with *Inside EPA* that Jackson is "very supportive of this program; she thinks it's a key to information and transparency." Agency officials are now looking at ways to "enhance" the TRI program through potential regulatory changes, he said.

Potential options for regulatory changes to TRI -- which requires companies to annually report data on releases of certain toxic chemicals from their facilities -- could include "bringing in potentially other chemicals," Flynn said in the interview, though the agency has yet to decide on any changes to the program.

Petruska said at the conference that hydrogen sulfide is one chemical EPA may consider adding, but he said no decisions have been made. "Adding a chemical is not something we take lightly," he said. EPA is currently weighing whether to regulate hydrogen sulfide as a hazardous air pollutant, which industry fears would force increased reporting and emissions control requirements on a range of sectors. The oil industry is developing a series of studies on the human health risks posed by hydrogen sulfide -- a by-product of the petroleum refining process -- to inform the agency's decision.

Meanwhile, EPA officials said the agency is also looking to release its annual TRI data as soon as it is available rather than waiting for EPA staff to complete their detailed analysis of the data -- something that state officials have previously encouraged, but some in industry oppose due to fears the raw data could be misinterpreted.

Flynn also said the agency is open to suggestions for reducing TRI reporting burdens but said the agency will not revisit the Bush rule changes. Flynn said EPA has not yet decided whether to seek industry input on potential TRI burden reduction as an informal process or through a formal *Federal Register* notice seeking comment on possible changes.

ACTIVISTS EYE ADDING GREENHOUSE GASES TO TOXICS RELEASE INVENTORY (*Inside EPA*)

4/10/2009

Environmentalists are urging EPA to consider adding greenhouse gases to the list of substances that industry must report annually to the agency's Toxics Release Inventory (TRI) program as the agency explores how to expand the program under the Obama administration.

But a key EPA official is already suggesting that requiring industry to report greenhouse gases as part of their TRI reports may be difficult. "A number of greenhouse gases are not toxic under" the

Emergency Planning & Right-to-Know Act, TRI program director Mike Petruska told attendees of the 2009 TRI National Training Conference in Bethesda, MD, March 31, referring to the law that authorized the TRI program. "There may be exemptions," however, Petruska added.

Sean Moulton, a policy analyst with the activist group OMB Watch, made the suggestion that EPA consider adding greenhouse gases to TRI during a keynote address to conference attendees. Moulton acknowledged, however, that there may be hurdles to including greenhouse gases in TRI, and said activists were not certain whether they should be reported as part of the existing program or whether EPA should create a new program in order to track them.

Still, Moulton said EPA should "break free of the idea that everything must be toxic to be in the program" and should consider other, non-toxic impacts that various substances can have on human health and the environment.

ECOS TO MOVE FORWARD WITH NANO INFORMATION EXCHANGE WITH EPA, DOD (*Inside EPA*)

4/10/2009

State environmental commissioners are backing a plan to share information with EPA and the Defense Department (DOD) on the safety and toxicity of nanomaterials as a first step toward a more robust relationship between federal and state governments on managing the hazards associated with nanotechnology.

The Environmental Council of the States (ECOS) approved the information exchange March 23 at the group's spring meeting in Alexandria, VA, following a briefing from the organization's emerging contaminants work group on efforts to integrate state, EPA and DOD efforts.

Laurie Burt, commissioner of the Massachusetts Department of Environmental Protection and chair of the ECOS emerging contaminants subgroup, described the effort as primarily a means to coordinate already ongoing efforts by the respective agencies, particularly in the areas of impact assessment and pollution prevention, and to ultimately establish best management practices.

"We think it makes a lot of sense to the work group to build upon the relationship [ECOS] already has with EPA and DOD by expanding coverage in . . . assessing impacts of nanotechnology, and also multimedia pollution prevention," Burt said. "The DOD is working on a host of nanomaterials in their defense systems, yet we know the environmental implications of nanomaterials at the sites of manufacturing and disposal are still poorly understood."

The effort's ultimate goal is to avoid duplication of state and federal efforts, given budget constraints, a state source familiar with the issue says. "There could well be a resolution that comes out of this, but it's very much in the formative stages," the source says. "The issue is on people's radar, and the states are interested in what we are going to do together to advance" the effort.

The coordination effort could lead to a best management practices guidance or other coordinated state/federal approach towards nanomaterials, the state source says. "At this point, we're exploring what kind of research we're doing, [and] what information we have on best management practices are being considered," the source says.

DOD briefed ECOS on nanotechnology issues last year during the state environmental commissioners' annual meeting in Branson, MO. DOD has a coordinated policy for dealing with the emerging risks associated with nanomaterials, which it shared with ECOS. "My understanding is, the idea they're floating comes from our success in moving forward" with guidance on nanomaterials risks, a DOD source says.

ECOS and DOD met April 2 to discuss nanomaterials, according to the DOD source. ECOS is also planning to meet with officials in EPA's Office of Solid Waste & Emergency Response (OSWER), but the state source says no meetings between ECOS and OSWER have yet been scheduled.

Last year the Massachusetts Interagency Nanotechnology Committee, believed to be the first state group focused on the safe use of nanotechnology, began compiling a set of best management practices for laboratories and companies working with nanomaterials to protect workers, the environment and public health from the possible risks of the emerging technology. The work group also planned to work to promote risk characterization of nanomaterials, as well as increase the risk information available to the public.

SMALL CHEMICAL PRODUCERS SUPPORT 'UNREASONABLE RISK' STANDARD (*Inside EPA*)

4/10/2009

Small chemical producers are strongly backing the current legal standard EPA must meet before banning toxic substances, which could signal a rift in the industry as other sources have said they would consider easing the standard.

The Toxic Substances Control Act (TSCA) requires EPA to prove that a chemical poses an "unreasonable risk of injury to health or the environment" before it can be banned. The standard has long been criticized by environmentalists as setting an overly high bar for agency action, noting that federal courts cited the standard to block EPA efforts to ban asbestos.

To address this, activists and others are backing the soon-to-be-introduced Kid-Safe Chemicals Act (KSCA), which requires industry to prove with "reasonable certainty that the chemical substances pose no harm" before they can be approved.

In a policy statement released April 1, the Society of Chemical Manufacturers and Affiliates (SOCMA) says the "unreasonable risk" standard has "stood the test of time." The group says the current standard "serves its purpose by giving EPA scientists and policymakers the authority to reach sound conclusions." The "reasonable certainty" standard in KSCA is "[b]y contrast . . . really no less vague, but arguably is impossible to meet." *The statement is available on InsideEPA.com.*

Their strong support for the current standard appears to be at odds with efforts by other industry officials, who in an attempt to head off criticisms from activists have said they are "willing to discuss a standard other than unreasonable risk," an industry source told *Inside EPA* in February.

WATER

Water monitor eyes farm runoff in Gulf of Mexico (Associated Press) This story also appeared: *Washington Post*

By GARRY MITCHELL
The Associated Press
Friday, April 10, 2009; 3:55 AM

MOBILE, Ala. -- A clean water expert at Auburn University hopes a new project that enlists middle and high school students will help reduce farm runoff that is a growing pollution threat to the Gulf of Mexico.

Bill Deutsch said colleagues in Veracruz, Mexico, are partners in the three-year effort to monitor water flowing into the Gulf.

Deutsch said his federally funded, \$300,000 project will also help livestock producers in Alabama and in Veracruz develop management practices that can limit Gulf pollution, such as buffer zones and other methods of keeping livestock contaminants away from streams.

"You have got to start with some level of awareness," said Deutsch, a researcher in Auburn's Department of Fisheries and Allied Aquacultures.

Deutsch co-founded and manages the Alabama Water Watch program and is director of Auburn-based Global Water Watch, which coordinates a worldwide network of community-based water monitoring groups.

Deutsch said at least 20 middle and high school students and community groups in both Alabama and Veracruz will become certified in water monitoring to participate in the project. He said they will take water samples on a regular basis from streams feeding the Gulf, using portable test kits.

Deutsch said researchers will look at bacteria counts and other elements to determine whether a stream is getting better or worse. If a stream is polluted, they will attempt to trace that pollution back to its source.

He said the project, funded by the U.S. Environmental Protection Agency, is also "trying to get 'uplanders,' including livestock farmers, teachers and citizen water monitors, more aware of how nutrients come to the Gulf from great distances, and that land-use management makes a big difference."

Their target is agricultural runoff that drains from Gulf states and as far away as the U.S. Midwest, where the vast Mississippi River Basin is home to about half the nation's farms. Nitrogen and phosphorus pollutants from the farms end up on a huge scale in the Gulf, where one result is an 8,000-square-mile aquatic "dead zone" that forms annually off the Louisiana and Texas coasts.

U.S. Geological Survey research hydrologist Dale M. Robertson of Middleton, Wis., said agriculture isn't the only cause. Flooding and sewage treatment plants in urban areas also contribute to the dead zone.

"You can't just go after agriculture. It's a full suite of things," he said.

But there's mounting evidence that the mandated push to increase corn production _ one of the most fertilizer-intensive crops for making ethanol _ worsens water-quality problems within the states and in the Gulf, according to environmentalists.

Matt Rota, water resources director for the New Orleans-based Gulf Restoration Network, describes the dead zone as a "major national environmental problem" that will require more federal dollars for conservation programs.

Livestock farms already use federally approved techniques to prevent runoff because when manure is applied to farm fields as fertilizer, there is a potential for the waste to contaminate nearby waters.

Deutsch recommends a well-maintained streamside buffer zone of vegetation in pastures and near other livestock-holding facilities as a primary way to catch nutrients, sediment and pathogens before they get to the stream.

Other recommendations include use of alternative watering sites, fencing in key areas, and choosing the right kinds and mixes of pasture grass and other vegetation to reduce fertilizer use and guard against erosion.

Among Gulf states, Alabama alone has about 1 million head of cattle and produces more than a billion broiler chickens _ all generating waste. Veracruz has an estimated 5 million head of cattle, 1.2 million hogs and 600,000 goats as well as a large number of trout farms using fertilizer.

Workshops and site visits will be held in both Alabama and Veracruz to emphasize the use of best management practices for water quality and on-farm water monitoring.

Deutsch's pollution project is part of the Gulf of Mexico Alliance of all five U.S. gulf states. Each of the five has a priority area: Alabama is focused on education and outreach; Florida on water quality for beaches and shellfish beds; Louisiana on wetland and coastal conservation and restoration, Texas on identifying and characterizing Gulf habitats; and Mississippi on reductions in nutrient inputs to coastal ecosystems. Mississippi and Louisiana also share the assignment of coastal community resilience.

Deutsch said Auburn has worked with colleagues in Veracruz for four years. His colleagues are primarily biologists and community educators from various governmental and non-governmental organizations.

"We share the same goals of protecting water quality and will be fostering exchanges of information and people to get the word out about protecting the Gulf," he said.

EPA objects to 3 more surface coal mining permits (Associated Press) This story also appeared: *Washington Post*

By TIM HUBER
The Associated Press
Thursday, April 9, 2009; 5:08 PM

CHARLESTON, W.Va. -- The U.S. Environmental Protection Agency is objecting to three more Appalachian surface mining permits, saying the operations would cause unacceptable damage.

The agency recently asked the Army Corps of Engineers to revoke a permit for a Virginia mine that was issued under a streamlined process and require the operator to obtain an individual permit, which would include stricter environmental standards. The EPA also wants more environmental safeguards before the corps issues permits for two West Virginia surface mines, including one owned by Richmond, Va.-based Massey Energy Co., the nation's fourth-largest coal company.

In letters released Thursday, the EPA told the corps that the projects likely violate the Clean Water Act.

Under President Barack Obama, the EPA has begun subjecting surface coal mining permits to tougher scrutiny than the Bush Administration did _ particularly operations that blast away mountaintops. Administrator Lisa Jackson last month directed EPA staff to review 150 to 200 pending applications for new or expanded surface coal mines. The agency has since objected to several permits.

The EPA's renewed interest has buoyed environmentalists and other opponents of so-called mountaintop removal mining. The highly efficient and destructive practice involves blasting away ridgelines to expose multiple coal seams and dumping debris atop stream beds in valleys.

National Mining Association spokesman Luke Popovich said the latest letters underscore fears of a de facto moratorium on surface mine permits from Virginia to Illinois. The Washington, D.C.-based trade group estimates coal mines in the region employ 77,000 people.

"The reason this permit review is potentially so disruptive over such a widespread area is that _ as the EPA well knows _ existing operations need new permits to dispose of fill as they exhaust the use of areas available to them now under existing permits," Popovich said in an e-mail. "It's coming in late in the process to recommend against these permits, so a comprehensive delay seems likely."

That's good news, said Janet Keating, executive director of the Ohio Valley Environmental Coalition. The group recently persuaded a federal judge to bar mine operators from using southern West Virginia valley fills authorized by the corps under the same nationwide permit used to authorize the Virginia mine targeted by the EPA.

"It makes sense to me, in light of the recent ruling," Keating said. "We're extremely pleased."

Ginger Mullins, regulatory branch chief for the corps' Huntington District, which covers portions of Kentucky, Ohio, West Virginia, Virginia and North Carolina, said it's good that EPA is commenting on the two West Virginia permits before they're issued. "We are reviewing their letters," she said.

The corps Norfolk District, meanwhile, is evaluating the EPA's request to revoke the Virginia permit, spokesman Mark Haviland said. "A decision has not been made yet by our district commander."

EPA Asks Corps to Revoke Ison Rock Ridge Permit (*TriCities.com*)

By [DEBRA MCCOWN](#)
Reporter / Bristol Herald Courier
Published: April 10, 2009

Tennessee

In a move environmental groups say is setting the stage for future action, the Environmental Protection Agency has asked the U.S. Army Corps of Engineers to revoke a permit needed for surface mining on Ison Rock Ridge in Wise County.

The nearly 1,300-acre site just outside the town of Appalachia is proposed for mining by A&G Coal Corp. The permit – one part of a permitting process still pending for the site – would allow the deposit of mining waste into valleys, which the company says is necessary for such operations to be cost-effective.

In an April 3 letter, EPA Environmental Assessment and Innovation Division Director John Pomponio wrote to Corps of Engineers Norfolk District Commander Col. Dionysios Anninos asking that a more stringent permit process be applied, citing potential environmental impacts of the project.

“EPA Region III has extensively investigated the downstream effects of surface mining and associated valley fills. These published findings indicate the type of activities proposed by the applicant are strongly related to downstream biological impairment,” Pomponio wrote. “EPA’s findings also indicate that there may be significant degradation of the waters of the United States and a violation of ... water quality standards.”

The letter echoes concerns raised in recent months by environmental groups that also obtained a temporary injunction last year to have logging stopped on the proposed surface mine site.

“Thank you, Lord, you’ve answered our prayers,” said Gary Bowman, whose home sits just below the site at the foot of a steep slope. “I think more good news is coming.”

Bowman was involved in the lawsuit last year, initiated when large rocks began tumbling into his garden. He said the rocks are still falling and he has recently filed suit against the landowner and two timber companies to have them removed.

A&G had no comment Thursday, nor did timber company Mountain Forest Products. An official at landowner Penn Virginia referred questions to the company’s corporate office in Pennsylvania, where no one could be reached Thursday afternoon.

At the Corps of Engineers’ Norfolk district office, spokesman Gerald Rogers said the Corps’ response to the EPA’s letter is still being deliberated by the district commander.

But Oliver Bernstein, spokesman for the Sierra Club, said Thursday that EPA letters written on this and other proposed mining sites bode well for efforts to stop mountaintop mining throughout the region.

“I think that the Obama administration and the Environmental Protection Agency have definitely taken some really good first steps on mountaintop removal coal mining,” Bernstein said. “Going forward, the administration will eventually need to fix the regulatory loopholes ... to end this most destructive form of coal mining for good.”

While Virginia surface mines are not officially classified by regulators as mountaintop removal, environmentalists use the term broadly to refer to any surface mining operation that involves blasting on the top of a mountain.

Bill Bledsoe, executive director of the Virginia Mining Association, said such a ban would be “devastating” for Southwest Virginia in the loss of jobs, tax revenue and spin-off business.

“Nationwide, the biggest impact’s going to be to a shifting of energy demand and shifting of higher-cost energy into the place of the cheaper energy that coal provides, and along with that is, it’s going to derail or has the potential of derailing the economic recovery plan that the nation’s invested billions in,” Bledsoe said.

Bledsoe said he has been around long enough to remember a similar wave of opposition to coal in the mid-1970s – a movement that ended with a set of federal surface mining regulations enacted as a compromise in 1977.

He also said the EPA letters indicate something more is coming.

When asked about the issue, EPA officials said the Ison Rock Ridge letter speaks for itself.

Bledsoe said the “EPA is adamant that they haven’t changed their position on anything, that they’re just taking a look at these permits ... [but] what the EPA’s doing is stalling, asking for delay, whether that be to give them time to put more laws and regulations in place, to cause some court action, I don’t know their motivation other than they want to delay these type permits during the early days of the Obama administration.”

“They don’t want the permit to be issued at all,” Bledsoe said. “So at least, in my opinion, this is just a move to basically stall and eventually kill the mining operations.”

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Farm runoff 'inevitable,' EPA warns (*Columbus Dispatch*)

Friday, April 10, 2009 3:08 AM

By [Spencer Hunt](#)

THE COLUMBUS DISPATCH

A 6-million-chicken farm proposed for Union County might have to get the Ohio Environmental Protection Agency's approval and take extra steps to protect a nearby stream from pollution before its first egg is laid.

Ohio EPA officials said the farm, to be built by Hi-Q Egg Products, based in Johnston, Iowa, will pollute Bokes Creek, a stream already contaminated by other nearby chicken farms. They say they don't believe Hi-Q's claims that its farm won't harm the stream.

A letter the EPA sent Hi-Q on April 1 says pollution from manure-contaminated storm and egg-wash water "is not only likely but inevitable." The agency wants Hi-Q to apply for a permit that would set water-pollution limits.

Hi-Q officials did not return calls yesterday. Thomas Menke, a Greenville-based consultant working for Hi-Q, said the EPA shouldn't place demands on a farm that isn't even operating.

"I thought it was somewhat irresponsible and pretty inaccurate when they said it was inevitable that there would be pollution," Menke said. "That's almost like saying that, because I drive a car, it's inevitable that I'll have an accident."

The EPA has not made demands on a proposed megafarm since 2002, after state lawmakers transferred much of the agency's oversight of such businesses to the Ohio Department of Agriculture.

Though agriculture officials now have the authority to approve and oversee the size, design and operations of the farms, the power to regulate water pollution remains with the Ohio EPA.

Hi-Q and other companies have submitted plans to the Agriculture Department that say their farms will not pollute streams. That includes a proposed dairy farm that would house 5,400 cows along a tributary to Big Darby Creek in Madison County.

The Ohio EPA hasn't ordered the dairy farm company, Orleton Farms, to apply for a water-pollution permit. Cathy Alexander, a manager in the agency's surface-water division, said it's not clear that manure from that farm would contaminate streams.

Bill Schwaderer, an Agriculture Department spokesman, said his agency still is reviewing both Hi-Q's and Orleton's applications.

The Hi-Q farm would produce egg whites and yolks for the food-service industry. It also would produce at least 74,157 tons of chicken manure a year, the company told agriculture officials.

The Ohio EPA is concerned about a plan to spread 23.5 million gallons of manure-contaminated water used to wash eggs on 160 acres of farmland that Hi-Q owns near the barns. EPA officials said pipes under the field that drain storm water would send pollutants to streams that drain to Bokes Creek.

The agency also says that ventilators in the buildings would eject particles of dried manure that would settle on storm-water retention ponds that overflow to streams.

"They (are) setting themselves up for a discharge," said Rick Wilson of the Ohio EPA's surface-water division. "There's a near certainty that it will occur."

Wilson said other nearby farms that house up to 3 million chickens already pollute Bokes Creek. A September 2002 Ohio EPA report said the creek is tainted with excessive concentrations of pollutants, including manure from livestock farms.

Menke said the farm is designed to keep pollutants away from streams. He said agriculture officials have as much expertise as the Ohio EPA to make sure the farm won't pollute streams.

Hi-Q has until the first week of May to respond to the Ohio EPA.

shunt@dispatch.com

Marysville wins water-sewer tug of war (*Columbus Dispatch*)

Friday, April 10, 2009 3:10 AM

By [Elizabeth Gibson](#)

THE COLUMBUS DISPATCH

MARYSVILLE, Ohio -- Providing sewer and water services to a 100-acre plot of land might not be the most glamorous opportunity, but Dublin officials were not pleased yesterday when Union County commissioners chose Marysville over their city to provide service to the southern part of the county.

"The alternative Union County has chosen is far inferior," Dublin City Manager Terry Foegler said. "But we are absolutely not surprised, given past conversations."

Dublin officials had hoped to thwart a developer's plans to build a shopping center on a 200-year-old farm called Hall's Corner in Jerome Township, just west of several Dublin subdivisions. Had Dublin received the rights to extend its water and sewer lines, it could have tried to annex the land and rezone it for office buildings.

Foegler said extending Dublin's sewer and water lines would cost \$1 million. Marysville Mayor Christiane Schmenk said extending Marysville's system will cost at least \$3.5 million but also provide service to a wider area.

Marysville will receive the sewer and water fees, and Jerome Township would collect higher property taxes once the land was developed.

County commissioners said they chose Marysville because the state Environmental Protection Agency already had issued the city a permit to install the services. The commissioners said they took that as an indication that the EPA thought Marysville was the better choice.

Dublin's interest in annexation also was counter to what the owner of the land and neighboring businesses in the township wanted, said Commissioner Charles Hall.

Foegler said Dublin is weighing its options, including possibly slowing down \$50 million worth of key road improvements in the area -- among them the Rt. 33/Post Road interchange -- to stall "inappropriate" development.

Union County officials said the type of development was settled nearly two years ago when Jerome Township zoned half the property for mixed-use development and left half for agriculture.

Duke Realty, which has since been replaced by Hunter-Castro, submitted plans in 2006 for a shopping center with at least one store as big as 80,000 square feet.

"They were trying to block the zoning, but the zoning is not up for discussion," said township zoning administrator Kathleen Crowley, who added that some Dublin residents spoke against the project at the time of the rezoning.

Dublin residents say they feel they were never given a fair chance to fight the development. About 100 people turned out for a public hearing on the project last week, but only one Dublin resident attended yesterday afternoon's commissioners meeting. The county also got about 100 letters by the end of the comment period Monday.

"It all seems very back-door," said Soli Ogra, a resident of Dublin's Park Place subdivision. "All of the meetings were held during work hours," referring to meetings at which votes were taken. "Who can go to that?"

Ogra, 37, said he bought his home five years ago because he liked Dublin's strict city planning, and now he and his neighbors feel betrayed.

"We don't want stuff like a Walmart to be there because that would drive traffic and pollution," Ogra said. "Marysville residents are not going to bear the negative impacts, but they're going to get the revenue."

egibson@dispatch.com

Water monitor eyes farm runoff in Gulf of Mexico (Associated Press)

By GARRY MITCHELL

MOBILE, Ala. (AP) — A clean water expert at Auburn University hopes a new project that enlists middle and high school students will help reduce farm runoff that is a growing pollution threat to the Gulf of Mexico.

Bill Deutsch said colleagues in Veracruz, Mexico, are partners in the three-year effort to monitor water flowing into the Gulf.

Deutsch said his federally funded, \$300,000 project will also help livestock producers in Alabama and in Veracruz develop management practices that can limit Gulf pollution, such as buffer zones and other methods of keeping livestock contaminants away from streams.

"You have got to start with some level of awareness," said Deutsch, a researcher in Auburn's Department of Fisheries and Allied Aquacultures.

Deutsch co-founded and manages the Alabama Water Watch program and is director of Auburn-based Global Water Watch, which coordinates a worldwide network of community-based water monitoring groups.

Deutsch said at least 20 middle and high school students and community groups in both Alabama and Veracruz will become certified in water monitoring to participate in the project. He said they will take water samples on a regular basis from streams feeding the Gulf, using portable test kits.

Deutsch said researchers will look at bacteria counts and other elements to determine whether a stream is getting better or worse. If a stream is polluted, they will attempt to trace that pollution back to its source.

He said the project, funded by the U.S. Environmental Protection Agency, is also "trying to get 'uplanders,' including livestock farmers, teachers and citizen water monitors, more aware of how nutrients come to the Gulf from great distances, and that land-use management makes a big difference."

Their target is agricultural runoff that drains from Gulf states and as far away as the U.S. Midwest, where the vast Mississippi River Basin is home to about half the nation's farms. Nitrogen and phosphorus pollutants from the farms end up on a huge scale in the Gulf, where one result is an 8,000-square-mile aquatic "dead zone" that forms annually off the Louisiana and Texas coasts.

U.S. Geological Survey research hydrologist Dale M. Robertson of Middleton, Wis., said agriculture isn't the only cause. Flooding and sewage treatment plants in urban areas also contribute to the dead zone.

"You can't just go after agriculture. It's a full suite of things," he said.

But there's mounting evidence that the mandated push to increase corn production — one of the most fertilizer-intensive crops for making ethanol — worsens water-quality problems within the states and in the Gulf, according to environmentalists.

Matt Rota, water resources director for the New Orleans-based Gulf Restoration Network, describes the dead zone as a "major national environmental problem" that will require more federal dollars for conservation programs.

Livestock farms already use federally approved techniques to prevent runoff because when manure is applied to farm fields as fertilizer, there is a potential for the waste to contaminate nearby waters.

Deutsch recommends a well-maintained streamside buffer zone of vegetation in pastures and near other livestock-holding facilities as a primary way to catch nutrients, sediment and pathogens before they get to the stream.

Other recommendations include use of alternative watering sites, fencing in key areas, and choosing the right kinds and mixes of pasture grass and other vegetation to reduce fertilizer use and guard against erosion.

Among Gulf states, Alabama alone has about 1 million head of cattle and produces more than a billion broiler chickens — all generating waste. Veracruz has an estimated 5 million head of cattle, 1.2 million hogs and 600,000 goats as well as a large number of trout farms using fertilizer.

Workshops and site visits will be held in both Alabama and Veracruz to emphasize the use of best management practices for water quality and on-farm water monitoring.

Deutsch's pollution project is part of the Gulf of Mexico Alliance of all five U.S. gulf states. Each of the five has a priority area: Alabama is focused on education and outreach; Florida on water quality for beaches and shellfish beds; Louisiana on wetland and coastal conservation and restoration, Texas on identifying and characterizing Gulf habitats; and Mississippi on reductions in nutrient inputs to coastal ecosystems. Mississippi and Louisiana also share the assignment of coastal community resilience.

Deutsch said Auburn has worked with colleagues in Veracruz for four years. His colleagues are primarily biologists and community educators from various governmental and non-governmental organizations.

"We share the same goals of protecting water quality and will be fostering exchanges of information and people to get the word out about protecting the Gulf," he said.

Ky. gets \$20 million EPA grant for drinking water (*Louisville Courier-Journal*)

April 10, 2009

Kentucky

The U.S. Environmental Protection Agency yesterday announced a \$20 million grant to the Kentucky Infrastructure Authority to help state and local governments finance improvements to drinking-water systems.

Stan Meiburg, acting regional administrator for the EPA's office in Atlanta, said the money "will provide a boost to Kentucky's efforts to address its aging water infrastructure, while providing much needed green-collar jobs."

The EPA money came from the federal economic stimulus package.

The Kentucky Infrastructure Authority was created in 1988 to provide the mechanism for funding construction of local public works projects. It is attached to the Kentucky Department for Local Government.

State house spending panel cuts wetland enforcement funding (*Petoskey News-Review*)

by Marci Singer

Thursday, April 9, 2009 10:29 AM EDT

Michigan

The state's wetlands program would be transferred to the U.S. Environmental Protection Agency, as proposed by Gov. Jennifer Granholm, under the budget unanimously reported out of the House Appropriations Environmental Quality Subcommittee on March 31.

The budget is predicated on savings of \$2.1 million for the general fund, \$4 million gross. However, the subcommittee recommendation also includes a boilerplate provision that says the legislature will address the funding needs for the wetlands program if lawmakers don't approve the program transfer to the Environmental Protection Agency by Oct. 1.

Michigan Department of Environmental Quality director Steven Chester said he's encouraged that there is this interest by both the House and the Senate to look into the program and to take the time to review options for funding.

"The bottom line is that you now have both House and Senate workgroups that are looking at state wetlands program," Chester said. "We've tried a number of times to seek funding for the program. It's a vitally important program but it's just not financially sustainable. I've personally testified in front of the subcommittee and I am encouraged that both legislative arms are taking time to give this program serious consideration."

Although representative Doug Bennett passed the Department of Environmental Quality budget out of his subcommittee with no funding for the program, as requested by the governor, Tip of the Mitt Watershed Council policy specialist, Jennifer McKay, said other representatives including Rep. Kevin Elsenheimer (R-105th House District), are working very hard to prevent losing the wetland program.

“Michigan has lost approximately one-half of its wetland resources since European settlement. As a result, the remaining wetlands are ecologically indispensable,” she said. “Thirty years ago, members of Michigan’s legislature recognized the value of our wetland resources and enacted a wetland program that made Michigan a national leader in wetland protection and management. Today, we should be building upon that legacy and making sure we maintain the state’s role in protecting our vital wetlands.”

McKay said once the legislative spring break is over, it will be time to concentrate on the Senate Subcommittee for Department of Environmental Quality appropriations. Sen. Valde Garcia (R-22nd Senate District), the chair of this committee, has scheduled committee hearings for May 6, 13 and 20.

The policy specialist said as a side note, there has been some good wetland news on the federal level, including the introduction of the Clean Water Restoration Act in the U.S. Senate.

“The bill would reaffirm the historical jurisdiction of the 1972 Clean Water Act and ensure all ‘waters of the United States’ that have been covered by federal safeguards against pollution for more than 34 years retain Clean Water Act protection.”

Towns compete for \$260 million in federal funds for \$4 billion on water quality plans (*Medill Reports*)

by [Juliana Hertel](#)

April 09, 2009

Illinois

Wilmette wants water treatment plant repairs. Chicago wants a green roof for its water purification plant. Morton Grove wants to replace an aging water main.

The costs for these and hundreds of other water quality projects, all eligible for federal stimulus grants, greatly exceed funds available, according to Illinois Environmental Protection Agency. The EPA released the list of eligible proposed projects on Tuesday.

“Of course we would like to fund each and every project submitted,” said Maggie Carson,

communications manager for the Illinois EPA. The projects made the state list based on their "readiness to proceed" and as a stimulus for creating jobs, and be an economic boost, Carson said.

The state list includes 1,641 separate projects addressing drinking and wastewater issues in Illinois communities. The Illinois EPA will collect \$260 million for water projects while the estimated costs for the submitted projects surpass \$4 billion.

The projects, recently submitted by the state to the U.S Environmental Protection Agency for final approval, will receive money in a first-come-first-served order as the applications are finished and submitted. Approved projects can expect to receive funds as early as the end of April, although no specific date has been set.

Wilmette has two drinking water treatment projects on the approved list but has submitted several other wastewater improvement plans in attempt to qualify for additional funding, said Bridget Mayerhofer, village director of engineering.

"Anything we felt was eligible for stimulus money, we submitted," said Mayerhofer. "Whatever help we can get to fund these projects means less burden on the Village of Wilmette."

Morton Grove doesn't know how the village would fund the two water treatment projects on the lists if they are not approved at the national level, said Joe Dahm, superintendent of the water department.

"It's great," said Dahm. "The projects we've been working on are a replacement of a water main and the maintenance of a 750 gallon water tank."

Fixing the aged water main, said Dahm, would improve the fire flow, or availability of water in the community in case of a fire. The water tanks, which are 14 years old, contain the village's reserve drinking water and require routine maintenance.

The building of a green roof for the James W. Jardine Water Purification Plant in Chicago is another project awaiting approval. The roof project proposes to use vegetation to absorb and help reduce rain water that overwhelms Chicago's combined storm and sanitary sewer system.

"The plant needed a roof. And as long as a roof was being put down, the mayor encouraged it to be a green roof," said Owen Keenan, engineer for HDR, the international firm that designed the roof.

"Some of the sewers here are 100 years old," Keenan said. "When you reduce the peak load, you get a longer more useful life out of a sewer system and better water quality."

The U.S. EPA will apply for funding for the projects under the American Recovery and Reinvestment Act and seeks to fund all eligible programs.

Enhanced Oil Recovery: How to Make Money from Carbon Capture and Storage Today (*Scientific American*)

The U.S. oil business has been using carbon dioxide to pump extra oil out of reservoirs for 36 years--and permanently storing some CO₂ in the process

By David Biello

April 9, 2009

Editor's Note: This is the fourth in a series of five features on [carbon capture and storage](#), running daily from April 6 to April 10, 2009.

The Scurry Area Canyon Reef Operators Committee oil field, better known as [SACROC](#), near Snyder, Tex., has slurped 140 million metric tons of liquid carbon dioxide (CO₂) since 1972—80 million metric tons of which has stayed trapped in the reservoir. Pumping all that CO₂ down has meant pumping more oil out.

For 36 years, oil services companies like Denbury Resources and Kinder Morgan have piped [carbon dioxide](#) from naturally occurring reservoirs in Colorado to the declining oil fields of the Permian Basin in West Texas.

The U.S. has at least 100 such projects like SACROC and 3,100 miles (5,000 kilometers) of CO₂ pipelines. All told, companies have injected some 10.8 trillion cubic feet of the [greenhouse gas](#) since the 1970s, according to petroleum engineer R. Tim Bradley, Kinder Morgan's president of CO₂, to raise the yield from oil fields by some 650,000 extra barrels a day—more than 10 percent of daily U.S. total production.

Most important with respect to carbon capture and storage (CCS), the [Great Plains Synfuels Plant](#) in North Dakota has pumped as much as two million metric tons of carbon dioxide a year to the Weyburn oil field in Saskatchewan since 2000.

"The Dakota gasification project is creating synthetic gas and taking the CO₂ from that process," then pipelining it to the Weyburn oil field, observes carbon storage development coordinator Kurt Waltzer of the Boston-based environmental group the [Clean Air Task Force](#). "In effect, you have demonstrated all the components of doing a [CCS project](#)."

In all of these projects, the CO₂ basically [scours more hydrocarbons](#) out of the oil field. When injected into the oil reservoir, it mixes with the oil and mobilizes more of it—like turpentine cleaning paint—and then allows it to be pumped to the surface.

Using carbon dioxide to churn out more fossil fuels—and permanently storing some of the CO₂ in the process—might sound counterproductive to limiting [climate change](#) because those fuels, when burned, put more CO₂ into the atmosphere. But it does reduce overall emissions by at least 24 percent, calculates petroleum engineer Ronald Evans, Denbury's senior vice president of reservoir engineering: every recovered barrel of oil eventually puts 0.42 metric ton of CO₂ into the atmosphere, but 0.52 to 0.64 metric ton are injected underground recovering it. In fact, Kinder Morgan's Bradley estimates that enhanced oil recovery in the U.S. could reduce CO₂ emissions by 4 percent, if done correctly.

The great fear commonly associated with carbon sequestration is that trapped CO₂ might suddenly escape to the surface with deadly consequences, as happened in 1986 at [Lake Nyos](#) in Cameroon. That volcanic lake had naturally accumulated two million metric tons of carbon dioxide in its cold depths; one night it spontaneously vented, displacing the oxygenated air, and suffocated more than 1,000 nearby villagers.

Yet in all three decades of commercial use of CO₂ for EOR, there have been no dangerous leaks. CO₂ from leaks and ruptured injection wells has always dispersed too quickly to pose a threat.

For example, prospectors in Utah drilling for natural gas in 1936 accidentally created a CO₂ geyser. It still erupts a few times a day as pressure builds but is "so unhazardous that it's a tourist attraction, not a risk," says hydrologist Sally Benson, director of the global climate and energy project at Stanford University. In fact, air concentrations of carbon dioxide have to build up to more than 10 percent to be hazardous, which is difficult to achieve, according to modeling from Lawrence Livermore National Laboratory (LLNL).

The reason is that CO₂ belching from a volcanic lake creates conditions very different from those of the gas escaping from a wellhead or seeping into a basement, explains Julio Friedmann, leader of the carbon management program at LLNL. At [Lake Nyos](#), an abrupt release of the CO₂ allowed dangerous concentrations to pool in low-lying surrounding areas. Pressurized gas escaping from a [wellhead](#) or crack simply mixes rapidly with the atmosphere, presenting no danger, much as the use of a fire extinguisher is not hazardous. In situations where atmospheric mixing is minimal, such as for a slow leak into a basement, the problem can be eliminated by simply installing a sensor and a fan, as in apartment buildings today near natural CO₂ seepages in Italy and Hungary.

The greatest risk is from the [wellheads](#) themselves leaking: one in 12,000 injection wells leak, according to LLNL. And, not unlike a vase that is glued back together, a wellhead provides the crack where a new break will most likely form, particularly if CO₂ is injected too fast and too much pressure builds up deep underground.

Most wellheads, though, seem to hold up. For example, oil wells drilled in 1944 near Cranfield, Miss., are not reacting to extra pressure from injected CO₂, according to geologist Susan Hovorka of the University of Texas at Austin, who is running the test. "I'd like to congratulate the roughnecks that drilled those wells," she says, "because they seem to be holding pressure just fine."

At a [demonstration project in Japan](#), even a magnitude 6.8 earthquake didn't shake injected CO₂ loose from a deep saline aquifer; the wellheads did not so much as leak. Big earthquakes might cause leakage, but in many cases, they will not, Friedmann says.

The U.S. Environmental Protection Agency (EPA), under the terms of the Safe Drinking Water Act of 1974, is currently crafting [new measures to regulate wells for CO₂ injection](#)—final rules are set to be adopted by 2011 to protect groundwater sources from CO₂ in the subsurface, according to Stephen Heare, director of the EPA's drinking water protection division. "There are 800,000 wells out there injecting almost everything imaginable," Heare says. "We think the technology is there and we can move ahead safely."

Nevertheless, "the first CCS project that is done badly is the last CCS project that will be done," warns Mark Brownstein, New York-based managing director of business partnerships in the climate and air program at the Environmental Defense Fund. "In this respect, it is very similar to [nuclear power](#)."

YAY! EPA to Start Cracking Down on Mountaintop Removal (*EcoGeek*)

Written by Greg Peters

Thursday, 09 April 2009
Montana

In a move to potentially regulate one of the most polluting industries left in America, the Environmental Protection Agency (EPA) has begun maneuvering to position itself to review of the impacts that mountaintop removal (MTR) mining for coal has on water. The practice, which quite literally removes the tops of mountains to expose buried coal seams and then dumps the waste into streams and rivers, has long been recognized as polluting by environmentalists and scientists, but has to date escaped scrutiny by the EPA.

The Bush Administration did its best to streamline the process for companies to receive permits which have traditionally been reviewed by the Army Corps of Engineers. Essentially, Bush helped, for eight years, the coal industry keep its stranglehold on power generation, despite rising costs. However, two events that occurred in late March have placed greater scrutiny on the practice.

On March 31, U.S. District Judge, Joseph R. Goodwin, issued a ruling preventing the Army Corps of Engineers from permitting companies for nationwide mining operations, instead requiring the companies to get specific plans for each “mine” approved before they receive a permit. Imagine that, these poor coal companies have to actually get a location specific approval to blast the top off a mountain and fill creeks and valleys with the toxic waste. Oh the humanity.

Also in the last week of March, the Environmental Protection Agency issued a letter concerning the permitting of two mines in Kentucky and West Virginia. The letter raised serious questions about the impacts the operations would have on the water quality of the region. Many communities have suffered ruined groundwater and polluted wells as a result of MTR, and apparently the EPA thinks that they have some role to play in whether and how this type of mining should continue.

President Obama has called the practice “horrendous” and has promised that his administration will examine the practice to see just how horrendous it truly is. Jon Lovett, director of the Appalachian Center for the Environment and Economy puts it bluntly, “There is no practice in this country as environmentally destructive as large scale surface mining.” It seems that through these and other measures, the nearly 200 year reign of King Coal may slowly waning as we move into the second decade of the 21st century.

Comments being taken for Puget Sound recovery plan (Associated Press)

THE ASSOCIATED PRESS

Last updated April 9, 2009 3:00 p.m. PT

SEATTLE -- The public has another chance to weigh in on the state's recovery plan for Puget Sound.

The Puget Sound Partnership has released more information on its blueprint to clean up the estuary, after the U.S. Environmental Protection Agency requested more details.

EPA ecologist John Gabrielson says it wants more specifics on how the state agency plans to carry out its plan.

He says the partnership didn't give the public enough time to comment on the plan when it was released last fall after an 18-month process. The current 30-day comment period ends April 20.

The partnership needs EPA approval to get federal money through the National Estuary Program.

Environmentalists win battle over pesticide spraying near water (*The Oregonian*)

by Abby Haight, The Oregonian

Thursday April 09, 2009, 8:30 AM

Conservationists applauded the [Environmental Protection Agency's](#) decision to move ahead with implementing the Clean Water Act after a court battle over a Bush Administration rule that exempted pesticide spraying around waterways.

In January, the 6th Circuit Court of Appeals reversed an EPA decision that spraying pesticides near waterways shouldn't be regulated by the [Clean Water Act](#).

The court ruled that pesticides constituted pollutants under federal law and had to be regulated to protect human health and the environment.

Agriculture Secretary Tom Vilsack had sought a reversal of the decision, but the Justice Department announced Wednesday it would not seek a rehearing. The EPA said it would continue the Bush rule for two more years, but activists said they were prepared to challenge the delay.

"It will not be the great hardship that the pesticide industry has concocted," said Charlie Tebbutt, of the Eugene office of the [Western Environmental Law Center](#), who argued the case for the environmental groups. "It is time to reinstate the full protections to our nation's rivers, lakes and streams envisioned by the Clean Water Act when it was passed in 1972."

-- Abby Haight; abbyhaight@news.oregonian.com

JACKSON CALLS FOR LEGISLATIVE FIX TO EXPAND WATER ACT JURISDICTION (*Inside EPA*)

4/10/2009

EPA Administrator Lisa Jackson is for the first time calling for a legislative clarification of Clean Water Act (CWA) jurisdiction -- including the possibility of supporting legislation that would expand EPA's permitting authority -- to aid the agency's efforts to ensure protection of a wide range of waterbodies.

"We do need a legislative fix to clarify" CWA jurisdiction, Jackson said April 8 at a panel discussion in Washington, DC, on challenges of obtaining and maintaining clean water more than 36 years after the enactment of the water law. "There is a murkiness about jurisdiction," she said, noting that EPA water staff spend 40 to 60 percent of their time dealing with jurisdiction questions and helping states determine when CWA permits are needed.

When asked how far the legislative fix should go, Jackson repeated her call for clarification of existing authority and said "maybe" legislation should expand EPA's authority. "The country benefits from something broader rather than narrower," she said.

Jackson, however, did not go so far as to specifically endorse recently introduced Senate legislation that generally allows EPA and the Army Corps of Engineers to oversee most waterbodies, not just those currently considered "navigable."

Environmentalists have called for the EPA administrator to endorse the legislation, but Jackson has so far declined to take a position on the bill. She also told senators in written comments that clarifying the scope of the law is a "complicated issue."

Sen. Russell Feingold (D-WI) April 2 reintroduced his bill to protect a wide range of waters in the wake of two Supreme Court decisions that effectively narrowed the CWA's scope, but the legislation faces an uncertain future.

Sen. Ben Cardin (D-MD), chairman of the Senate Environment & Public Works Committee's water panel and a cosponsor on Feingold's bill, told *Inside EPA* in a recent interview he believes the bill will pass in committee but downplayed its "uncertain" chances on the Senate floor.

The Feingold bill, which is strongly supported by environmentalists, is the latest of several pending proposals to clarify the law's scope, although so far all have drawn strong criticism from opponents. Environmentalists, for example, are opposed to a proposal from the Environmental Council of the States to codify EPA's existing regulatory definition, saying it would mandate exemptions never before endorsed by Congress (*Inside EPA*, Dec. 12).

Similarly, staff for House transportation committee Chairman James Oberstar (D-MN) recently rejected a hybrid plan from Western states, who sought to retain language limiting the law's scope to "navigable" waters while providing a broad definition of what the term means (*Inside EPA*, March 20).

Given the uncertain prospects for the legislation, agency officials are also planning to revise controversial Bush administration guidance for EPA and the Corps to determine jurisdiction, a move that could address some jurisdictional concerns prior to Congress passing the legislation. Robert Sussman, Jackson's senior counsel, told EPA's National Advisory Council on Environmental Policy & Technology (NACEPT) March 25 that the agency is "committed to taking another look at existing guidance to see if we can do a better job establishing solid jurisdictional boundaries."

Feingold's bill, called the Clean Water Restoration Act, seeks to clarify the scope of the water act in the wake of several Supreme Court rulings that critics say have narrowed the law's jurisdiction over isolated wetlands, intermittent streams and other marginal waters. In *Solid Waste Agency of Northern Cook County (SWANCC) v. Army Corps of Engineers*, the court limited the basis for asserting jurisdiction over solely intrastate waters, while in *Rapanos, et ux., et al. v. United States*, the court provided two competing tests for determining jurisdiction.

Feingold and Oberstar introduced versions of the bill in the last Congress but faced stiff opposition from industry and Republicans, as well as Democrats from rural districts. As introduced, S. 787 largely retains language allowing EPA and the Corps to regulate waters "to the maximum extent" they are subject to Congress' legislative authorities under the Constitution, while eliminating the law's current application to "navigable" waters.

Environmentalists have said that precluding the word from the bill's mandatory language is essential to prevent courts from using the word to limit the scope of the bill. But industry and some state officials are seeking to retain language limiting jurisdiction to navigable waters as a way to preserve states' oversight of local waters.

The measure includes for the first time a more substantial section of non-binding "findings" clarifying to courts that Congress does not intend the law to apply to groundwater, prior-converted croplands and waste-treatment systems, language that could influence courts by providing evidence of congressional intent. EPA has exempted the latter two categories from regulation and industry is seeking to codify or preserve the exemptions.

Environmentalists welcomed the bill's introduction. Clean Water Action argued in an April 2 statement that the bill would speed the lengthy permitting process currently required by EPA. "The

Clean Water Restoration Act cuts the red tape and eliminates this onerous process, which has been criticized by public officials for adding cost and delay,” the group’s statement said.

But the new findings have failed to win over industry officials, who say the bill’s scope is too broad and the new findings do not do enough to codify EPA’s regulatory exemptions. One industry source was disappointed that the bill’s supporters believe the findings satisfy industry concerns that the bill would broaden the scope of the law.

The industry source was also surprised by the bill’s 23 co-sponsors, saying it appears that environmentalists have been lobbying the Senate more strenuously than they believed. The bill’s cosponsors include several key Democratic leaders, including Whip Richard Durbin (D-IL), Campaign Committee Chairman Charles Schumer (D-NY), environment committee Chairwoman Barbara Boxer (D-CA) and Judiciary Committee Chairman Patrick Leahy (D-VT).

SENATE URGED TO DROP ‘BUY AMERICAN’ RULES FROM WATER SRF FUNDING BILL (*Inside EPA*)

4/10/2009

Industry and state officials are pushing to keep “Buy American” procurement provisions out of the Senate’s pending bill to reauthorize EPA’s clean water and drinking water state revolving funds (SRFs), fearing the broad scope of the requirements could frustrate future water infrastructure projects.

But congressional staff are telling stakeholders to prepare for “Buy American” language in any future authorization and appropriations bill, sources say. The \$18.7 billion House version of the SRF reauthorization bill, approved last month, includes such a provision that mirrors the stimulus laws’ strict requirements that projects funded through the law use iron, steel and manufactured goods produced in the United States.

While “Buy American” provisions have been included in various bills over the years, sources say the stimulus law language -- which the House-passed SRF reauthorization bill mirrors -- is written so broadly as to jeopardize potential future water infrastructure projects.

“In the worst case scenario, this would be a death knell” to the water treatment industry, an industry source says, because many components of water treatment systems are not available domestically.

State, industry and EPA sources say if “Buy American” provisions are applied in the broadest possible way, it would prohibit the use of a product containing any components made by a foreign manufacturer. The industry source says that only five percent of water treatment equipment would be considered a manufactured good produced in the United States under that broad definition, which would inhibit a slew of projects.

The push comes as the stimulus law’s “Buy American” provisions are already causing delays to proposed water infrastructure stimulus projects amidst uncertainty over how far the provisions will reach.

The White House Office of Management & Budget (OMB) April 3 released additional guidance that offers some flexibility from the requirements, for instance permitting foreign components to be used in American-made “manufactured goods,” and EPA is slated to soon issue a definitive guidance for the SRF program.

At a recent water treatment industry conference, participants said the “best case” scenario would be for stimulus projects to begin in the third quarter of fiscal year 2009. But as the season turns from fall to winter, construction will become more difficult, leading to fear over the consequences of the issue not being quickly resolved.

Delays and problems to the stimulus SRF funding could pose difficulties for stakeholders, states, EPA and lawmakers who have all stated their desire to use the results of the funding as evidence for future baseline increases. Some projects that have not yet been funded, or were funded prior to the start of the current fiscal year last October, are facing delays due to the law’s procurement rules.

EPA recently waived the “Buy American” requirements to allow some already-funded water infrastructure projects to refinance loans to access the more attractive financing options the stimulus law provides, though it only applies to eligible projects for which debt was incurred on or after October 1, 2008 and before February 17, 2009, the day President Barack Obama signed the stimulus law (*see related story*).

Another obstacle in terms of the stimulus law’s “Buy American” provision is its relatively high threshold for waiving it for increased costs. A Democratic aide says that similar provisions in the past generally set the “cost premium” that allows “Buy American” to be waived at six percent. The six percent difference is usually compared for each domestic product against other foreign products but in some cases an aggregate cost increase among products is considered, according to a Congressional Research Service report. *Relevant documents are available on InsideEPA.com.*

But in the stimulus law, any “manufactured good” must, by itself, drive the total project cost up by 25 percent to be eligible for a waiver to use a foreign alternative good.

OMB in its interim guidance April 3 defined when “manufactured goods” meet the law’s requirement that projects must utilize American-made “iron, steel and manufactured goods.” EPA, states and industry officials have worried that OMB could define “manufactured goods” too broadly, making it more difficult for SRF projects to procure enough domestic-manufactured goods to meet the law’s requirements.

OMB defines the term broadly to include any goods “[p]rocessed into a specific form and shape” or “[c]ombined with other raw material to create a material that has different properties than the properties of the individual raw materials.” However, the guidance also states that “components or subcomponents” produced abroad may be included in American-made goods whose final manufacturing takes place domestically.

The industry source says the OMB definition is a mixed bag because the OMB definition is “about as broad as it could be,” but it is also “very welcome news” that OMB’s guidance allowed foreign “components and subcomponents” in American-made “manufactured goods.”

The stimulus law also includes a clause exempting some purchases from having to comply with the “Buy American” provisions if compliance with the requirements would conflict with “obligations under international agreements.” However, that waiver does not apply to SRF funds because those are ultimately dispersed by local governments, which are not party to most trade agreements.

Additionally, even state projects must have a value of at least \$7.4 million to qualify for the exemption under the limited trade agreements they are party to and the average SRF-financed project costs around \$3 million.

The Office of the U.S. Trade Representative and OMB officials have confirmed that international trade agreements do not apply to municipalities, according to e-mails reviewed by *Inside EPA*. Stakeholders are therefore acting with increasing urgency to keep “Buy American” out of the Senate SRF reauthorization bill after the House-passed bill included the language and delays to stimulus projects because of the provision are becoming more apparent.

For instance, Canada’s environment minister Jim Prentice recently met with House Transportation & Infrastructure Committee Chairman James Oberstar (D-MN) to communicate his concerns about the issue. Oberstar has expressed his vigorous support for “Buy American” provisions in the past.

Oberstar lauded inclusion of the provisions in the House version of the SRF reauthorization bill, noting that China holds an excess of steel reserves, and said that it would be economically unwise to open up government spending to being undercut by low prices from Chinese products.

Oberstar has requested reports from stimulus beneficiaries due April 4 seeking reams of data on how they spend their stimulus funds and other items. A spokeswoman says the reports are still being reviewed by committee staff. -- *Jonathan Strong*

EPA Poised To Seek Two-Year Court Stay To Craft CWA Spraying Permits (*Inside EPA*)

4/10/2009

EPA is declining to appeal a key pesticides ruling that requires pesticide sprayers to seek clean water permits and will instead ask the court for a two-year stay to allow it time to develop permits, according to environmentalists. But pesticide industry officials are vowing to ask the court to reverse its ruling and environmentalists, while welcoming EPA’s decision to drop the case, say they will oppose agency efforts to seek a stay. Farm groups have urged EPA to appeal *National Cotton Council, et al. v. EPA*, which vacated EPA’s permit exemption for spraying. The ruling held that pesticide spraying is a point source discharge that requires a permit but industry officials fear the court’s reasoning could also require permits for activities previously exempted as nonpoint releases.

OBAMA NAMES FORMER CALIFORNIA OFFICIAL TO HEAD EPA WATER OFFICE (*Inside EPA*)

4/10/2009

The Obama administration is moving closer to filling its remaining open slots at EPA, after the president recently announced his intent to nominate former California water official Peter Silva as the agency's next assistant administrator in the Office of Water.

Silva has won support from both California Republican and Democratic governors who appointed him to top water department slots. Silva, whose pending nomination the White House announced April 3, is a civil engineer with nearly 32 years of experience in the water and wastewater fields. He has worked in varying public sector positions with a focus on water resources policy, including "extensive experience" in U.S.-Mexico border issues, according to an administration press release.

Silva currently is a senior policy advisor for the Metropolitan Water District of Southern California, and prior to that was vice-chair of the California Water Resources Board for six years, having been appointed by both Govs. Gray Davis (D-CA) and Arnold Schwarzenegger (R-CA). During his state tenure, he also won support from both industry groups and environmentalists.

Silva was also appointed by former President Clinton to serve for three years on the board of the Border Environment Cooperation Commission (BECC). He also served as the BECC Deputy General Manager for three years in Ciudad, Juarez, Mexico.

MICHIGAN FACES HURDLES IN RETURNING WETLANDS PROGRAM TO EPA (*Inside EPA*)

4/10/2009

The state of Michigan faces a number of hurdles in returning jurisdiction of its wetlands program to EPA, including requirements for the cash-strapped state to spend money before seeing any savings and findings from the state's environment department that fewer wetlands will be regulated under the federal program, sources say.

The state is one of only two that have received authority from EPA to implement its own wetlands program -- the other is New Jersey -- but in Gov. Jennifer Granholm's (D-MI) Feb. 3 State of the State address, she recommended that the state shift wetlands regulation back to the U.S. Army Corps of Engineers and EPA to save the state up to \$4 million per year.

"I will recommend returning enforcement of wetlands protections to the federal government where more staff exists to effectively safeguard our natural resources," Granholm said in the address. The state legislature is still weighing whether to adopt the proposal.

If the program is returned to federal control, developers seeking dredge-and-fill permits under section 404 of the Clean Water Act would need to petition the Corps for permits, and EPA would retain oversight.

The Michigan Department of Environmental Quality (DEQ) in a March 31 letter to EPA Administrator Lisa Jackson outlined an "alternative transfer scenario" that aims to minimize the burden on EPA, Army Corps and DEQ staff in returning the wetlands program. The letter says that short-term issues

that need to be addressed include the handling of permit decisions that are in process and pending enforcement cases, while long-term issues include access to historical permit and enforcement records. *Relevant documents are available on InsideEPA.com.*

States have long pushed EPA to make it easier for states to assume control of wetlands programs, but in the wake of the massive economic downturn, many observers are concerned state budget cuts could reduce the effectiveness of state-run environmental programs.

Sources say that any attempt to return the program is likely a complicated and drawn out process that will cost time and money before it saves any.

Additionally, DEQ in a report issued last month, is warning that returning the program could result in less stringent oversight of the program.

"It is likely that the [Corps] will regulate less wetlands than are regulated by DEQ," the report says. It explains, "State law clearly regulates draining and dredging of wetlands as well as fill. Because federal law regulates discharges of dredge or fill material, some activities may not be fully regulated."

And the report adds, "Because DEQ permit staff are located in multiple district offices, they have a stronger knowledge of local resources and are better positioned to complete necessary site inspections than the [Corps], including identification of wetland boundaries and rare resources."

Another hurdle is that in order to give back the program, the state legislature would have to repeal state wetlands law, the DEQ report says.

State Sen. Roger Khan (R) introduced Feb. 4 a bill, S.B. 187, to repeal the state's wetlands program, but it has thus-far not advanced past committee.

Spokesmen with the governor's office and DEQ did not return requests for comment.

ACTIVISTS SEEK WATER ACT REGULATIONS FOR COAL ASH POND DISCHARGES (*Inside EPA*)

4/10/2009

Environmentalists are calling for a key House lawmaker to pressure EPA to quickly regulate polluted discharges from coal ash ponds under the Clean Water Act (CWA), opening another front in the simmering debate about regulating the facilities.

In a March 31 letter to House Transportation & Infrastructure (T&I) Chairman James Oberstar (D-MN), the Environmental Integrity Project (EIP) asked the committee to ask EPA to regulate the effluent discharge from coal ash ponds -- also called surface impoundments or "wet storage" -- into rivers and streams.

The request comes even before the agency completes a still-preliminary and uncertain rulemaking process to set technology-based discharge standards -- known as effluent limitation guidelines (ELGs) -- for the facilities.

"We respectfully request that you ask the agency to act now to limit this pollution, rather than wait for the conclusion of a lengthy rulemaking process," the letter reads. *The letter is available on InsideEPA.com.*

Since a massive coal ash spill at a Tennessee Valley Authority plant contaminated nearby areas, much of the debate has focused on how to regulate waste storage facilities.

The ash is known to contain elevated levels of heavy metals, such as arsenic, selenium and mercury but is not a federally regulated waste. Rather, it is considered a solid waste under the Resource Conservation & Recovery Act and left to the states to regulate. EPA officials said last month that they are considering a hybrid approach for regulating the waste.

Similarly, EPA is only in the early stages of determining whether and how to develop an ELG, having left it up to state or federal permit writers to exercise their "best professional judgment" on whether to issue a permit or not. Industry officials said recently that they believe they can escape strict requirements.

Now environmentalists are signaling a tough line on how to regulate discharges from the facilities. In their letter to Oberstar, EIP decried the agency's issuance of CWA discharge permits from the ponds when the levels of heavy metals in the discharged water is known to be above that acceptable for human health. EIP is asking Oberstar to pressure EPA to set an effluent limit.

DESPITE NOVEL EFFORT, CRITICS FAULT MERCURY RISK-BENEFIT ANALYSIS (*Inside EPA*)

4/10/2009

The U.S. Food and Drug Administration's (FDA) first-time attempt to assess the risks and benefits of eating fish containing methylmercury is drawing praise from a number of observers who say it marks a landmark effort that could set a precedent for future assessments, although the effort is still being criticized for providing a simplified analysis that activists say could put human health at risk if it became policy.

FDA published the assessment at issue, *Report of Quantitative Risk and Benefit Assessment of Commercial Fish, Focusing on Fetal Neurodevelopmental Effects (Measured by Verbal Development in Children) and on Coronary Heart Disease and Stroke*, just a day after President Barack Obama's inauguration.

It provides a first-time analysis of the risks and benefits of eating fish, assessing both the risks that methylmercury exposure poses to children's development and the benefits of consuming the Omega-3 oils and proteins in fish, particularly for those at risk for cardiovascular disease.

The FDA study represents an “entirely new way” for regulators to analyze risks, according to the Society for Risk Analysis (Washington DC Chapter), which was planning to hold a forum on the study. The forum had been scheduled for April 7 but has been postponed, according to a spokeswoman.

While regulators have traditionally analyzed food contaminants and have issued warnings based on the presence and level of those contaminants, the FDA study sought to take a “more comprehensive approach” based on the assumption that consumers make decisions about whether or not to consume a food, not a contaminant, the group’s notice says.

The FDA’s more-comprehensive approach mirrors consumers’ decision-making and is considered more useful by taking into account the overall health effect of consuming the food, considering both risks and benefits, the group says.

“There has been, up until now, a tremendous effort on the part of multiple federal and state agencies to warn women of childbearing years about the dangers of consuming fish solely based on methylmercury’s contribution to the net effect of eating fish, but not on the net effect itself. This type of study may ultimately suggest a different approach,” the group’s notice says.

While EPA officials and environmentalists say there is merit to the theory of studying both the risks and benefits of eating fish, they are questioning FDA’s study, saying it does not consider the wide variety in fish species in the amount of mercury consumed or the amount of beneficial oils and proteins provided by different species.

“It is a trade-off,” says a source with the activist group Food and Water Watch (FWW), which filed adverse comments on the analysis. “There are a lot of benefits of eating tuna, especially for low-income families. It’s a great source of protein. But the risks and benefits don’t cancel each other out.” *Relevant documents are available on InsideEPA.com.*

ACTIVISTS SEEK REJECTION OF RAIL PERMIT AS TEST OF JACKSON MEMO (*Inside EPA*)

4/10/2009

Environmental advocates are urging EPA to reject a permit for a controversial Massachusetts rail project, saying the decision is a key early test for agency Administrator Lisa Jackson’s pledge to make transparent choices based on science and law rather than political pressure from lawmakers who favor the project.

Public Employees for Environmental Responsibility (PEER) sent an April 7 letter to Jackson urging her not to issue a Clean Water Act permit for the proposed Fall River/New Bedford rail project in Massachusetts, which would cut through the Hockomock Swamp, the largest freshwater wetland in Massachusetts and an EPA priority wetland.

The group argues that a decision based on science would not allow the permit and says EPA’s decision will be a litmus test of the agency’s political independence.

The group's letter was prompted in part by recent news reports alleging that Rep. Barney Frank (D-MA) and other lawmakers sought to ensure that President Barack Obama's appointed EPA leaders do not oppose the rail project. *The letter is available on InsideEPA.com.*

PEER says that the rail project is environmentally unsound and should not receive a permit. The group says that if EPA grants the permit it would be a purely political decision at odds with Jackson's memo to agency employees -- issued at the start of her tenure -- pledging to make her decisions based on science, not "political agendas."

PEER's letter cites a March 28 report in the *SouthCoast Today*, which says that Frank and other project supporters have "made sure the new leadership of the U.S. Environmental Protection Agency did not include anyone with 'record of hostility' to the project." Kyla Bennett, a former EPA Region I employee who signed the PEER letter, requests that EPA investigate whether new agency appointees are required to support Frank's preferred rail route.

However, a spokesman for Frank said that the lawmaker has no intention of blocking a fair environmental review of the project. Frank is hoping that EPA appointees have not prejudged the project without considering all environmental factors, including the rail project's potential to reduce fossil fuel emissions, the spokesman says.

EPA puts brakes on 3 more mountaintop permits (Greenwire)

Eric Bontrager, E&E reporter

04/09/2009

U.S. EPA is objecting to three more federal permits for mountaintop-removal coal mining.

EPA asked the lead federal permitting agency, the Army Corps of Engineers, last week to temporarily hold up two permits for mountaintop-removal operations in West Virginia and another in Virginia.

The permits are for A&G Coal Corp.'s Ison Rock Ridge Surface Mine in Wise County, Va., a Massey Energy mine in Kanawha County, W.Va., and a Frasure Creek Mining operation in Mingo County, W.Va.

EPA expressed concern that the permits would threaten water quality, saying they failed to adequately account for the effects of dumping rock from blasted mountaintops into valley streams and rivers.

Collectively, the three permits would allow the burial of about 8 miles of streams under blasted rock, blocking downstream water supplies and damaging ecosystems.

"Even though ephemeral and intermittent streams may go dry during a portion of the year, they continue to provide habitat for macroinvertebrates and amphibians that utilize the interstitial

water flows in the substance below the stream," EPA said in its letter about the Frasure Creek mine, which would fill almost 3 miles of stream. "Such aquatic resources have been significantly impacted by mining in Southern West Virginia."

The letters come in the wake of EPA's announcement last month that it would review permitting for two coal mining operations in West Virginia and Kentucky ([E&ENews PM](#), March 24).

EPA Administrator Lisa Jackson said then that her agency "will use the best science and follow the letter of the law in ensuring we are protecting our environment."

EPA's announcement followed a 4th U.S. Circuit Court of Appeals decision allowing the corps to issue mountaintop permits without requiring more extensive environmental reviews. The Richmond court's decision overturned a lower court ruling that found the Army Corps failed to require adequate environmental analyses.

The Clean Water Act requires EPA to review Army Corps permits to ensure water-quality protection. The corps slowed its permitting as the litigation was under way, and now must tackle as many as 250 permit proposals.

EPA spokeswoman Enesta Jones said she could not rule out that more permits would soon be reviewed.

The National Mining Association's senior vice president, Carol Raulston, said additional permitting delays could affect the more than 60,000 mining jobs. "This is a continuing concern throughout Appalachia because of the potential job impacts," she said. "You have to have these permits to operate."

Nationwide permit at issue

In its letter on the A&G operation in Virginia, EPA asked the corps to revoke the permit because it was authorized under a streamlined "nationwide permit" and to instead process the application under the Clean Water Act's individual permit process.

Last month, U.S. District Court Judge Joseph Goodwin of the Southern District of West Virginia ruled that the corps had erred in letting coal mining companies dispose of wastes under the streamlined permitting process ([Greenwire](#), April 1).

Goodwin's decision affected nationwide permits for operations in his court district.

Jones said the agency's letter for the A&G operation is unrelated to the ruling. "There is no correlation," she said. "This is part of EPA's normal enforcement of the Clean Water Act."

The Virginia mining operation was of particular concern to environmental groups, which noted that the permit would have filled 3 miles of streams and nine valleys with more than 11 million cubic yards of rock and dirt.

"The days of reckless, unchecked destruction of Appalachian mountains are numbered," said Mary Anne Hitt, deputy director of the Sierra Club's Beyond Coal Campaign, in a statement. "There is much more work to do, but President Obama's EPA has taken bold action on mountaintop removal coal mining, and we applaud their intervention."

Mark Haviland, chief spokesman for the corps' Norfolk, Va., district, which issued the A&G permit, said the corps was still reviewing EPA's request.

"Obviously our folks in regulatory are going to take a hard look at the permitting and with the regulatory process in general and make a decision then," Haviland said.

Calls to the Army Corps' Huntington, W.Va., district office, which handled the two other permits, were not returned.

[Click here](#) to read the letter for the A&G Coal operation.

[Click here](#) to read the letter for the Frasure Creek Mining operation.

[Click here](#) to read the letter for the Massey Energy operation.

EPA chief urges Congress to clarify regulatory muddle (*Greenwire*)

Katherine Boyle, E&E reporter

04/09/2009

U.S. EPA Administrator Lisa Jackson called on Congress yesterday to pass legislation that would set clear boundaries for federal wetland regulators.

The federal regulatory scheme for wetlands has been a mess since the Supreme Court's fractured 2006 *Rapanos-Carabell* decision.

"There is anything but clarity on whether water means water and what wetlands are regulated," Jackson said at the screening of a PBS documentary on water pollution at the National Press Club in Washington.

Wetlands are protected under the Clean Water Act as habitat for wildlife, buffers for coastal storms, sponges for pollution and recharge areas for aquifers.

"No one does it better than Mother Nature," Jackson said. "It always takes a woman."

Senate Environment and Public Works Chairwoman Barbara Boxer (D-Calif.) and Sens. Benjamin Cardin (D-Md.) and Russ Feingold (D-Wis.) last week introduced a bill they say

would restore Clean Water Act protections for many wetlands excluded after *Rapanos* and the 2001 Supreme Court decision, *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*.

Feingold and House Transportation and Infrastructure Chairman James Oberstar (D-Minn.) introduced similar legislation that floundered last session, but environmentalists predicted it will get a better reception this year. Opponents say the legislation would expand wetland protection beyond the intent of the Clean Water Act ([Greenwire](#), Dec. 5, 2008).

Farm pollution

Jackson also said EPA needs to re-examine its policies on concentrated animal feeding operations, or CAFOs.

"We need change," she said. "We need change in everything from policy to enforcement."

CAFOs are considered major contributors of nutrients to waterways. Excessive nutrients overfertilize waters, spurring algal blooms and lowering levels of dissolved oxygen that aquatic life needs to survive.

"When it comes to agriculture, obviously, manure happens," Jackson said. Problems occur, however, when the land reaches its capacity to absorb the nutrients from manure.

Jackson noted that the Bush administration's EPA passed new regulations for CAFOs last year. They were unpopular with some environmentalists.

"We don't take those regulations lightly," she said.

The regulation would exempt some farms from pollution-reporting requirements under the Comprehensive Environmental Response, Compensation and Liability Act, which is commonly known as the Superfund law. The rule also would ensure that information within livestock producers' nutrient management plans is available for public comment, reviewed by the permit authority and incorporated into their permits ([E&ENews PM](#), Oct. 31, 2008).

EPA predicts the CAFO regulation will prevent 56 million pounds of phosphorus, 110 million pounds of nitrogen and 2 billion pounds of sediment from entering streams, lakes and other waters each year.

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**U. S. Environmental Protection Agency
E-Clips
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Friday, January 11, 2013



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ADMINISTRATOR JACKSON

JACKSON VOWS ‘SUNLIGHT’ AT EPA AMID FEARS OVER ‘CLOSED-DOOR’ DECISIONS (*Inside EPA*)

5/1/2009

EPA Administrator Lisa Jackson in a just-issued memo to all EPA employees is vowing to bring “sunlight” to the agency and involve the public and staff in a host of crucial decisions, amid concerns from some staff and others that she is making decisions “behind closed doors” on key policy, reorganization and other issues.

In an April 23 memo to agency employees titled “Transparency in EPA’s Operations,” Jackson asks for the cooperation of every agency employee in ensuring transparency and openness in conducting the agency’s work. To bring “more sunlight” into EPA, Jackson lays out a number of objectives including making all senior officials publicize their calendars, a commitment to involving the public in rulemakings, and being accessible to the press. *The memo is available on InsideEPA.com.*

One EPA source says the memo’s various objectives are welcome but says Jackson “has set a standard [with the memo] that she’s going to have to live up to.” The source says Jackson’s memo may “have been in the works for some time” and says that if Jackson adheres to the memo it could help address some concerns about decision making. Absent from the memo, however, is language on involving staff in agency reorganization decisions.

The memo comes amid some criticism that Jackson is making key decisions behind closed doors, which could ultimately harm morale at EPA. “The new administrator seems to make most of her decisions behind closed doors and usually from the hip,” according to one former EPA staffer. Several current agency staff echo that sentiment, saying that some career employees struggle to obtain information from Jackson and senior political management on key decisions, which some fear could hurt morale and create tension within the agency (*Inside EPA*, April 24).

In her memo, Jackson says that generally EPA “will provide for the fullest possible public participation in decision making. This requires not only that EPA remain open and accessible to those representing all points of view, but also that EPA offices responsible for decisions take affirmative steps to solicit the views of those who will be affected by these decisions,” including communities of color, Native Americans, people disproportionately impacted by pollution and others “historically underrepresented” in EPA decision making.

“EPA will not accord privileged status to any special interest, nor will it accept any recommendation or proposal without careful, critical and independent examination,” according to the memo.

Jackson also says that she has made her daily schedule available on EPA's Web site and asks that other senior agency officials -- including the deputy administrator, and all assistant and regional administrators -- do the same. EPA sources say that the eventual disclosure of senior staff's calendars may prove controversial as it would show a significant number of industry groups frequently meeting with agency officials on various issues.

On Freedom of Information Act requests, Jackson says EPA should follow Attorney General Eric Holder's March 19 memo in favor of disclosure whenever possible. Exemptions should only be made where it would harm an interest protected by an exemption, or where disclosure is prohibited by law, the memo says.

Vowing to uphold former EPA Administrator William Ruckelshaus's 1983 "fishbowl" memo on agency transparency, Jackson also requests that each employee ensure that all written comments regarding a proposed rule are entered into a rulemaking docket. Staff must summarize in writing and place in the docket any oral communication during a meeting or telephone discussion with a member of the public or an interested group "that contains significant new factual information" regarding a proposed rule.

Jackson's memo also underscores the key role that she intends the Office of Public Affairs to play in the new agency. Staff contacted by the press "should respect our internal deliberative processes and strive for accuracy and integrity in our communications. This will ultimately enhance public trust in the agency." Staff are asked to coordinate with program managers and the public affairs office when interacting with the press.

In conclusion, Jackson writes, "I have the utmost confidence in the ability of EPA's workforce to promote full public involvement and openness in all EPA affairs. I believe this will enhance the credibility of the agency, boost public trust in our actions and improve the quality of our decisions. In short, we will let more sunlight into our agency." Jackson also welcomes ideas from staff on how to achieve the memo's goals. -- *Anthony Lacey*

AIR

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EPA rapidly reversing Bush policies (*Washington Times*)

Edward Felker (Contact)

Friday, May 1, 2009

District of Columbia

The Navajo Nation plans to earn \$50 million annually by building a coal-fired power plant on its New Mexico reservation. But its plans hit a snag earlier this week, when the Environmental Protection Agency, citing air pollution concerns, moved to revoke a Bush administration permit and block the project.

Similar "green" reversals have grown commonplace at EPA, where Administrator Lisa Jackson has systematically upended the agency's pro-industry tendencies of the past eight years. She has replaced them with decisions that strongly favor environmentalists, a trend that is likely to accelerate as she undertakes a top-to-bottom agency review.

"There's been an unequivocal change in the EPA between the two administrations," said Brad Johnson, an energy researcher at the left-leaning Center for American Progress.

Bryan Mignone, a climate and energy specialist at the Brookings Institution, agrees. "The EPA is taking a much more aggressive stance toward regulating on the environmental front," he said.

The abrupt change started immediately after President Obama took office. In February, Mrs. Jackson canceled a Bush-era decision that denied requests by California and other states to impose strict emissions limits on automobiles.

Two weeks ago, Mrs. Jackson classified carbon dioxide and other greenhouse gases as harmful pollutants, ending what environmental groups considered foot-dragging by the Bush administration. The so-called endangerment finding allows the agency to impose limits on greenhouse gas emissions from cars and trucks and, potentially, electricity plants and industrial polluters.

And there's more. At the behest of Earthjustice, the Natural Resources Defense Council (NRDC) and the Sierra Club, the agency reversed rules that had allowed "fine particle" smog and soot to be pumped into the atmosphere by industries, mines and farmers.

It also has proposed greenhouse gas reporting mandates on large industrial plants and fuel suppliers, tougher emissions limits on coastal shippers and new limits on cement factory air pollution.

The agency defended its actions.

"EPA still has work to do when it comes to ensuring Americans are breathing clean air where they live, work, play and learn," a spokesman said by e-mail. "Going forward, Americans should expect [Mrs. Jackson] to continue to be vigilant in addressing air quality issues, with science and the law as her guideposts."

The agency's latest actions on the Navajo project repudiated rulings reached by EPA in July, and the agency acknowledged that more reversals are likely soon. In a filing with EPA's appeals board, an agency official wrote that Mrs. Jackson is reconsidering "many of the agency's policies under the Clean Air Act and other statutes."

The move was a major victory for environmental groups, including the NRDC, and was a setback for the Navajos.

Navajo Nation President Joe Shirley Jr. said EPA went back on its promises and appeared to be changing the permitting rules for the 1,500-megawatt plant without using proper procedures.

"EPA sends the unmistakable message that it will hold facilities on Navajo land to standards that may well be impossible to meet - and one that wouldn't be applicable elsewhere," he said in a statement.

John Walke, the clean air director at NRDC, sees the Navajo reconsideration as part of a larger effort by EPA to undo Bush administration policies quickly while preparing for the slower process of putting Mr. Obama's priorities into the books.

The Navajo reconsideration "has been in keeping with a steady drumbeat of announcements since Jan. 20 in which most of the clean air rules by the Bush

administration that I have been fighting have been lined up and announced for reconsideration," Mr. Walke said.

He stressed that Mrs. Jackson's moves are closely coordinated with the White House as part of Mr. Obama's anti-global warming agenda. The decision this week to review three rules affecting fine particle industrial pollution under the "new source review" authority of the Clean Air Act was part of the same approach.

"For government officials to talk about green jobs, clean energy and global warming action in the same breath is a novelty and overdue recognition in our view," he said.

Conservative-leaning and pro-business groups are keeping a close eye on the reinvigorated EPA and are noticing that the agency is inclined to find common ground with environmental groups.

"There's a lot of things they've wanted to do that have been accumulating over the years and now there is a chance to implement them," said Ben Lieberman, a senior policy analyst at the conservative Heritage Foundation.

Mr. Lieberman said Mrs. Jackson has proceeded with a dose of caution because of the recession. On the greenhouse gas finding, he said only worries about hurting the already ailing economy kept Mrs. Jackson from proposing new auto and truck emissions regulations more rapidly.

William Kovacs, vice president for the environment, technology and regulatory affairs at the U.S. Chamber of Commerce, said it would be only harder, if not impossible, to put new coal-fired power plants into service because of EPA decisions this year.

Between 60 and 70 plants have been stalled because of permitting issues, he said, and challenges to clean energy projects over environmental issues are likely as well.

"It's like the proverbial floodgates at the dam," he said. "They're just opened."

Chrysler will feel unfulfilled in its Italian romance (*Los Angeles Times*)

Fiat figures to benefit more from its marriage with the struggling U.S. automaker.

Dan Neil

May 1, 2009

After an abusive affair with Germany's Daimler ending in 2007 and a dysfunctional relationship with former owner Cerberus Capital Management that ended with the company in bankruptcy Thursday, can Chrysler learn to love again?

The alliance between Chrysler and Italy's Fiat -- in which the Turin automaker takes a 20% stake in Chrysler and Chrysler gains access to Fiat's small-vehicle and fuel-efficient technology -- is plainly a terrific deal for Fiat and maintains Chief Executive Sergio Marchionne's reputation as super-fixer and corporate Midas.

Fiat pays next to nothing and now has instant access to U.S. markets through Chrysler's dealers. For at least a year, Marchionne had been casting about for a partner to help bring Fiat to America, approaching GM, Ford, BMW and Nissan along the way. A plan to reintroduce Alfa Romeo was abandoned suddenly last year after the economy softened.

In Marchionne's view, Fiat is too small to survive on its own in an era of rapid consolidation. It needs annual global sales of 5.5 million or more to remain viable (last year's total: about 2.1 million vehicles). That kind of volume is possible only if Fiat sells cars in the U.S.

The immediate benefit of the alliance with Chrysler is, obviously, the \$8 billion in government loans that would help it weather the painful reorganization to come.

In the longer term, the theory runs, Chrysler will be able to re-badge successful Fiat products -- imagine a Chrysler-badged version of the Fiat's Bravo sedan -- and build other vehicles based on Fiat global platforms.

But in this new Italian romance, the relationship is distinctly one-sided.

What happens to Chrysler in NASCAR? What happens to Mopar? What happens to Dodge-badged cars? All likely to be swept into whatever museum there is left to memorialize Chrysler.

There are other risks for Chrysler. American buyers, for whatever reason, may not warm up to the Fiat products, which are generally small, lightweight and very modern and stylish in a way that Chrysler's core audience, it's safe to say, isn't.

It's also not clear how quickly Fiat products could be adapted to pass federal emissions and safety standards. Such a process of "homologating" vehicles is costly, and Marchionne has made clear he doesn't want to put a lot of money into the Chrysler deal. Also, there's the question of how fast and at what cost Chrysler will be able to retool its 30 assembly plants in North America. You can't simply throw a big switch that says "Fiat."

The key variable in this deal is the price of gasoline. If gas should remain around \$2.50 a gallon, it would negate the advantage to Chrysler of sharing cars with Fiat, and punish Fiat too. Americans have shown, again and again, utter amnesia when it comes to fuel costs. As soon as fuel costs go down, so too does interest in fuel-efficient cars.

Ironically, California's pending waiver request to the U.S. Environmental Protection Agency that would allow the state to regulate greenhouse-gas auto emissions would actually play in the new company's favor.

The state's request would in effect raise fuel efficiency for new cars by 30% by 2016. A dozen other states and the District of Columbia have said they would hew to the new California standards.

If California succeeds in imposing its own auto emissions/fuel economy rules, the Chrysler-Fiat alliance would be well positioned to quickly deliver smaller, more fuel-efficient vehicles to market.

After years of fighting California's clean-air rules, Chrysler may in the end depend on them for its survival.

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Air Pollution Endangering Lives Of 6 In 10 Americans, Report (*Medical News Today*)

01 May 2009

Over 185 million Americans or about 6 out of every 10 people in the US live in areas where the air is so polluted that it endangers life, said a new report released earlier this week.

The State of the Air 2009 report, by the American Lung Association, said many of the culprits such as dirty power plants, diesel engines and ships also contribute to global warming.

The Lung Association is urging individuals and the government to make choices that tackle three challenges at the same time: air pollution, energy and global warming.

Although there has been a lot of progress against air pollution, nearly every major US city still has bad air pollution and for many of them the figures show the air this year is dirtier than it was last year.

American Lung Association National Board Chair, Stephen Nolan said this should be a "wake up call".

"We know that air pollution is a major threat to human health, when 60 percent of Americans are left breathing air dirty enough to send people to the emergency room, to shape how kids' lungs develop, and to kill, air pollution remains a serious problem," he said.

The new report assigns a grade to different parts of the US depending on the quality of the air there. It also shows how the quality has changed for 900 counties over the last 10 years.

The grades go from A to F and bring together three categories: ozone (smog), annual particle pollution, and 24-hour particle pollution.

The three cities with the highest ozone pollution are Los Angeles-Long Beach-Riverside metropolitan area, Bakersfield and Visalia-Porterville, both in the San Joaquin Valley.

These three cities are also at the top of the most polluted cities for year-round particle pollution, and also follow close behind Pittsburgh-New Castle, Pennsylvania at the top of the list of cities most polluted by 24-hour fine particle pollution.

Only 1 city, Fargo, North Dakota, ranked cleanest in all three categories.

17 other cities appear on two of the three categories of cleanest cities.

Others like Los Angeles, New York, Atlanta, Charlotte, Philadelphia, Washington, DC, and Baltimore have improved their air quality over the last 10 years.

Ozone is the most widespread form of air pollution. When breathed in it irritates the lungs, and has an effect like a bad sunburn, with immediate health effects. It can cause wheezing, coughing and asthma, and breathing ozone pollution has been shown to shorten life expectancy.

In March 2008, a tighter Environmental Protection Agency standard for ozone pollution showed that this type of air pollution was more widespread than previously thought.

When the American Lung Association evaluated the most recent figures against the new EPA standard they found that around 58 per cent (175 million) of Americans lived in areas where too

many days with unhealthy ozone levels were recorded. This compares with 93 million people reported in the previous year.

American Lung Association president and chief executive, Charles Connor, said:

"More than 175 million Americans live in areas with unhealthy smog levels -- that's 80 million more than we identified in last year's report."

While some cities, like Los Angeles (a city with a long-standing and well publicized smog problem), have shown improvements in ozone pollution over the last 10 years, others like Dallas-Ft. Worth and Las Vegas have worse ozone levels now than they did 10 years ago.

Connor said the American Lung Association think the standard should be made even tighter and that the scientific community agrees.

The new EPA standard was brought in last year after the Association brought legal action to force the agency to do a formal review. The new standard of 0.075 parts per million (ppm) is still short of the 0.060 recommended by the Association, and they, together with other bodies representing states, public health and environmental groups have taken the EPA back to court to try and get them to change to the 0.060 ppm standard.

Particle pollution, another of the three categories that makes up the A to F score, is considered the "most dangerous and deadly of the outdoor air pollutants that are widespread in America," said the report, which warns that it "can increase the risk of early death, heart attacks, strokes and emergency room visits for asthma and cardiovascular disease".

On average, 1 in 6 Americans lives in an area with an unhealthy level of year-round fine particle pollution, said the report. And 3 in 10 live in counties with unhealthy 24-hour levels (where the amount of fine particles in the air can spike to unhealthy levels and stay there for several hours or even days).

13 cities had more days, or more severe days, of spikes than reported last year, although 11 have been improving steadily since 2007.

The evidence linking particulate air pollution and poor health is mounting. Researchers in California have recently tripled their estimate of the number of deaths due to this type of pollution in their state every year.

Chief Medical Officer of the American Lung Association, Dr Norman Edelman, said:

"The science is rock-solid. We now know that air pollution can impair the lung function of even the healthiest people."

"Air pollution worsens asthma and is a direct cause of heart attacks, which makes people living with lung and heart disease especially vulnerable," he added.

Connor said:

"America needs to cut emissions from big polluters like coal-fired power plants and ocean-going vessels."

"We need to fix old dirty diesel engines to make them cleaner and strengthen the ozone standards to better protect our health. We also need to improve the decaying infrastructure of air monitors. America must now enforce the laws that help us improve our nation's air quality," he added.

For the full report and to search local air quality grades by zip code visit [American Lung Association](#).

Main source: Environment News Service.

Written by: Catharine Paddock, PhD

Counties receive ozone grades (*The Casper Star Tribune*)

*By JEFF GEARINO
Southwest Wyoming bureau*

FRIDAY MAY 1, 2009 :: Last modified: Thursday, April 30, 2009 9:33 PM MDT

GREEN RIVER -- Three Wyoming counties impacted by energy development received average grades for dangerous ozone pollution this week in a new national report.

Cheyenne, on the other hand, was proclaimed the cleanest city in the country for long-term particle pollution levels.

The American Lung Association's 10th Annual State of the Air report was released Wednesday, said spokeswoman Heather Grzelka.

The report included the group's national "air quality report card," which assigns grades for ozone and other pollutants across the country.

Campbell County in northwest Wyoming and Sublette County in western Wyoming each received a C grade for high ozone days. The report said Teton County received a B grade.

Association officials said there was not enough air monitoring data for ozone to grade the rest of Wyoming's counties.

The Los Angeles-Long Beach-Riverside area of southern California was ranked the most polluted by ozone.

Sublette County and the Upper Green River Valley have registered at least slightly elevated ozone levels in several of the past winters. During the winter of 2007-08, the pollutant exceeded the federal ozone standard of 75 parts per billion on 14 days.

The ozone warnings prompted state officials in March to submit a recommendation to the U.S. Environmental Protection Agency seeking to designate the county and some surrounding areas as a federal ozone nonattainment area.

Ozone is the most widespread form of air pollution and smog. When inhaled, ground-level ozone can irritate lungs, impair breathing and pose health threats to children, the elderly and people with respiratory problems.

Wyoming's three grades were calculated by analyzing ozone and short-term levels of particle pollution, including nitrogen oxide and volatile organic compound emissions.

Scientists believe NOX and VOC emissions, when combined with the right meteorological conditions of snow cover, warm weather and temperature inversions, can cause dangerous ozone pollution at ground level during the winter months.

Grzelka said the association used state and federal air quality monitors in the three counties to gather data -- on the days when air pollution levels reached their higher ranges -- to calculate the grades.

The association's report also ranked cities and counties most affected by ozone, smog and other pollutants. The study said six out of 10 Americans -- or about 186 million people -- live in areas where air pollution levels "endanger lives."

Cheyenne ranked No. 1 on the list of the 10 cleanest cities for long-term particle pollution.

Salt Lake City ranked sixth for cities most polluted by short-term particle pollution.

Contact southwest Wyoming bureau reporter Jeff Gearino at 307-875-5359 or gearino@tribcsp.com.

EPA Warns Facilities: File Updated Risk Management Plans or Face Penalties (*Occupational Health Safety*)

May 01, 2009

The U.S. Environmental Protection Agency is working to ensure that facilities submit updated risk management plans (RMPs) as required by federal law and has levied fines against companies that do not. RMPs, required under the Clean Air Act, contain information assessing plans in place to prevent and respond to accidental releases of hazardous substances from facilities and must be updated at least every five years. About 140 facilities in the area covered by EPA's Region 2 office, which includes New York, New Jersey, Puerto Rico, and the U.S. Virgin Islands, have plans due this year.

In a streamlined enforcement process, EPA's Region 2 office continually identifies facilities that currently have risk management plans in place to see which plans are overdue. Where the agency finds facilities that have not updated their plans on time, it is giving that facility a chance to comply and pay a discounted penalty. This was the case recently for the Kuehne Chemical Company in South Kearny, N.J. As a result of EPA's enforcement efforts, the company updated its plan and paid a \$1,400 penalty for late filing. Additional enforcement actions are planned in the coming months.

For assistance in submitting an updated RMP, facilities should contact the RMP Reporting Center at (301) 429-5018. Additionally, EPA has developed a new method for preparing and submitting an RMP that became available on March 13, 2009. The new method is called RMP*eSubmit and information about it and how to set up an RMP*eSubmit account can be found at www.epa.gov/emergencies/rmp.

Desert Rock (*The Durango Herald*)

Air-permit remand sets stage for better science

Article Last Updated; Thursday, April 30, 2009

Colorado

Since it was first issued in 2008, the air-quality permit for the proposed Desert Rock Energy Project has left all but the project's supporters somewhat nonplussed by the science of the process that produced the permit. Accordingly, Desert Rock opponents objected to the permit, asking the Environmental Protection Agency to take a second look at a range of issues. The agency did that, and as a result has remanded the permit. It is a welcome acknowledgement of the importance of thoroughness and objectivity in regulating projects that have an environmental cost.

When the EPA issued Desert Rock its air permit, project opponents filed objections to several areas of the document, including its handling of mercury and particulate emissions, and the project's effect on endangered species. These are crucial considerations that any agency tasked with regulating an inherently intrusive project must make. To hurry through that consideration process is unacceptable, and the conservation groups that called into question the EPA's process were right to make that claim.

For their part, Desert Rock proponents - both the project's developers and its host, the Navajo Nation - have made economic arguments as to why the power plant should be built quickly and without objection from surrounding communities. Citing the 1,500-megawatt coal-fired generation station as an important economic-development opportunity for the impoverished Navajo Nation, proponents claim that any opposition is an attempt to quash that development on its face. The issue, though, is far more complex in that air quality does not follow jurisdictional lines. As such, any review of such a project must consider its cumulative impacts - not just the dollar value it will bring to its host community.

The Desert Rock project would certainly not come online in a vacuum. If, as proposed, it is constructed 30 miles southwest of Farmington, it will join two existing coal-fired power plants in a county that is already the nation's sixth-largest emitter of carbon dioxide. That is a relatively high ranking, given its population of less than 114,000 people. The carbon dioxide - and other harmful emissions including mercury - does not stop at county, state or tribal boundaries. Those substances have proved to drift high and wide, making their way into nearby communities and resources including rivers and lakes - and the fish that live in them - and irreplaceable natural and cultural assets such as Mesa Verde National Park and Canyons of the Ancients National Monument.

The public-health and environmental issues relevant to adding a large new coal-fired power plant are absolutely essential to consider with the best scientific practices available. In its initial review of Desert Rock's permit application, the EPA failed to meet that burden, instead choosing to expedite an approval under what appeared to some to be political pressure. That is hardly the business of a regulatory agency, and in remanding the permit, the EPA now seems to recognize the shortcomings it demonstrated under the Bush administration vis-à-vis Desert Rock.

Monday's decision sends the permit to the Environmental Appeals Board, an EPA panel that will rule whether to send the permit application back to the agency's regional office for a more thorough analysis than it initially received. That would be the right move for the agency's credibility as well as the region's environmental and public health.

EPA calls time out for perc review (*National Clothesline*)

May 2009
Pennsylvania

The Environmental Protection Agency last month asked for a time-out in legal proceedings so it can review its clean-air rules for perc drycleaners.

After they were announced in 2006, [the new rules](#) were challenged in court by drycleaning industry and environmental groups. Oral arguments before the U.S. Court of Appeals for the District of Columbia Circuit were scheduled to begin this month, but in early April, EPA asked the court for a postponement. EPA spokesman Dale Kemery said the agency and the Justice Department made the request “so that the agency’s new leadership may review the rule.”

Despite taking opposing points of view in their legal challenges, drycleaning industry and environmental groups both viewed the delay as favorable to their positions.

In court challenges, the industry said EPA went beyond its statutory authority in its rule-making while environmentalists argued the EPA did not go far enough. The main point of contention centers on EPA’s edict that perc cleaners located in the same buildings as residences — co-residential, in the regulatory terminology — must convert to a non-perc cleaning method by 2020. EPA also said that no new perc machines can be installed in co-residential locations.

“We’re encouraged that EPA has finally recognized that its treatment of co-residential cleaners is indefensible and look forward to EPA’s revision of the rule to take into account ‘developments in practices, processes, and control technologies’ as the law requires,” said Steve Risotto of the [Halogenated Solvents Industry Alliance](#).

“With the support of the drycleaners and allied trades, we are confident that the evidence submitted during the reopened rule-making will demonstrate even more forcefully that a perc phaseout cannot be supported,” he said.

HSIA, which represents perc producers, has been joined by the Drycleaning and Laundry Institute, the National Cleaners Association and the Textile Care and Allied Trades Association in mounting the industry’s court challenge.

The Sierra Club took the lead in representing the environmental activist position. James Pew, an attorney for Earthjustice, which is representing the Sierra Club, termed the EPA action “great news.”

“The previous administration’s approach was wrongheaded and illegal,” Pew said.

“We hope the new administration moves to get this toxic chemical out of the air we breathe and eliminate the cancer risk it creates for millions of Americans,” Pew added.

[The Sierra Club](#) wants EPA to establish a nationwide phase-out of perc similar to the one adopted in California in 2007.

In California, perc will be completely eliminated as a drycleaning solvent by 2023. So far, California is the only state that has adopted a perc phase-out. New Jersey considered it last year but has since backed off.

In addition to the co-residential phase-out, EPA’s 2006 rules require enhanced leak detection and repair and fourth-generation technology for all new perc drycleaning equipment. EPA also banned the use of transfer equipment in perc drycleaning. Those rules remain in place.

The reopened rule-making will let each side make its case to EPA again. Risotto said that this time EPA should convene a small business panel as part of the rule-making process, which was not done for the 2006 regulation even though it is required.

“By EPA’s own admission, over 99 percent of drycleaners are small businesses,” he said.

Also favorable to the industry position is legislative history stipulating that the “residual risk” section of the Clean Air Act does not apply to drycleaners, he added.

The Drycleaning and Laundry Institute said the legislative history should be a factor in the EPA’s reconsideration.

During Senate passage of the Clean Air Act amendments in 1990, DLI worked with a bipartisan group of ranking members of the Senate Environmental Committee on language stating that if EPA chose to issue an equipment-based area source standard for the industry it would be prohibited from coming back later and attempting to put in a risk-based standard.

DLI charged that in applying a risk-based standard in developing the co-residential ban in the 2006 amendments, EPA had done exactly what the 1990 language said the agency could not do.

While the industry hopes to get EPA to pull back from its co-residential ban, the Sierra Club sees the review as an opening to push EPA toward an across-the-board perc phase-out and convert drycleaners to non-perc alternatives.

“We would like to see this shape up as a premiere green initiative with assistance to the small business owners who operate our local drycleaners, new opportunities for equipment manufacturers, and improved air quality for neighborhoods across the nation,” said Marti Sinclair, chair of the Sierra Club’s Clean Air Team.

Report: 6 in 10 Americans live in highly polluted areas (Waste News)

April 30 -- Six out of 10 Americans, or 186.1 million people, live in areas where air pollution levels endanger lives, according to the 10th annual American Lung Association State of the Air Report.

The report, released April 29, concludes that country has made significant progress against air pollution in many areas of the country, yet nearly every major city still is burdened by air pollution.

"This should be a wakeup call," said Stephen Nolan, Lung Association board chairman. "We know that air pollution is a major threat to human health.

Contact Waste & Recycling News senior reporter Bruce Geiselman at 330-865-6172 or bgeiselman@crain.com

EPA PERMIT WITHDRAWAL KILLS PRECEDENT FOR DRILLING EMISSIONS (*Inside EPA*)

5/1/2009

EPA is withdrawing a controversial minor source air permit it issued last year to Shell Offshore Inc. (SOI) that for the first time cited a controversial agency memo authorizing oil and gas drilling operations to “disaggregate” emissions from multiple sources in the same complex, allowing them to be counted as separate sources in order to avoid stringent pollution controls required at major sources.

The withdrawal effectively eliminates the precedent set by EPA in codifying the memo, authored in 2007 by then-acting air office chief William Wehrum. However, the move does not invalidate the Wehrum memo, and environmentalists say they will still be asking EPA to take that step.

The Shell permit had been subject to a high-profile legal challenge before EPA’s Environmental Appeals Board (EAB) and had not been finalized pending that review.

Now, Shell will instead pursue a major source prevention of significant deterioration (PSD) permit to conduct exploratory drilling off the Alaska coast, according to an April 27 filing the company submitted to the EAB that asks the board to dismiss the challenge.

“SOI decided to withdraw the *Kulluk* permit so that Region X could focus its resources on completing, as expeditiously as possible, major source PSD for SOI’s planned exploration activities utilizing a different drill ship in the Chukchi and Beaufort seas,” the filing says. “In view of SOI’s substantial investment over a four-year period in securing and defending the *Kulluk* permit, SOI did not take this decision lightly. However, SOI understood that withdrawing the permit would save resources that Region X could instead devote to timely issuance, and potential defense, of the PSD permits. Similarly, SOI does not wish to burden the board or its docket with further proceedings on this permit.” *Relevant documents are available on InsideEPA.com.*

EPA Region X also asked EAB to dismiss the pending petitions as moot, given the permit’s termination, in an April 27 filing.

EPA announced it would terminate the permit in an April 24 public notice, citing a March 20 request from SOI to do so. “Furthermore, because the application has been withdrawn and the permit will not be finalized, the permit issued on June 18, 2008, is null and void,” EPA’s notice said.

Early this year, EAB put the case in abeyance to await final action by the U.S. Court of Appeals for the 9th Circuit in a related case that vacated the project’s environmental review, though the court then later withdrew that decision. Environmentalists opposed the EAB stay because it allowed the Wehrum memo to survive.

And while environmentalists support the withdrawal of the Shell permit, they still are pressing for the Wehrum memo to be invalidated and note another pending court case may now serve as its first test. *WildEarth Guardians v. Jackson*, a case before the federal district court in Washington, D.C., challenges a Title V clean air permit issued for a drilling operation that allows Anadarko to disaggregate emission sources at a Colorado project.

An attorney familiar with the *WildEarth Guardians* case says the Obama EPA appears likely to review the agency's disaggregation policy in the context of the case, and adds that negotiations of a deadline settlement for EPA to complete its review in September are ongoing.

Additionally, the 9th Circuit heard oral argument Feb. 5 in *McClarence v. EPA*, a suit challenging a BP permit allowing disaggregation of sources on Alaska's North Slope. However, the arguments in that case did not focus on disaggregation.

EPA MAY FACE HURDLES BACKING IGCC AS BACT IN DESERT ROCK PERMIT (*Inside EPA*)

5/1/2009

EPA may face steep hurdles if it seeks to require that clean-burning integrated gasification combined cycle (IGCC) technologies must be considered in best available control technology (BACT) reviews for new power plants as the agency reconsiders the air permit it issued to the New Mexico Desert Rock power plant, industry sources say.

IGCC, a technology that gasifies coal before burning it, can produce lower emissions of sulfur dioxide and nitrogen dioxide than traditional pulverized coal plants and also creates a separate stream of carbon dioxide (CO₂) that can be easily captured for sequestration.

Given its environmental benefits, environmentalists have long pressed for IGCC to be routinely considered under BACT reviews conducted by permitting authorities nationwide, as part of activists' efforts to mandate CO₂ controls. But industry and EPA have long opposed it, arguing that IGCC is a completely different technology than traditional pulverized coal.

EPA will reconsider the issue -- along with four others -- after the agency April 27 asked the Environmental Appeals Board (EAB) to remand the Desert Rock prevention of significant deterioration (PSD) permit, which states and environmentalists were challenging in *In Re: Desert Rock Energy Company*. *Relevant documents are available on InsideEPA.com.*

Under the Clean Air Act, regulators are required to conduct so-called top-down BACT reviews when issuing new PSD permits anywhere in the country to determine whether the new facility is using the best available technology for controlling emissions. If EPA determines that IGCC must be included in one BACT review, all other permitting authorities would be obligated to mandate it or say why it is not viable for a particular permit.

But industry sources warn that such consideration is not yet warranted. One industry source calls EPA's reconsideration of IGCC as BACT the most controversial piece of the remand.

The source says other new technologies for pulverized plants -- including super critical and ultra-super critical boilers -- are able to reduce traditional pollutants as or more efficiently than IGCC. "I

don't think you can hold up IGCC as the standard for BACT," the source says. "IGCC is very efficient . . . But other types of traditional power plants . . . have efficiency rates that are comparable to if not better than IGCC." IGCC's advantage -- its ability to easily sequester CO2 -- is irrelevant at this point because carbon storage is not yet available, the source notes.

However while the CO2 issues were not before the EAB, EPA is already separately considering CO2 as part of an amended Desert Rock permit issued by the outgoing Bush EPA. That draft permit will now also be part of the remand, likely dovetailing the agency's consideration of regulating CO2 with IGCC under BACT.

The comment period recently closed on the draft amended Desert Rock permit, which seeks to codify a memo by former Administrator Stephen Johnson stating that CO2 is not a regulated pollutant, meaning that BACT reviews need not consider technologies' CO2 control benefits.

"The status of the permit is there is no final position on CO2," an environmentalist notes. "The draft position was the last action of the Bush EPA proposing to rely on the Johnson memo."

Environmental groups submitted copious comments opposing the Johnson memo, while industry groups supported the memo and the draft amended permit in their comments to the agency.

The activist says while the Obama EPA would have considered the comments on the CO2 portion of the permit regardless of the remand, "It is better, from our perspective, that they want a remand of the entire permit," particularly because EPA will be addressing IGCC as BACT.

The EPA filing to EAB also says Agency Administrator Lisa Jackson wants to reconsider other issues in the Desert Rock permit, including the maximum achievable control technology review to address mercury and other air toxics, the use of coarse particulate matter as a surrogate to satisfy fine particulate matter requirements, the issuance of the final permit before completing Endangered Species Act consultation and the sufficiency of the additional impacts analysis for the proposed facility. All of these could also have broad implications on agency policies.

"[A] complete remand of the final PDS permit and administrative record will promote efficiency in the agency's decisionmaking and potentially enable Region IX to resolve several disputed issues," EPA says in the filing to EAB.

While environmentalist are praising the Desert Rock permit reconsideration, industry sources are reacting scathingly to the agency's move, noting that it undoes what has been a five-year process. Jeffrey Holmstead, a former Bush EPA air chief who now represents coal-fired power plants, in an April 27 statement called the unprecedented decision to reconsider the entire permit "a complete surprise . . . I don't think anyone ever imagined that the new team at EPA would seem to have such little regard for due process or basic notions of fairness." -- *Dawn Reeves*

POSSIBLE AIR ACT RULES FOR GHGs SPARK GOP HOLD ON EPA AIR NOMINEE (*Inside EPA*)

5/1/2009

Key GOP senators will block Regina McCarthy's nomination to head EPA's air office unless she can address their concerns about the impact and scope of possible Clean Air Act greenhouse gas (GHG) regulations, in a move that may significantly delay her confirmation given the senators' long-running opposition to any air act GHG rules.

However, Democrats are urging Republicans to support the nomination, arguing that it would be better for them to have a bipartisan appointee like McCarthy, who has worked under a Republican governor, than no appointee at all. In the event of a hold, the air office would continue to be headed in an acting capacity by EPA career officials.

Senate Environment & Public Works Committee (EPW) ranking member James Inhofe (R-OK) and EPW member John Barrasso (R-WY) both said during McCarthy's April 23 confirmation hearing that they would put a hold on the nominee unless she explains from which sources EPA may regulate GHG emissions and a schedule for such rules. A hold is a procedural bar to approving a nominee that requires 60 votes to overcome.

"I want to note that I am going to vote to get her out of committee, but I want to make sure before she comes up on the floor that the concerns Senator Barrasso has are met, and if it means a hold, I would join in a hold," Inhofe said. McCarthy's nomination cleared EPW in a voice vote, with Barrasso voting against the nominee.

The senators' opposition could set McCarthy up for a long wait for confirmation, since Inhofe has long opposed GHG regulations under the air act. It may also force Democratic senators to woo several Republicans to support the nominee in order to win the 60 votes needed to overcome a hold, and leaves EPA in the position of having career official Elizabeth Craig helping the air office until such time as a political nominee can be confirmed.

Republicans' concerns about EPA developing GHG regulations under the air act have taken on new urgency after the agency proposed its April 17 finding that GHGs endanger human health and welfare, which is expected to trigger climate rules for a range of sources, beginning with emission rules for motor vehicles.

"[W]hile I have no reservations thus far about Ms. McCarthy's qualifications, these issues are too big and the impacts are too great to have her nomination move forward without better explanations of how the agency plans to protect my constituents from the burdensome regulations that will follow an endangerment finding under the Clean Air Act," Inhofe said at the hearing.

Republicans and other critics of regulating GHGs under the air act say it would broaden the scope of the law beyond what Congress intended when it enacted the Clean Air Act, because it could trigger emission rules for small, currently unregulated sources including apartment buildings and hospitals.

EPA Administrator Lisa Jackson has repeatedly tried to downplay GOP and industry concerns that Clean Air Act GHG rules would trigger a requirement for thousands of small, currently unregulated sources to adopt emission controls, saying the law leaves EPA discretion to exclude some sources from such regulation and focus on large mobile and stationary sources of emissions.

Industry officials say this is "wishful thinking" because EPA lacks discretion to bypass air act thresholds that require emissions reviews and possible controls for facilities that emit just 100-250 tons per year of a regulated pollutant, a very low trigger for GHGs that could capture many small facilities.

Barasso questioned how EPA plans to justify exempting small sources that would normally fall under the 250-ton-per-year threshold that triggers regulation under the air act. "I asked how the EPA would handle losing court challenges if the department tried to exempt farms, schools, hospitals, nursing homes and small business from the reach of the Clean Air Act. I really didn't get an answer to that," Barasso said.

But Boxer urged Inhofe to support the nominee, citing McCarthy's bipartisanship in working under Republican Gov. Jodi Rell (CT) in state environment positions, and hinted that Democrats would try to rally enough support for the appointment to overcome a hold. -- *Kate Winston*

SENATORS LAUNCH RENEWED EFFORT ON THREE-POLLUTANT LEGISLATION (*Inside EPA*)

5/1/2009

Sens. Tom Carper (D-DE) and Lamar Alexander (R-TN) have launched a renewed effort to pass legislation to reduce three major pollutants from electric power production, after agreeing to drop carbon dioxide from the plan, potentially avoiding what has been a major sticking point for the bill in previous years.

The senators said at an April 23 roundtable on Capitol Hill that they hope to soon craft a three-pollutant bill covering emissions of sulfur dioxide (SO₂), nitrogen oxide (NO_x) and mercury and pass it before the House sends a climate bill to the Senate. "Recent clean air court cases have raised important questions about the ability of [EPA] to write stronger clean air regulations without congressional action," Sen. Carper said in an April 23 statement. "Air pollution knows no state boundaries; we need a nationwide approach."

The U.S. Court of Appeals for the District of Columbia Circuit last year remanded the clean air interstate rule (CAIR), EPA's effort at achieving simultaneous reductions in NO_x and SO₂ in 28 Eastern states through a cap-and-trade program. The court tossed out the rule, saying the Clean Air Act prevented EPA from shaping a plan to reduce regional emissions, given a provision that each state contributing to another state's pollution reduce its pollution in accordance with that contribution. The court said the rule was illegal even though it was the most efficient mechanism to achieve large emissions reductions.

The court ruling has prompted a compromise that some members of the Senate would not accept years ago, when the Bush administration proposed similar three-pollutant legislation. "How ironic would it be if legislation moved to pass some version of President Bush's Clear Skies proposal -- a serious three-pollutant approach that was considered in the Senate more than 5 years ago," a spokesman for Bracewell Giuliani said in a recent email.

EPA Office of Atmospheric Programs Director Brian McLean told the roundtable that lawmakers have several options for fixing the air act to allow a program like CAIR. Lawmakers can directly establish a trading system complete with emissions mandates. Or, it could craft a narrower fix to simply provide EPA the authority to create a cap-and-trade program. "You can fix it by saying, 'Yes,

EPA does have the authority.' . . . When we go and write a rule based on guidance that's not clear, it will be litigated," McLean said.

McLean said that any legislative option would likely move faster than a rulemaking and would protect the program from further legal challenge. But he advised the lawmakers to keep it simple and avoid broadening the bill to provide more details on the program in response to stakeholder influence as it moves through the Senate. "You're going to get people saying, 'Look, this needs to be fixed.' I would listen but I don't know how much adapting I would do." *Relevant documents are available on InsideEPA.com.*

McLean said that simply reintroducing a bill would motivate industry to reduce emissions. "People will start acting with anticipation for what those targets are," he said.

Carper said he hopes to introduce and pass a bill before the House passes a cap-and-trade bill, because the carbon debate "is going to consume the Senate."

Without CAIR in place, states are struggling to craft adequate state implementation plans, which contain legally enforceable measures to meet national ambient air quality standards (NAAQS) in nonattainment areas.

This year, states must submit their recommendations for area designations for attainment of the new 75 parts per billion (ppb) ozone standard. Meanwhile, states have already begun working on plans to meet recently finalized nonattainment areas under the 1997 8-hour ozone NAAQS of 84 ppb, even though Administrator Lisa Jackson has indicated the Dec. 22 determination is one of a number of unpublished rules the Obama administration is reviewing.

The senators said at the recent roundtable that they will over the next few weeks recraft Carper's multi-pollutant bill, S. 1177 -- which Vice President Biden (D) co-sponsored last year -- to limit mercury emissions and establish emission credit trading programs for NOx and SO2. But whereas the previous bill would also have established a trading program for CO2, the upcoming bill will leave climate to the energy bill under discussion in the House.

ACTIVISTS CITE EPA OZONE REPORT TO FORCE CLIMATE REVIEW IN AIR PLAN (*Inside EPA*)

5/1/2009

Environmentalists are citing a just-issued EPA report finding that climate change will worsen ozone problems to argue that a pending ozone state implementation plan (SIP) does not adequately consider the impact of climate change in causing ozone spikes.

In April 17 comments, Sierra Club and the Kentucky Environmental Foundation are challenging a direct final rule EPA issued March 25 approving Kentucky's May 2008 SIP that is intended to ensure the Lexington, KY area maintains attainment with the 1997 8-hour ozone standard. The state's ozone maintenance SIP is meant to contain measures that ensure the area will continue to comply with the standard of 84 parts per billion (ppb) through 2020.

The environmental groups argue that, among other things, EPA approved the state's SIP without adequate consideration of climate change impacts, despite the agency's own April 17 report -- issued alongside EPA's greenhouse gas endangerment finding -- urging state and local air quality managers to launch efforts to address the possibility that the predicted effects of climate change could worsen ozone levels in certain regions.

"With regard to the Kentucky Maintenance Plans, there has been no consideration of climate changes impacts on ozone, either as to formation or as to consequences. Failure to consider this important aspect of the problem would lead to an arbitrary result. Therefore, we request that EPA re-evaluate the Maintenance Plans in light of the

increasing danger climate change will cause from ozone," the groups' comments say. *Relevant documents are available on InsideEPA.com.*

The environmentalists say EPA should reject the SIP and issue a federal implementation plan that includes several potential sources of emissions increases the state plan ignores.

As a result of the groups' challenge, EPA will withdraw the direct final rule due to the negative comment and will proceed with consideration of a proposed SIP approval, issued alongside the direct final rule. When EPA finalizes the proposed SIP approval, it will respond to the groups' comments.

In EPA's recent report, *Assessment of the Impacts of Global Change on Regional U.S. Air Quality: A Synthesis of Climate Change Impacts on Ground-Level Ozone*, the agency found increases in ozone levels due to climate change. "For every region of the country, at least one (usually multiple) of the modeling groups found that simulated climate change caused increases in summertime [ozone] concentrations," the study finds. "The findings . . . indicate that, where climate-change-induced increases in [ozone] do occur, damaging effects on ecosystems, agriculture, and health may be pronounced, due to increases in the frequency of extreme pollution events," the study says.

EPA released the report alongside its finding that greenhouse gases endanger human health and welfare, and the air quality impacts report is a key element substantiating that finding in the agency's proposal.

But environmentalists say EPA approved the Kentucky SIP without consideration of climate impacts: "The *Federal Register* notice [approving the SIP] claims that the proposed SIP amendment will ensure maintenance of the 1997 8-hour Ozone Standard until 2020. This is based on the assumption that if emissions in [Lexington's surrounding] counties are the same in 2019 as in the 2002 inventory, those counties will be in attainment in 2019. However, this assumption completely fails to consider the impact of climate change on ozone formation."

The comments cite EPA's findings that "future ozone management decisions may need to account for the possible impacts of climate change," and that climate-induced ozone increases are expected in the range of 2-8 ppb, which could lead to a significant increase in ozone-related mortality.

Activists also voice concern over EPA's approval of the SIP, saying it runs contrary to Administrator Lisa Jackson's declaration that EPA's decisions would be based on transparency, science and respect for the rule of law. "We hope that this proposal is only a vestige of the previous administration and not an indication that Administrator Jackson's guiding principles are to become unfulfilled promises," the comments say. -- *Jenny Johnson*

AIR REGULATORS URGE CONTINUED FUNDING FOR VISIBILITY ORGANIZATIONS (*Inside EPA*)

5/1/2009

Western state air regulators are urging EPA to continue funding for regional planning organizations (RPO), which help states conduct modeling and planning necessary to meet visibility requirements, arguing that RPOs play a key air quality role that cannot be met by individual states and tribes.

The Western States Air Resources Council sent an April 17 letter to Gina McCarthy, Obama's nominee to head EPA's air office, urging her to continue funding in the fiscal year 2009 budget for RPOs, including the Western Regional Air Partnership (WRAP) that serves the western states. Other RPOs include the Lake Michigan Air Directors Consortium and the Mid-Atlantic Regional Air Management Association, all of which are facing significant budget shortfalls under the planned phase-out of funding from EPA.

RPO's were originally established to help the states conduct multi-state modeling and planning to meet the requirements of EPA's 1999 regional haze rule, which was intended to protect visibility in national parks and wilderness areas. However, the Bush EPA planned to phase out funding for the RPOs in the coming years as the states complete their state implementation plans for visibility.

But state air regulators have long argued that EPA should continue funding for the RPOs because they play a key role in coordinating interstate visibility efforts and help states meet air quality standards for ozone and other pollutants that contribute to haze.

"By providing funding to the RPOs in the 2009 budget, EPA will help to ensure that the RPO's technical infrastructure is maintained and is available to state and local agencies," WESTAR President Martin Bauer says in the letter to McCarthy. *Relevant documents are available on InsideEPA.com.*

Along with the letter, WESTAR retransmitted an April 15, 2008 letter to then-Administrator Stephen Johnson, urging continued funding for RPOs. "Implementation of and required revisions to the SIPs will demand ongoing technical and policy capability, collaboration, and resources that are currently being provided by the WRAP, and that few if any states are able to provide on their own," WESTAR says in the letter to Johnson.

Western Mich. towns gagging on imported smog -- EPA (*Greenwire*)

Robin Bravender, E&E reporter

04/30/2009

Dangerously high smog levels in western Michigan are caused largely by air pollution that drifts in from urban areas across Lake Michigan, according to a U.S. EPA study released yesterday.

Upwind cities like Chicago, Milwaukee, and Gary, Ind., produce most of the emissions that push ozone levels in southwest Michigan beyond the federal limit, the study by EPA's Chicago-based Region 5 office says.

The 2005 Energy Policy Act required EPA to review the ozone problem in western Michigan and to discuss what it will take to meet federal air quality standards for ozone.

Ozone, a key precursor to smog, is formed when a mixture of pollutants reacts in the sun. Ozone can cause respiratory problems, including coughing, wheezing, shortness of breath and chest pain.

"In the Lake Michigan area, you have this phenomenon of Lake Michigan kind of being like an ozone cooker," said Douglas Aburano, an environmental engineer in EPA's Region 5 office. The predominantly westward winds then carry the ozone into small towns in southwest Michigan, he said.

In EPA's Region 5 -- Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin -- only three areas are still violating the 1997 ozone standard: St. Louis, Cincinnati, and Allegan County, Mich. Allegan County has a population of about 100,000 and about 25 miles of coastline along Lake Michigan.

Although ozone levels in western Michigan exceed federal air quality standards, levels in that part of the state have dropped due to federal and state control programs, the study says.

Collaboration across regions has helped to slash pollution transport throughout the Midwest, and analyses show that this approach will continue to be effective in lowering ozone levels in western Michigan, the study says.

[Click here](#) to read the study.

Groups sue over smog from N.M. oil and gas projects (*Greenwire*)

Robin Bravender, E&E reporter

04/30/2009

Environmental groups sued the Bureau of Land Management and the Forest Service yesterday, claiming the agencies failed to limit smog from oil and gas drilling in New Mexico.

The **lawsuit**, filed in the U.S. District Court for the District of New Mexico by WildEarth Guardians and Diné Citizens Against Ruining Our Environment, targets recent decisions to authorize more oil and gas drilling within New Mexico's San Juan Basin.

At issue are BLM's leasing of nearly 29,000 acres for oil and gas drilling in three auctions last year and the Forest Service's decision last July to authorize more than 7,000 new oil and gas wells and more than 5,000 acres of new oil and gas leasing in the Carson National Forest.

The advocacy groups argue the agencies failed to limit ground-level ozone -- the key ingredient of smog -- while allowing more oil and gas drilling. The region is on the brink of violating federal health limits for ozone, the groups say, and oil and gas drilling operations release volatile organic compounds and nitrogen oxides -- pollutants that react to form ozone -- into the air.

"Public health is squarely at risk, yet the Bureau of Land Management and Forest Service are pushing ahead with more oil and gas drilling," said Jeremy Nichols, climate and energy program director at WildEarth Guardians.

The groups claim BLM based its environmental reviews on outdated air quality analyses that relied on the 1997 ozone standard, rather than the stricter ozone limit adopted last year. While the Forest Service acknowledged the new standard, the groups say, it failed to consider measures to reduce ozone emissions from increased development in the Carson National Forest.

Last October, air pollution monitors in San Juan County showed ozone levels had exceeded the federal limit, 75 parts per billion, nudging the area into nonattainment with U.S. EPA standards. But state regulators said last month that they had identified problems with ozone monitoring data and would not recommend nonattainment status for San Juan County (*Greenwire*, March 16). Still, environmentalists argue, any additional ozone would tip the region into violation.

Hans Stuart, a spokesman for BLM's New Mexico office, said the agency is reviewing the lawsuit and could not comment. The Forest Service did not immediately respond to a request for comment.

Click here to read the lawsuit.

BUDGET/STIMULUS

Arizona gets \$82M in stimulus funds for water projects (*Bizjournals.com*)

Phoenix Business Journal

Thursday, April 30, 2009, 11:48am MST

Arizona is receiving \$82 million in federal stimulus money through the U.S. Environmental Protection Agency to develop water projects across the state, the agency announced Thursday.

The money is going into three state funds to bolster state and local government water projects.

The Drinking Water State Revolving Fund, which provides low-interest loans for drinking water systems and emphasizes small and disadvantaged communities, will receive most of the funds, about \$55.3 million.

The Clean Water State Revolving Fund, which provides low-interest loans for water quality and wastewater treatment projects, will receive \$26.4 million. The remaining amount, about \$267,400, will be used for water quality management planning.

“This funding will allow Arizona to identify its highest infrastructure priorities, protect human health and surface water quality, address climate change, and create critical green jobs as a foundation for a sustainable future,” said Laura Yoshii, acting regional administrator for the U.S. Environmental Protection Agency in the Pacific Southwest.

The funds are part of \$6 billion allotted in the American Recovery and Reinvestment Act for water and wastewater infrastructure.

EPA STRICTLY APPLIES 'BUY AMERICAN' RULES FOR STIMULUS PROJECTS (*Inside EPA*)

5/1/2009

EPA appears to be strictly implementing controversial "Buy American" provisions in the economic stimulus law, issuing guidance that sets a high bar for waiving the rules at stimulus-funded water projects and extending the requirements to public sector brownfields projects that receive EPA loans under the law.

States and some industry officials have long been concerned that the stimulus law's "Buy American" provision -- which generally requires all procurement at stimulus-funded projects to meet a 100-percent domestic content requirement -- may hamper project development because of limited domestically manufactured supplies.

Water equipment manufacturers, for example, have been concerned because only a limited amount of water infrastructure equipment and materials is manufactured in the United States, sources say.

As a result, the provisions are especially controversial in the context of EPA's clean water and drinking water state revolving loan funds (SRF) because the the \$4 billion for clean water projects and \$2 billion for drinking water projects provide the lion's share of EPA's stimulus monies.

But the law also provides agencies with authority to waive the 'Buy American' provisions, if it is deemed "in the public interest," or if the use of American-made iron, steel, or manufactured goods would increase the cost of the overall project by 25 percent or if the materials are not available in sufficient quantity or satisfactory quality.

EPA has already waived the "Buy American" procurement requirements under the public interest waiver to allow some already-funded water infrastructure projects to refinance loans to access the stimulus laws' more attractive financing options. The waiver does not apply to projects that have not yet been funded or were funded prior to the start of the current fiscal year last October, some of which are facing delays due to the law's procurement rules. Nevertheless, the waiver was the agency's first formal step to provide flexibility to the "Buy American" requirement.

But some sources have also looked to EPA to craft a process so contractors can easily qualify for "public interest" waivers because it is the only one of the three waiver provisions that provides EPA with flexibility.

However, EPA's April 28 guidance requires "public interest" waivers must be run through headquarters and signed by the acting water office chief, while waivers under the cost and supply provisions can be approved by EPA's regional offices. The public interest waivers are also reserved for "certain special circumstances."

EPA does not define "public interest," and neither does the stimulus bill, but the agency does not expect there to be frequent uses of those waivers, the guidance says.

An industry source says localities are still vowing to pursue the “public interest” waivers even in the face of strong signals from EPA that the bar will be high for projects to meet the exemption. The source offers as an example a city with its water infrastructure structured around an equipment standard not manufactured by American companies. In that case, adopting a different standard for a single party of the city’s system would be “tremendously disruptive,” the source says.

The source also expects that American manufacturers may challenge EPA waivers. “It’s going to be a bloodbath,” the source says.

The guidance includes broad definitions of relevant terms similar to guidance from the White House Office of Management & Budget (OMB). And it includes templates, checklists and sample language for steps in the waiver process likely to provide certainty to states and localities struggling with the “Buy American” requirements.

For instance, the guidance includes a checklist of items that must appear in requests for a cost or availability waiver from projects, and sample contract language for states and localities to use to ensure contractors use only American-made iron, steel and manufactured goods.

The guidance instructs regions to approve or deny waiver requests within two weeks, which an industry source says is brief enough to not unduly delay projects.

Contractors are instructed in the guidance to request waivers before construction begins and -- if not before construction has begun -- EPA “will expect . . . an explanation of why the request was submitted at that late date,” articulating how unforeseeable circumstances caused the need for the waiver.

“Manufactured good” is defined as “a good” that has been “processed into a specific form or shape,” or “combined with other raw materials to create a material that has different properties than the properties of the individual raw materials.”

Goods are available in “reasonable available quality” if “the quantity . . . is available or will be available at the time needed and place needed, and in the proper form or specification as specified in the project plans and designs.”

The goods are to be deemed of “satisfactory quality” if the quality is as “specified in the project plans or designs.”

Meanwhile, EPA is also announcing that the economic stimulus’s law’s “Buy American” procurement requirements will also apply to some state and local governments seeking a portion of the \$40 million in stimulus funds the agency is allocating to its revolving loan fund (RLF) for brownfields cleanup and redevelopment projects. But the agency says that the requirements will not apply to private sector entities that use the funds.

EPA explains in the notice that some RLF funding “will be used directly by non-federal governmental entity borrowers or subgrantees for projects that have a principal purpose of installing concrete or asphalt (or similar material) caps to remediate contamination on brownfields on a public building or a public work . . . or constructing alternative drinking water systems as part of the remedy at a brownfields sites.”

The agency says construction “of alternative drinking water systems by a non-federal governmental entity with RLF supplemental funding would be a public work” and that “EPA considers loans and

subgrants that have a principal purpose of carrying out [sic] these types of activities to be infrastructure investments for the purposes of the certification and reporting requirements” of the stimulus law.

“If an RLF grantee is requesting supplemental funding for a project which requires a Buy American Act determination (i.e. a cap that will be directly incorporated into a public building or public work) and the grantee intends to use other than American steel, iron or manufactured goods, the grantee must request an advance determination or provide the necessary information in their request for RLF supplemental funding,” EPA says.

However, EPA notes that “remediation activities conducted with RLF supplemental funds by private sector developers, non-profit organizations (except multi-State, regional or interstate entities which have governmental functions) or other non-governmental borrowers or subgrantees, and tribes are not public buildings or public works for the purposes of the Buy American provision” of the stimulus law.

Therefore, “EPA does not consider remediation activities conducted” by such entities “to be infrastructure investments for the purposes of” the Buy American provisions, the notice says.

EPA first announced the availability of the \$40 million in RLF stimulus money for brownfields in an April 10 notice. In that notice, the agency for the first time announced it would consider brownfield redevelopers’ ability to use money from its RLF to “promote projects incorporating sustainable reuse and renewable energy” as it decides how to divvy up the money (*Inside EPA*, April 17).

IG IDENTIFIES EPA STIMULUS FUNDS MANAGEMENT AS KEY CHALLENGE IN FY09 (*Inside EPA*)

5/1/2009

EPA’s Office of Inspector General (IG) is warning that EPA faces significant new financial and programmatic challenges as it awards and oversees economic stimulus funding in the ongoing fiscal year 2009, especially in ensuring the agency has properly trained staff to prevent the fraud, waste and abuse of federal funds.

The economic stimulus package created several new responsibilities for EPA in addition to the agency’s ongoing environmental program, which is why the IG “will be designating EPA management of stimulus funds as a new top management challenge for FY 2009,” Assistant IG for Audit Melissa Heist said in April 29 testimony to the House Transportation & Infrastructure Committee.

The stimulus law provided additional funding for existing EPA programs, established new requirements for award and implementation of the funding, and placed an emphasis on spending the funds quickly to create jobs and boost the economy, Heist said.

EPA Administrator Lisa Jackson, who testified before Heist, said she is aware the IG has expressed concerns over the agency's management of stimulus funds. But Jackson said EPA has "done a number of things" to ensure the money is used appropriately, including establishing a stimulus steering committee, of which the IG is a part.

Heist acknowledged EPA leadership is showing a strong commitment to ensuring stimulus money is used for its intended purpose, noting agency leadership sought advice from the IG early on and that EPA is developing a stewardship plan to reinforce internal controls over the funds.

Del. Eleanor Holmes Norton (D-DC) asked Jackson how EPA is addressing the IG's warning that without sufficient, trained staff to award and monitor assistance agreements or contract, the agency increases the risk of fraud, waste and abuse of federal funds, as well as the risk that lack of trained staff will increase the risk that EPA will award funds to entities that do not have adequate administrative and programmatic capabilities to efficiently and effectively carry out the work.

Jackson responded that EPA will need to hire some new staff to carry out increased work associated with the stimulus, and those staff will need to be trained. "But the good news is the money is going through established programs," Jackson said, adding that she is certain "the vast majority of money will be used safely."

EPA received \$7.2 billion in the stimulus act, with the bulk of it, \$6 billion, designated for the clean water and drinking water state revolving loan funds (SRFs). The IG said EPA has awarded 66 grants worth nearly \$1.5 billion. That figure includes 12 clean water SRF grants totaling nearly \$1.1 billion, 10 drinking water SRF grants totaling \$321 million and 44 diesel emissions reduction grants totaling over \$76 million. Additionally, EPA has awarded one Superfund contract worth \$20.55 million.

Jackson said the grants awarded represent about 25 percent of the "formula-driven" funding, but she acknowledged that "very little" of EPA's discretionary funding, including the \$600 million for Superfund and \$100 million for brownfields, has been dispersed.

"Let us know what we can do" to make it easier for EPA to distribute the funding, Rep. John Mica (R-FL), the committee's ranking member, told Jackson. If there needs to be additional legislative clarification or help to get the money awarded more quickly, the committee should know, he said.

CLIMATE CHANGE/GLOBAL WARMING

**Island nations want treaty to cut greenhouse gases
(Associated Press) This story also appeared:
*Washington Post***

By JOHN HEILPRIN
The Associated Press
Thursday, April 30, 2009 6:25 PM

UNITED NATIONS -- Two small island nations, worried by rising sea levels, proposed drastic global cuts Thursday in the use of hydrofluorocarbons, a class of powerful greenhouse gases commonly used as coolants in refrigerators and air conditioners.

Micronesia and Mauritius urged 195 nations that signed on to the U.N. ozone treaty to reduce consumption of HFCs by 90 percent by 2030.

"Continuing to emit these super greenhouse gases is irresponsible when we have climate and ozone-friendly alternatives available," said Masao Nakayama, Micronesia's ambassador to the U.N.

The two nations said "near-term abrupt climate change threatens our way of life and, in some cases, our very existence."

The treaty encourages using HFCs to replace ozone-depleting chlorofluorocarbons, or CFCs, which have now been virtually eliminated.

A global fund affiliated with the ozone treaty has invested billions in creating new markets for HFCs and other chemicals that do not harm the protective ozone layer above the earth. But HFCs, like CFCs, are powerful climate-warming chemicals _ up to 10,000 times more so than carbon dioxide.

HFCs account for only about 2 percent of the globe's climate-warming gases, but scientists say eliminating their use would spare the world an amount of greenhouse gases up to about a third of all CO2 emissions about two to four decades from now.

Two leading U.S. senators wrote President Barack Obama on Thursday to express "strong support" for U.S. backing to use the 21-year-old ozone treaty to phase down HFCs by 85 percent by 2030.

"By phasing down these gases, the global community will be able to achieve significant near-term climate change benefits," wrote [Sens. Barbara Boxer](#) of California, who heads the Environment and Public Works Committee, and [John Kerry](#) of Massachusetts, head of the Foreign Relations Committee.

The ozone treaty, they said, is "well-equipped to prevent HFC emissions" by regulating their production and consumption and promoting alternatives.

The deadline for proposing an amendment to the ozone treaty is Monday, six months ahead of a scheduled treaty meeting.

The U.S. has been weighing such a proposal.

Officials at the Environmental Protection Agency have called it a preferred option, and the Defense Department already has prepared for phasing down HFCs.

The State Department, too, drew overwhelming support for such a plan from participants at two meetings this year, recalled one participant, Mack McFarland, global environmental manager for Delaware-based DuPont Fluorochemicals.

White House spokesman Benjamin LaBolt said Thursday, however, that "the administration has not developed a position on this."

Manufacturers already have begun to replace HFCs with so-called natural refrigerants such as hydrocarbons, ammonia or carbon dioxide.

McFarland said his company, one of only five in the U.S. that make HFCs, supports a "phase-down" of HFCs to about one-fifth of their current use. He estimated the U.S. market for HFCs is \$1 billion, about a third to one-half what it is globally.

Proposal by Island Nations Aims to Solve 1/3 of Climate Change Problem Under Ozone Treaty (*Insciences Organisation*)

Published on 1 May 2009, 02:53 Last Update: 2 hour(s) ago by [Insciences](#)

Categories: [HFCs](#) | [Hydrofluorocarbons](#) | [Climate](#) | [Atmospheric Science](#) |

Washington, D.C., April 30, 2009 – Two island states, the Federated States of Micronesia (FSM) and Mauritius, filed a joint proposal today to amend the Montreal Protocol to phase down a chemical that could otherwise represent one third of total climate emissions by 2040.

The chemicals are hydrofluorocarbons (HFCs), and while they currently make up only 2% of global climate emissions, their production and consumption for use in refrigeration and air conditioning equipment is growing so fast that they will produce up to 11 billion tonnes of CO₂-equivalent emissions per year by 2040.

“We can solve one third of the climate problem with a treaty that always succeeds,” said Durwood Zaelke, President of the Institute for Governance & Sustainable Development, a policy advocacy group in Washington D.C. and Geneva. “It shouldn’t take a prolonged debate to decide that this is a good idea, and we congratulate the island states for leading the way. This is the third year in a row Micronesia and Mauritius have teamed up to strengthen the Montreal Protocol to do more for climate protection.”

“Continuing to emit these super greenhouse gases is irresponsible when we have climate and ozone-friendly alternatives available,” said Ambassador Masao Nakayama, Permanent Representative of FSM to the United Nations. “Strengthening the Montreal Protocol can help save island countries like ours from extinction.” Nakayama added that “Micronesia and Mauritius, along with countless other islands and low-lying coastal regions, are already experiencing impacts from rising seas and are vulnerable to abrupt climate changes without aggressive reductions in greenhouse gases and other climate forcing aerosols like black carbon.” Ironically, while UNFCCC delegates were meeting in Poznan last year, islands of Micronesia were inundated by historically unprecedented oceanic wave actions that devastated homes and poisoned food crops with salt water. The damages are still being assessed, but are certainly in the range of many millions. “This is no longer simply a matter of scientific prediction,” said Nakayama. “It is happening now.”

HFCs, which do not affect the ozone layer, were introduced under the Montreal Protocol to replace ozone-depleting CFCs and HCFCs. In 2007, the Parties to the Montreal Protocol accelerated the phase-out of HCFCs to protect both the ozone layer and the climate system. This will result in avoided emissions of up to 16 billion tonnes of CO₂-equivalent by 2040.

UNEP Executive Director Achim Steiner hailed the historic 2007 decision as, “perhaps the most important breakthrough in an environmental negotiation process for at least five or six years. . .” FSM and Mauritius were among several developing countries that led the campaign to accelerate the phase-out, and also submitted a joint proposal last year that the Parties adopted to avoid still more climate emissions by recovering and destroying “banks” of chemicals in discarded products, equipment and stockpiles. Their current proposal also calls for an amendment to address banks which, if managed quickly and properly, would result in up to 6 billion tonnes of

CO₂-equivalent in avoided emissions by 2015, with the possibility of avoiding an additional 14 billion tonnes thereafter.

Targeting HFCs for fast reductions can produce critical climate benefits within decades, due to the relatively short atmospheric lifetime of these chemicals. “Even the most aggressive cuts in CO₂ emissions will not produce significant cooling for at least 1,000 years,” said Zaelke. “CO₂ reductions are absolutely essential, but in order to avoid abrupt and irreversible climate changes which could potentially occur in the next decade, we also need to reduce non-CO₂ forcers like HFCs, black carbon, methane, and tropospheric ozone.” Reducing emissions from these short-term climate forcers will not only save island nations from melting ice sheets and rising sea-levels, but will also protect melting Himalayan glaciers which provide water for billions of people in Asia.

With over two decades of experience and a track record of phasing out 97% of almost 100 chemicals, the Montreal Protocol is the ideal treaty to take effective action on HFCs. “The Montreal Protocol is a rare treaty that has always done its job brilliantly and on schedule,” Zaelke continued. “If we put HFCs in the Montreal Protocol, we can count on the treaty to do what it always does—succeed quickly and cost-effectively,” Nakayama added.

The U.S. Special Climate Envoy Todd Stern recently noted the potential for the ozone treaty to serve as a model for climate mitigation, highlighting the Montreal Protocol ozone treaty as one of the ‘building blocks’ for climate change.

“The Montreal Protocol is the most successful environmental treaty that we have, and one of the reasons for its success is its vision: not a series of short-term stopgaps, but a pathway to the elimination of ozone depleting substances over the course of many decades,” Stern remarked. “We can and should do the same when it comes to addressing greenhouse gas emissions.”

Congressmen Henry Waxman and Ed Markey wrote the Obama Administration on April 3, 2009, urging them to propose a similar amendment:

“We are writing to encourage the Administration to offer an amendment to the Montreal Protocol this year to regulate the production and consumption of hydrofluorocarbons (HFCs), which are extremely potent greenhouse gases. To prevent catastrophic climate change, the United States and countries around the world will need to take a variety of steps. Although we strongly support a comprehensive international agreement on climate change, we believe that adding HFCs to the existing Montreal Protocol would be a sensible, cost-effective method of addressing a small but growing piece of the problem.”

Today, Senators John Kerry and Barbara Boxer sent their own letter to the Administration in support of an HFC amendment:

“By providing the Montreal Protocol with the authority to regulate HFCs, regulation of these gases could begin as soon as next year – significantly faster than any regulation of these potent greenhouse gases could occur under the UN Framework Convention on Climate Change. . . We believe that the U.S. should seize this opportunity to achieve a significant, short-term impact on global emissions of greenhouse gases.”

The U.S. EPA and U.S. State Department are leading a review process on such an amendment, with the May 4 deadline for filing fast-approaching.

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Source: IGSD, [Institute for Governance & Sustainable Development](#)

OBAMA OFFICIALS EXPECT CLIMATE BILL COMPROMISE ON NUCLEAR POWER (*Inside EPA*)

5/1/2009

Obama administration officials are suggesting that Democrats in Congress are willing to compromise on providing incentives for nuclear power as part of a federal climate change program, while emphasizing the important role that emissions projects will have to play in minimizing the costs of a cap-and-trade system.

In one of the administration's first public assessments of climate change hearings last week by a key House committee, the officials also stress the need for climate change legislation to preserve EPA's authority to establish greenhouse gas (GHG) requirements beyond a cap-and-trade system in part to address transportation emissions.

Speaking at an April 29 conference in Washington sponsored by EPA's National Center for Environmental Research (NCER) and the think tank Resources for the Future, Joe Aldy, special assistant to President Obama for energy and the environment, and David McIntosh, senior counsel in the EPA office of congressional and intergovernmental relations, answered pre-submitted questions from EPA on the status of the congressional climate debate.

The remarks follow hearings last week on a House draft climate and energy bill by Energy & Commerce Committee Chairman Henry Waxman (D-CA) and energy and environment subcommittee Chairman Edward Markey (D-MA). The draft calls for a 20 percent reduction in GHGs below 2005 levels by 2020, and an 80 percent cut by 2050, which will be achieved through a cap-and-trade system, as well as a renewable electricity standard, efficiency mandates and other mechanisms.

Several committee members are raising concerns over the draft's lack of a nuclear title. For example, Rep. Greg Walden (R-OR) said during the April 21-24 hearings that he supports GHG reductions but doesn't like the draft bill in part due to its lack of incentives to promote zero-carbon nuclear power. Environmentalists oppose specific support for nuclear, as well as for advanced coal technology, though the draft does include incentives for development of carbon capture and sequestration (CCS).

Another major issue is the bill's offset provisions, which allow generation of up to 2 billion tons annually, at a rate of five tons of offset credits for every four tons of emissions being offset. Walden and other Republicans have called for an expanded definition of offsets, while some environmentalists and states officials are urging lawmakers to drop the provision altogether. Critics of offsets say they are difficult to verify and could undermine the effectiveness of a GHG trading system to reduce emissions.

At the EPA and RFF conference, McIntosh said he sees that more liberal members of Congress are ready to deal on nuclear to get a bill passed. Even members with the most progressive constituencies are "willing to give up their efforts to hinder" nuclear and CCS "in order to serve the higher good of getting carbon policies enacted," he said. "They've essentially gotten beyond that already."

McIntosh indicated that including funding in the bill for early development of low-carbon technologies like advanced renewable energy, CCS and nuclear is one way to dampen fears about a spike in electricity and natural gas prices when the stricter carbon caps come into place beginning in 2020.

He said many members are seriously concerned about a large-scale switch to lower-emitting natural gas, because increased demand will raise prices, affecting chemical manufacturers that use the fuel as a feedstock for fertilizer and other products. A price spike would hit agricultural producers, which

could in turn raise food prices, some lawmakers fear. Early deployment of technology research and development is key to preventing such a price spike, McIntosh said. A recent EPA analysis of the Waxman/Markey draft does not predict a spike in natural gas prices, but warns that its assumptions are uncertain given the lack of many details in the legislative plan.

“The closer you get to 2020, when the caps are getting really tight and you’ve really squeezed from the stone all the blood you can with efficiency and renewable energy [that is currently ready for deployment] -- they’re worried that some of the more transformative energy technologies, like carbon capture and sequestration and very advanced solar and maybe very advanced nuclear -- if they don’t start deploying commercially we’ll see the price go way up. So therefore they are interested in doing things early” to advance the technologies commercially, McIntosh said.

In addition, McIntosh said Congress will want to preserve EPA authority to set in place “complementary” policies to reduce emissions, in addition to the cap-and-trade market mechanism. He said a price on carbon will likely not be high enough to achieve all the necessary reductions from the mobile source sector, for example, so the bill includes a provision for a low carbon fuel standard, in addition to allowing EPA to set an emissions standard for vehicles.

Meanwhile, Aldy emphasized the importance of offsets as a cost-containment mechanism as well as a way to harmonize GHG emission reductions among different countries. “Through the offsets market you might get a convergence,” Aldy said, adding that it would be complicated to link actual credit trading among various countries considering the fine details of various mechanisms.

Aldy acknowledged that there is still a need to design the institutions for offsets in order to ensure real environmental benefits, but he said there is a lot of good work done on how an offset market for forestry can be credibly designed.

Finally, Aldy said other cost containment mechanisms may be necessary to regulate the price of carbon on the market in the early years of the program, in case not enough offsets are available, for example. “It’s important to have offsets as a cost containment option, but you can’t just make them materialize,” Aldy said.

Aldy said a “price collar,” which would establish both a ceiling and floor price, is one option for ensuring prices go neither too low or too high, saying it “gives people confidence in the short term There is a political appetite to avoid price shocks. It’s important to develop ways to moderate the price on carbon.” -- *Jenny Johnson*

SEN. SPECTER SWITCH TO DEMOCRATIC PARTY MAY IMPACT CLIMATE BILL DEBATE (*Inside EPA*)

5/1/2009

Sen. Arlen Specter’s (D-PA) switch from the GOP to the Democratic Party, which brings Democrats one vote shy of a 60-vote filibuster-proof majority, could have major implications for climate

legislation by allowing the coal-state lawmaker to be involved in majority strategy discussions on moving a bill.

One source says the presence of Specter -- a member of the Senate Environment & Public Works Committee -- would add a strong voice to softening the impacts of a cap-and-trade regime on industry. Specter has been a significant player on climate legislation in the Senate, having introduced cap-and-trade legislation with energy committee Chairman Jeff Bingaman (D-NM) during the last Congress. Specter has been a strong proponent of minimizing the economic effects of climate controls by including a so-called "safety valve" in any climate bill and has been a strong champion of coal-industry interests in his home state of Pennsylvania.

Specter says that regardless of his party affiliation, his positions are unlikely to change. "My change in party affiliation does not mean that I will be a party-line voter any more for the Democrats than I have been for the Republicans. Unlike [former Sen. James Jeffords' (I-VT)] switch which changed party control, I will not be an automatic 60th vote for cloture," Specter said in a statement announcing his change in party affiliation.

Specter is a senior Republican on the Senate environment panel -- which has jurisdiction over climate change legislation -- and is the ranking member on the subcommittee on Superfund, toxics and environmental health. His decision to switch parties could include a new chairmanship, but no details are currently available on such a change.

It is widely assumed Specter changed parties in anticipation of a close primary race with former Rep. Pat Toomey (R-PA) next year, though Specter, in his statement, says he now finds his "political philosophy more in line with Democrats than Republicans."

The Democrats' 60-vote threshold still depends on the final outcome of the Minnesota Senate race, where Democrat Al Franken is embroiled in a legal battle with former Sen. Norm Coleman (R) over last fall's election results.

DEMOCRATS' CLIMATE STRATEGY MOVES FROM CARBON TRADING TO 'CLEAN ENERGY' (*Inside EPA*)

5/1/2009

Key Democrats are acknowledging they likely lack the votes to pass cap-and-trade this year in the Senate -- and possibly the House -- as they appear to be openly shifting to a strategy of enacting further renewable energy subsidies and energy-efficiency measures they can claim illustrate progress on the issue of climate change while also creating "green jobs," in lieu of immediate restrictions on greenhouse gases (GHGs).

While still publicly affirming their support for emissions trading, congressional leaders from House Speaker Nancy Pelosi (D-CA) to Senate Majority Leader Harry Reid (D-NV) are downplaying the prospect of passing a cap-and-trade system this year, instead suggesting 2010 will be a better year for climate legislation and that "clean energy" measures -- such as a renewable electricity standard

(RES) and the already-enacted stimulus package -- offer a way of reducing GHGs in the meantime without the potential political fallout.

In an exclusive interview, Rep. Brian Baird (D-WA), chairman of the House Science & Technology Committee's energy and environment panel, says Democrats "already don't have enough votes for a cap-and-trade system" in either house of Congress, and that draft legislation being considered by the Energy & Commerce Committee threatens to alienate lawmakers needed to pass the bill unless major modifications are made. Baird also claims many of his colleagues are not sold on the idea of emissions trading, and says he proposed a novel strategy at a recent caucus meeting: allow dueling votes on cap-and-trade and a carbon tax on the House floor, with the measure receiving the most votes becoming the vehicle for climate policy.

That congressional leaders might be putting climate legislation on the back burner -- even as the House Energy & Commerce Committee prepares to mark up a major energy-and-climate bill -- is suggested by a two-page "fact sheet" on the Democratic policy agenda released April 22 by the office of House Majority Leader Steny Hoyer (MD). Though it says Democrats are committed to "transitioning to a clean energy economy," it makes no mention of climate change or cap-and-trade; it does, however, refer to "comprehensive energy legislation" it claims will create "new 'clean energy' jobs for American workers." *The fact sheet is available on InsideEPA.com.*

Pelosi on April 22 also pledged to merely show "substantial progress" toward addressing climate change by this time next year. At the same time, Reid says the Senate will defer to the House on climate change and likely not finish a bill until 2010 at the earliest.

Meanwhile, in an April 19 interview with ABC News' George Stephanopoulos, Rahm Emanuel, President Obama's chief of staff, predicted Congress "will deal with the resource investments into alternative energy. They'll also deal with the way we bring more efficiency into the system. . . . At the end of this first year of Congress, there will be an energy bill on the president's desk." Asked whether that bill will include cap-and-trade, Emanuel responded: "Our goal is to get that done. We'll see."

Taken alongside the statements from congressional leaders, Emanuel's remarks set up a scenario where Congress passes "clean energy" legislation -- such as a RES and a slew of "green" subsidies -- enabling Congress and the White House to claim progress on the climate issue ahead of international talks this December on a successor to the Kyoto Protocol, while also setting the stage for a carbon pricing bill next year.

In his April 23 remarks, Baird says he believes his fellow Democrats are unlikely to pass a comprehensive climate change bill this year. It's "extraordinarily unlikely they hit 60 votes for cap-and-trade" in the Senate, he says, "and I don't even know if they have a majority in the House." Furthermore, he says a provision in the draft bill from Reps. Henry Waxman (D-CA) and Edward Markey (D-MA) forbidding the use of biomass from federal lands, if left unchanged, is going to alienate lawmakers from the biomass-rich Northwest, "and I think that's foolish on environmental grounds and political grounds."

But even though he is skeptical cap-and-trade legislation will pass this year, Baird points to progress on the issue of climate change, saying "already we've done a lot" through the energy provisions included in the economic stimulus package. He says Congress is also likely to pass further measures to for "a more responsible energy policy."

On actually passing legislation imposing a price on GHG emissions, though, Baird argues the Democratic leadership “has mistakenly wedded itself to cap-and-trade” and “legislation with flawed language in it,” and that lawmakers have lost sight of the real goal: reducing GHG emissions.

PROPOSED CLIMATE BILL REVISIONS POSE CHALLENGE TO WAXMAN, MARKEY (*Inside EPA*)

5/1/2009

A list of moderate House Democrats’ proposed changes to draft climate and energy legislation poses a challenge for leaders of the Energy & Commerce Committee as they attempt to gain support for the bill from swing-vote lawmakers without eroding backing from environmentalists on such key issues as emission targets, renewable electricity standards, awarding free allowances and rules for emission offset projects.

Meanwhile, lawmakers on the panel who back emission limits are downplaying claims by Republicans that Democrats lack the votes to move the measure through the panel. Committee leaders in an April 27 memo to panel members said they intend to hold a markup of the bill sometime during the week of May 4, which represents at least a one week slippage from the goal of beginning markup this week.

The moderate Democrats’ four-page document, outlining many of the proposed changes to a climate and energy discussion draft by committee Chairman Henry Waxman (D-CA) and energy subcommittee Chairman Edward Markey (D-MA) reflects a number of industry priorities and includes broad recommendations, as well as narrow tweaks affecting specific sectors of the economy. Lawmakers are also flagging some issues not raised in the document as the focus of ongoing negotiations. *The document is available on InsideEPA.com.*

The proposal, which sources say reflects concerns of moderate Democrats, including Reps. Rick Boucher (D-VA) and Mike Doyle (D-PA), urges a 2020 emissions target of 6 percent below 1990 levels, rather than the 20 percent outlined in the discussion draft. The change would bring the draft in line with a 2008 draft climate bill by then-House energy committee Chairman John Dingell (D-MI) and then-energy subcommittee Chairman Boucher.

On the contentious issue of how to distribute emission allowances, the proposed changes echo in large measure the recommendations from the Edison Electric Institute, including calls for “free allocation to the utility sector of 40 percent, consistent with the sector’s share of CO2 emissions,” as well as an allocation of a “small percentage” of allowances to unregulated merchant coal generators.

The document outlining the proposed changes says electric-sector allowances should be directed to local distribution companies that provide power to consumers. EEI in its own testimony before Markey’s panel April 23 called for an “initial” allocation of 40 percent to remain in place until technologies such as carbon capture and storage are commercially available, which the group asserts could occur by 2020.

The moderate Democrats' proposal also calls for easing the legislation's renewable electricity standard from 25 percent to 15 percent by 2025, and expanding the list of eligible fuels by roughly a dozen categories, beginning with waste-to-energy plants and including such categories as municipal solid waste, mine methane and combined heat-and-power facilities.

On emissions offsets, the proposal calls for liberalizing the rules in the discussion draft and reflects changes sought by a range of groups including the Coalition for Emission Reduction Projects (CERP), the industry-environment coalition Forest Carbon Dialogue and utilities, according to the document. Recommendations include increasing the number of allowed offsets from 2 billion to 3 billion annually and making offsets traded on the Chicago Climate Exchange eligible for crediting as emissions cuts.

The Democratic lawmakers also call for removal of a discount rate in the current draft that requires 5 offsets for every four credited toward compliance, inclusion of a specific list of eligible projects, and removal of a requirement that offsets be traded on an exchange rather than in bilateral, over the counter transactions.

In the wake of comments from several lawmakers that the Waxman-Markey draft would amount to a *de facto* ban on new coal plants, the document also suggests several modifications to coal-plant performance standards in the bill, including unspecified language that would allow coal plant projects currently "underway" to continue, and language that would make imposition of the bill's 2015 and 2020 standards for the plants contingent on technology availability.

In one of many examples where lawmakers are trying to ease the burden for energy-intensive industries, the proposed revisions call for using free allocations to offset 100 percent of industry compliance costs, rather than the 85 percent envisioned in legislation from Reps. Jay Inslee (D-WA) and Mike Doyle (D-PA). The Doyle-Inslee measure, designed to award free allowances to energy-intensive industries, has largely been incorporated into the Waxman-Markey draft. Other recommendations for changes to that provision include a call to alter procedures in the draft for a company to show it is eligible for allowances. The document states that the move is in response to a "Corning concern," which is a reference to Corning Inc., a world leader in glass and ceramics, according to the company's Web site.

Other topics covered by proposed revisions include calls for deletion of language in the draft that would codify the ability of citizens to bring lawsuits under the Clean Air Act related to greenhouse gas (GHG) emissions, along with calls for inclusion of various changes to make borrowing of emissions credits -- and use of a strategic allowance reserve to contain cost of a cap- and-trade measure -- more flexible.

Congressional sources, meanwhile, indicate that there are negotiations on topics not mentioned in the proposal, including an ongoing effort by oil patch lawmakers to make the refinery sector eligible for Doyle-Inslee type relief.

Doyle told reporters April 23 that he would be receptive to a provision for refineries as long as it did not cut into credits available to other industries. Doyle and Inslee had originally proposed that energy-intensive industries get 15 percent of allowances in a climate measure for free, but the draft was silent on a specific number. "If we can get 20 percent and wall off five for them . . . we are OK with that," Doyle said.

More generally, Doyle described the discussions as an effort to sound out and resolve concerns, rather than present lawmakers with an ultimatum. "Clearly we are not going to get everything," Doyle

said. And on the issue of spurring construction of electricity transmission, Doyle called the bill's provisions "weak" and said it is possible the matter will be taken up separately.

One lobbyist says negotiations among Democrats appear to be progressing, if slowly, in an effort to resolve concerns on the bill. The source says the question on the table is how far Waxman and Markey are willing to go to appease the moderates in order to move a bill.

As Calif. aims at carbon, Canada sees itself in bull's-eye (*Greenwire*)

Colin Sullivan and Debra Kahn, E&E reporters

04/30/2009

Canadian oil exporters fear that a low-carbon fuel standard adopted by California last week threatens to upset a thriving North American trade in petroleum if the regulation spreads throughout the United States.

The California Air Resources Board's (ARB) low-carbon fuel regulation -- the first of its kind in the world -- seeks to grade transportation fuels by carbon intensity and set a threshold beyond which refiners would be penalized for using carbon-heavy fuels.

While it is being hailed by environmentalists, the rule is controversial for its use of a "lifecycle" emissions tool that rates fuels' greenhouse gas emissions from production through combustion.

That tool would likely pinch the ethanol industry by including land-use effects related to corn growing in its overall carbon score. It could also squeeze producers of crude extracted from Canadian oil sands. Exports of oil-sands petroleum to the United States have soared as the United States seeks to avoid imports from the Middle East.

The concern in Canada is not as much about California, which imports little oil-sands crude, as it is about the prospect of other states -- or Congress -- adopting similar rules.

"Our real issue is what California does to influence other regions and more importantly the federal government," said Rick Hyndman, a senior policy adviser at the Canadian Association of Petroleum Producers. "The real issue is oil security."

Hyndman, who is supported by the government of Alberta, the largest oil-sands producer, has problems with the rule on several fronts. Chief among them is the apparent ambition of the ARB's staff, which he says has a ideological ax to grind with oil-sands production.

ARB unfairly singled out oil sands, he said, by setting up a system that creates a different carbon rating method for different types of crude. Why? To discourage investment in tar-sands extraction, he said.

Hyndman argues that most of the United States wants oil from Canada, even if it is extracted from tar sands, because importing petroleum from an ally and a trade partner is better than buying from Venezuela or other OPEC nations. In his view, ARB has intentionally ignored this reality to set the national environmental agenda, because California stands to lose nothing economically by freezing out oil sands.

"It's kind of a gratuitous shot at oil sands," Hyndman said. "Because we had no significant supply going into California, they can make this political statement without much [economic] consequence."

Hyndman pointed to ARB's construction of the rule, which sets a specific carbon-intensity formula for oil that accounts for more than 2 percent of the state's supply. Carbon-heavy sources that do not deliver 2 percent of the state's supply, on the other hand, must abide by a separate, tougher standard.

Carbon-heavy fuel sources used at low levels in California must live by a separate lifecycle calculation, thus creating a disincentive for refiners that will be graded by their overall basket of fuels.

"If you put all the oils in one basket, then we don't have a problem," Hyndman said. He argues that oil sands' lifecycle rating -- which takes into account its effect on climate change, water supply and land use -- is close to that of other forms of crude, even if they are dirtier than cellulosic biofuels or other alternatives.

"We're just concerned about this attitude that says, 'We don't want your oil,' because I don't think that's what we hear from the rest of the United States," Hyndman said.

Energy security

This underlying conflict, which has as much to do with U.S energy security as it does carbon neutralization, emerged during the meeting at which ARB adopted the fuel standard last week.

Prior to the vote on the low-carbon rule, board member Ron Roberts confronted ARB Chairwoman Mary Nichols over the oil-sands issue. Roberts, who ultimately voted for the rule, asked if the board was ignoring "the whole notion of a petroleum-independent economy."

"This is like the 900-pound gorilla moving through all of this," he said. "One of the only countries outside the United States where we seem to maintain reasonably good relationships is with Canada."

Nichols' response: "While it's true Canada is our largest trading partner, they don't hesitate to charge us whatever they can get for a fair product. We're just as dependent if it's coming from Canada than if it's coming from someplace farther away."

Roberts said flatly that he would prefer buying fuel from Canada than from Venezuela.

Another board member, Dan Sperling, a professor at the University of California, Davis, recently delivered an address at the Commonwealth Club in San Francisco in which he all but admitted the low-carbon fuel standard was targeting oil sands. Sperling said a friend in the oil industry admitted his company had stopped making investments in hard-to-reach tar sands because of fears it would soon be subject to a low-carbon rule.

"And perhaps," Sperling said, "the most important value of this low-carbon fuel standard is to discourage those investments."

'We're taking shots at carbon'

ARB officials insist they are not targeting oil-sands producers or Canada's energy economy. And they deny accusations that they are trying to stretch their influence beyond the California line.

Stanley Young, a senior spokesman at ARB, said the low-carbon rule includes a provision that would allow producers of oil-sands and other carbon-heavy fuels to demonstrate their ability to reduce energy required for extraction as well as mitigation of greenhouse gases via carbon sequestration and other technologies. They have until December 2010 to do so, he said, under a provision added to the draft rule last week.

Moreover, regulated parties are not producers or consumers, Young said. The targets are refiners operating within California, he said. They must come up with a portfolio of fuels -- to include biofuels and possibly electric-charging stations for cars -- to meet the mandate, he said.

"The low-carbon fuel standard does something that we've been waiting for for 35 years," Young said. "It sends a price signal that there will always be demand for low-carbon fuel, and that provides the certainty that investors in low-carbon fuels want to see."

So would oil-sands producers be hurt by the standard? No more, Young said, than any other carbon-heavy option.

"We're not taking shots at anybody," Young said. "We're taking shots at carbon."

Many battles

As for the 2 percent threshold, Bob Fletcher, ARB's chief of stationary source regulation, conceded the regulation sets up a different standard for fuels that are already "a significant part of the California baseline."

But he said the regulation applies only to fuels with higher carbon intensity, not to cleaner-burning biofuels derived from cellulosic sources like switchgrass or to future breakthroughs.

"Whoever is importing that crude oil takes a hit," Fletcher said. "The refiners take a hit."

And oil derived from oil sands is not the only import that would be hurt by the 2 percent threshold provision, Fletcher added. Venezuelan crude, for example, does not meet the 2 percent requirement and scores close to oil sands on the air board's carbon intensity and lifecycle scale.

"It doesn't specifically say it applies only to Canadian oil sands," said Fletcher, who added that ARB is working with Canadian oil-sands producers to improve their lifecycle score.

Still, Hyndman took note of the verbal jousting during the ARB meeting last week and pointed out that a climate change bill in Congress advanced by House Democrats would essentially copy California's low-carbon fuel standard. That could mean tricky trade relations with Canada for the Obama administration, on the one hand, and tough lobbying ahead for the Canadians.

"We're obviously very concerned if the U.S. government says, 'We don't want your oil,'" said Hyndman, explaining that his association, backed by government officials, would try to stop that from happening. "The U.S. is our national market."

Sullivan reported from San Francisco. Kahn reported from Sacramento.

Experts weigh 'endangerment' proposal's impact on NEPA (*Greenwire*)

Noelle Straub, E&E reporter

04/30/2009

U.S. EPA's proposed finding that greenhouse gases threaten public health and welfare may strengthen the consideration of such emissions in analyses carried out under the National Environmental Policy Act, experts say.

But Edward Boling, general counsel for the White House Council on Environmental Quality, said the proposed "endangerment finding" won't necessarily have a direct effect on NEPA.

"It really serves as further information for the NEPA practitioners out there who are evaluating the implications of climate change for their project, either from the standpoint of the effect of their proposal on climate change ... or more often the evaluation of the implications of climate change for federal agency projects, their alternatives, and their environmental effects," Boling said.

As an example, he cited the National Highway Traffic Safety Administration's preparation of an environmental impact statement to analyze the potential effects of the agency's corporate average fuel economy, or CAFE, standards for cars and light trucks for model years 2012-2016.

The proposed endangerment finding "serves as further information about EPA's analysis of the consequences of greenhouse gas emissions," he said.

Climate change and greenhouse gas emissions have been issues of interest to NEPA lawyers for some time, and in an increasing number of cases. And federal courts have required agencies to consider greenhouse gases under NEPA, Boling said. The endangerment proposal serves as a reaffirmation of much of what is referenced in the climate change science already available for use by federal decision-makers, he said.

And if the proposed finding leads to EPA regulations under the Clean Air Act, then "you'll have a more mature regulatory regime for the NEPA process to reference," he added.

A petition is currently pending before CEQ calling for it to amend its regulations to address climate change, requiring it be one of the elements considered in an environmental impact statement. The petition was filed by the Sierra Club, Natural Resources Defense Council and the International Center for Technology Assessment.

Boling said the proposed endangerment finding will not have a direct effect on the petition but likewise will serve as part of the best available information for decision-makers.

Last month CEQ Chairwoman Nancy Sutley said her office will spend time this year looking at how it guides agencies and how climate change fits into overall policy and legislation.

"I won't tell you what the answer is because we don't know yet," Sutley said.

Lawsuits, specific impacts

Nicholas Yost, who led the drafting of NEPA regulations during the Carter administration, said the finding will bolster the argument of those who seek to have greenhouse gas emissions incorporated into environmental assessments or impact statements -- and failing that, into litigation.

"People seeking environmental impact analyses under NEPA are going to use that as one of the tools and arguments that they make," he said. "That is something which plaintiffs will use: that EPA has found carbon dioxide to endanger public health and welfare, and that makes more obvious the fact that greenhouse gasses should be examined, and it says something about the depth to which an examination must take place."

If emissions are regulated under the Clean Air Act, that would not eliminate the need for NEPA to consider them, he noted. "Those arguments have never gotten anywhere," he said. "Most things considered under NEPA are also covered by a specific statute ... but that doesn't free the lead agency under NEPA to be looking at everything together."

Michael Gerrard at Columbia University's School of Law said the overall question of whether greenhouse gases pose a threat has "long been settled as a matter of NEPA precedent."

"If it needs any bolstering, [the endangerment finding] bolsters the argument," Gerrard said. "However the case law has emerged rather clearly that greenhouse gas emissions are an appropriate subject for analysis under NEPA. It has been some time since someone seriously argued that the issue was irrelevant in principle."

But the question remains whether a particular project's effects are significant enough to require the analysis, he added.

"I think that it could influence the way in which the analysis is done by setting forth parameters of the kind of impacts greenhouse gases have," Gerrard said. "I could readily see an environmental impact statement citing the language in the endangerment finding as part of their description of the impacts of emissions from a particular project."

Gerrard, who is one of NRDC's counsels for the CEQ petition, said the endangerment finding may be a signal of what the agency will decide on the petition.

"I think that the endangerment finding is a very strong signal of the momentum within the Obama administration to regulate greenhouse gases," he said. "Favorable action by CEQ on the petition would be in furtherance of the same momentum."

EDITORIAL/COMMENTARY/OP ED/LETTERS

An Affordable Salvation (*New York Times*)

By [PAUL KRUGMAN](#)

May 1, 2009

The 2008 election ended the reign of junk science in our nation's capital, and the chances of meaningful action on climate change, probably through a cap-and-trade system on emissions, have risen sharply.

But the opponents of action claim that limiting emissions would have devastating effects on the U.S. economy. So it's important to understand that just as denials that climate change is happening are junk science, predictions of economic disaster if we try to do anything about climate change are junk economics.

Yes, limiting emissions would have its costs. As a card-carrying economist, I cringe when "green economy" enthusiasts insist that protecting the environment would be all gain, no pain.

But the best available estimates suggest that the costs of an emissions-limitation program would be modest, as long as it's implemented gradually. And committing ourselves now might actually help the economy recover from its current slump.

Let's talk first about those costs.

A cap-and-trade system would raise the price of anything that, directly or indirectly, leads to the burning of fossil fuels. Electricity, in particular, would become more expensive, since so much generation takes place in coal-fired plants.

Electric utilities could reduce their need to purchase permits by limiting their emissions of carbon dioxide — and the whole point of cap-and-trade is, of course, to give them an incentive to do just that. But the steps they would take to limit emissions, such as shifting to other energy sources or capturing and sequestering much of the carbon dioxide they emit, would without question raise their costs.

If emission permits were auctioned off — as they should be — the revenue thus raised could be used to give consumers rebates or reduce other taxes, partially offsetting the higher prices. But the offset wouldn't be complete. Consumers would end up poorer than they would have been without a climate-change policy.

But how much poorer? Not much, say careful researchers, like those at the Environmental Protection Agency or the Emissions Prediction and Policy Analysis Group at the Massachusetts Institute of Technology. Even with stringent limits, says the M.I.T. group, Americans would consume only 2 percent less in 2050 than they would have in the absence of emission limits. That would still leave room for a large rise in the standard of living, shaving only one-twentieth of a percentage point off the average annual growth rate.

To be sure, there are many who insist that the costs would be much higher. Strange to say, however, such assertions nearly always come from people who claim to believe that free-market economies are wonderfully flexible and innovative, that they can easily transcend any constraints imposed by the world's limited resources of crude oil, arable land or fresh water.

So why don't they think the economy can cope with limits on greenhouse gas emissions? Under cap-and-trade, emission rights would just be another scarce resource, no different in economic terms from the supply of arable land.

Needless to say, people like Newt Gingrich, who says that cap-and-trade would “punish the American people,” aren’t thinking that way. They’re just thinking “capitalism good, government bad.” But if you really believe in the magic of the marketplace, you should also believe that the economy can handle emission limits just fine.

So we can afford a strong climate change policy. And committing ourselves to such a policy might actually help us in our current economic predicament.

Right now, the biggest problem facing our economy is plunging business investment. Businesses see no reason to invest, since they’re awash in excess capacity, thanks to the housing bust and weak consumer demand.

But suppose that Congress were to mandate gradually tightening emission limits, starting two or three years from now. This would have no immediate effect on prices. It would, however, create major incentives for new investment — investment in low-emission power plants, in energy-efficient factories and more.

To put it another way, a commitment to greenhouse gas reduction would, in the short-to-medium run, have the same economic effects as a major technological innovation: It would give businesses a reason to invest in new equipment and facilities even in the face of excess capacity. And given the current state of the economy, that’s just what the doctor ordered.

This short-run economic boost isn’t the main reason to move on climate-change policy. The important thing is that the planet is in danger, and the longer we wait the worse it gets. But it is an extra reason to move quickly.

So can we afford to save the planet? Yes, we can. And now would be a very good time to get started.

How Much CO2 Can EPA Control? (*Wall Street Journal*)

MAY 1, 2009

Well, excuse me for breathing. My carbon dioxide is the new bad breath, even though it is totally odorless and is life-giving to the plant world ("[U.S. in Historic Shift on CO2](#)," page one, April 18).

All that will happen if the Environmental Protection Agency successfully cuts off much of the carbon-dioxide production in the geographic U.S. is that we will import the gas from the other 97% of the earth for free.

Under the concept of equal protection of the laws, the EPA can't limit its victims to coal, oil and natural-gas users. Other categories are obvious: wildfires, which produce as much CO₂ as most autos in the country; yeast products, like baked goods and beer; and all soda drinks. Bring it on!

Carl Olson

Woodland Hills, Calif.

You write that "the landmark decision lays the groundwork for federal efforts to cap carbon emissions -- at a potential cost of billions of dollars to businesses and government."

Why the reluctance to state that the cost is billions of dollars to the general population, as we will all pay for this folly?

John Fischer

Palatine, Ill.

Carbon dioxide didn't get designated a "pollutant" through the bulk of scientific research, but through the same dubious and politicized science that led to the banning of DDT.

Fortunately, millions won't die as a result in this case, but merely waste billions of dollars.

Donald R. Spalding

Whitefield, N.H.

When Used Right, DDT Does Wonders (*Washington Post*)

Friday, May 1, 2009

The Post's April 25 [editorial](#) "A-Twitter About Malaria," marking World Malaria Day, was a timely recognition of the continuing dire risk posed by mosquito-borne disease and the preventive power of relatively inexpensive bed nets treated with an insecticide.

But it was unfortunate that the editorial did not mention DDT, which has been strongly embraced as the preferred net treatment by the Malaria Foundation International. With proper application,

DDT continues to save millions of lives without the detrimental consequences to our environment resulting from improper use.

With proper Environmental Protection Agency registration and application, DDT also could quickly restrict the growing bedbug problem recently reported in The Post [[Washington Sketch](#), April 15] since it does not have any adverse effects on humans or pets.

The opprobrium attached to DDT is unfortunate, as well as unnecessary.

JOHN W. NEAL JR.

Laurel

Buying the right mower isn't as easy as it sounds (*West Salem Coulee News*)

Published - Thursday, April 30, 2009

By *DAVE SKOLODA*

Recent rains have prompted the lawn to green up and grow. And that means I have to get serious about buying a new lawn mower to replace the noisy, long-serving model that fell apart at the end of the season last year. The search for a replacement has been fraught with frustration as I try to buy one that will reduce the pollution that has been part of mowing the lawn.

The Environmental Protection Agency estimates that Americans spend more than 3 billion hours each year using lawn-and-garden equipment. Currently, a push mower emits as much hourly pollution as 11 cars, and a riding mower emits as much as 34 cars.

According to a Yale University estimate, the United States uses more than 600 million gallons of gas to mow and trim lawns each year — 5 gallons per household. Reducing emissions and cutting gas consumption would be good.

But here's my problem. The new cordless electric mowers are heavy and expensive, and the catalytic converter-equipped mowers made for the California market are not readily available here, although paying extra to have one shipped here might be a solution. California has required pollution-control devices on lawn-and-garden equipment that cut emissions by some 50 percent.

EPA regulations will require similar restrictions nationally, but not until 2011.

A helpful salesperson at Sears gave me the model number of a California-qualified Craftsman machine that would meet our needs for our small but uneven area of lawn. We would have to pay the cost of shipping and the nominal added cost of the model with the catalytic converter that reduces emissions — a combined \$100 or so, compared with the model on the floor of the store here. The electric models add another \$100 in cost, and one that would be light enough to push on one particularly gnarly slope I have to deal with would cut a narrower swath.

One way or another, I'll be paying more to do the same job a cheaper model could do, but with more pollution. But if our regional interest in sustainability means anything and if we are going to actually do something about global warming, we must grapple with such issues on a personal level. Good intention meets hard reality.

That's why a company I came across while researching these questions targets "progressive" communities for its franchises.

Clean Air Lawn Care based in Boulder, Colo., has grown in a few years from an idea hatched by its entrepreneur founder in 2003 into a business with

24 franchises and five corporately owned businesses, according to Chris Johnson, green governor. In a telephone interview, Johnson said his title means he is associated with quality control for the company that cares for lawns with battery-operated electric equipment. The units are charged with solar electric panel rigs on the trucks and overnight charges from the grid. The company buys wind-power offsets from the utility to compensate for its grid-power use.

Short of waiting for a local Clean Air Lawn Care franchise to start up here (Johnson said there is likely to be one in Madison, Wis., and they have franchises in the Chicago area), I will have to make up my mind soon on which of my equipment options to go with. I'm looking at it as a lawn-ready project for my stimulus money.

Dave Skoloda can be reached at dskoloda@earthlink.net.

ENFORCEMENT

EPA fines Trident Seafoods \$112K (*Bizjournals.com*)

Puget Sound Business Journal (Seattle)

Trident Seafoods Corp. has agreed to pay \$112,000 in federal fines and for emergency-response equipment after federal environmental regulators said the company failed to properly report the storage of ammonia at four seafood-processing plants, including the company's Seattle facility.

In addition to agreeing to pay a \$61,000 fine, the Seattle-based company agreed to spend \$51,000 in emergency response equipment for firefighters and police in Kodiak and Akutan, Alaska, according to a release from the federal Environmental Protection Agency.

No ammonia escaped at the Trident plants. But companies that store ammonia above a certain level are obligated to report the storage to authorities in case there is an emergency.

Trident officials did not immediately respond to a request to comment.

The EPA said Trident failed to file Emergency and Hazardous Chemical Inventory Forms with local emergency responders in Alaska and Washington.

"People's safety and preventing chemical accidents are a top priority for EPA," said Edward Kowalski, director of EPA's Office of Compliance & Enforcement in Seattle. "We're committed to reducing the likelihood and severity of accidental chemical releases by enforcing the law, protecting people and the environment and creating a level playing field for industry."

A third Alaskan plant named by the EPA is in Petersburg.

ENERGY

Martin-Brower Co joins EPA SmartWay (*Refrigerated Transporter*)

Apr 30, 2009 9:38 AM

The Martin-Brower Company LLC has joined the SmartWay Transport Partnership, a collaboration between the United States Environmental Protection Agency (EPA) and the freight industry designed to increase energy efficiency while reducing greenhouse gases and air pollution.

Martin-Brower is committed to contributing to the partnership's goal to reduce 33 to 66 million metric tons of carbon dioxide and up to 200,000 tons of nitrogen oxide per year by 2012 by improving the environmental performance of its freight operations.

The company has made changes across its operations to help reduce its impact on the environment, including using alternate fuel sources such as AME biodiesel, sulfur-free and blended diesel, piloting new hybrid tractors that burn both biodiesel and conventional fuel, and using the latest dynamic route optimization technology to consolidate deliveries, as well as using more extended-length trailers. In fact, while the company continued to grow in 2008, its use of fuel was reduced through these green efforts, resulting in a 3 percent reduction in fuel consumption—or 73,000 fewer gallons used in 2008 versus 2007.

Report backs targets in House climate bill (*Greenwire*)

Ben Geman, E&E senior reporter

04/30/2009

The Southeast has enough renewable resources to meet the 25 percent renewable-power mandate proposed by draft House energy and climate legislation, according to a new **assessment** by environmental groups.

The report was released today as lawmakers negotiate over whether to scale back the renewable electricity standard in the bill sponsored by Energy and Commerce Chairman Henry Waxman (D-Calif.) and Rep. Ed Markey (D-Mass.).

A dozen or so moderate and conservative committee Democrats want to lower the target. Southeastern lawmakers, who say their states could not meet the targets, say their districts would face higher costs because utilities would be forced to buy credits or make other payments.

But the World Resources Institute paper argues the target is more than achievable, finding that renewable energy could supply as much as 30 percent of the region's power needs within 15 years.

It calls for a range of policies, such as low-interest loans and strong state interconnection standards that enable new renewables to link to the grid. The paper is a survey of existing research and assessments by the federal government and other experts.

"Right now we are depending on other regions of the country, and foreign countries like Columbia and Venezuela, to supply us with coal. Doesn't it make more sense to be producing cleaner power, closer to home?," said Stephen Smith, head of the Southern Alliance for Clean Energy, one of the groups that released the study with WRI. "Our research suggests we certainly have sufficient resources."

Renewables were used to meet 5 percent of Southeast power sales in 2006, according to the paper, which defines the region as Alabama, the Carolinas, Florida, Georgia, Mississippi, Tennessee and Virginia.

A nationwide renewable electricity standard is a major goal for Democratic leaders and environmentalists. The draft bill would require utilities above a certain size to supply 25 percent of their power from renewable sources like wind, solar and biomass energy by 2025, although efficiency measures could be used to meet a fifth of the target.

Waxman had offered a lower renewable target of 17.5 percent, according to Rep. Gene Green (D-Texas), a member of the committee. Rep. Bart Stupak (D-Mich.) called the RES a "moving target."

"There have been at least three different proposals back and forth," Stupak said in a short interview yesterday. "It is very active."

Rep. Jay Inslee (D-Wash.), one of the panel's more liberal members, said there should be "flexibility" to address regional issues but warned against watering down either the bill's emissions or renewable energy targets.

"We have to keep our eyes on the prize and actually achieve something," Inslee said.

FUEL

OMB completes review of draft emissions rule (*Greenwire*)

Ben Geman, E&E senior reporter

04/30/2009

The White House has finished its review of a long-delayed draft rule aimed at curbing the greenhouse gas emissions of renewable fuels.

The proposal would implement a 2007 law that expanded the renewable fuels standard (RFS), which sets escalating goals for the use of ethanol or other biofuels in U.S. transportation fuels, reaching 36 billion gallons in 2022. The law also limits the "lifecycle" emissions from biofuels used to meet the standard.

The Office of Management and Budget completed its review of the proposal yesterday, according to a government Web site that tracks White House rule reviews. It is not clear when U.S. EPA will publish the document for public comment.

While reviewing the rule, OMB was lobbied fiercely by the biofuels industry and environmental groups.

A major issue: how to measure emissions from "indirect" land-use changes, such as carbon released when forests are cleared for crops used in biofuel feedstocks.

Some industry lobbyists have argued that methodologies for measuring the emissions are crude and not ready for use. Environmentalists say the emissions must be tracked or the RFS could increase greenhouse gas emissions.

GENERAL

UNIONS SEEK LAWMAKERS' SCRUTINY OF BUSH-ERA EPA REORGANIZATIONS (*Inside EPA*)

5/1/2009

EPA union officials are calling on Congress to conduct oversight into ongoing agency reorganizations started during the Bush administration, amid what they say are unclear signals from EPA Administrator Lisa Jackson as to whether she will terminate the reorganization plans.

Union organizers are careful to draw a distinction between ongoing shuffles launched by the Bush EPA, including controversial changes to the Office of Research & Development (ORD) and within Region V, and possible Jackson-led reorganizations designed to strengthen environmental protections, such as downgrading the policy office's role in reviewing rules -- changes largely supported by EPA staff.

One EPA source says the fact that unions are looking to Congress to intervene and stop the Bush-era reorganizations should not reflect poorly on Jackson, who the source says may simply be overwhelmed with work, given there are no other political staff in place at the agency. She may not have time to focus on union officials' calls for her to intervene in the ongoing reorganizations that are being driven by senior management.

"Until [Jackson] gets her full compliment of people in place, I can't fault her one bit" for focusing on major issues such as climate change, the source says.

But another agency source says that administrators rarely, if ever, get involved in specific office reorganizations and says that Jackson "is dealing with cabinet-level, national and international policy and public exposure of the agency. She may get updates [on reorganizations] in a weekly brief but that's about it."

The source adds that at most it would be the deputy EPA administrator who would weigh in on such disputes. But the agency lacks a nominee for deputy EPA head after previous nominee Jonathan Cannon withdrew, and sources say there is concern that senior non-political management are moving the various reorganizations ahead without any strong oversight from Obama administration officials.

Unions continue to have significant concerns about the ORD and Region V reorganizations, which could significantly change employees duties or who they report to without their input, for example possibly requiring ORD scientists to take on more administrative duties. Additionally, they fear management is pursuing a reorganization in the Office of Enforcement & Compliance Assurance (OECA), though details of that plan are unclear.

As a result, they are now turning to lawmakers to air their concerns and hopefully encourage congressional oversight of the ongoing reorganizations, the EPA source says.

For example, the American Federation of Government Employees (AFGE) is urging its EPA members to send letters to Congress to highlight concerns over an ongoing reorganization in Region V.

According to a Feb. 10 memorandum from Region V human resources official Tom Davison to AFGE Local 704 President John O'Grady, the reorganization would create 32 new sections, with changes mostly occurring in the region's water and Superfund divisions, though there are "smaller" changes in other divisions and offices. While employees' work may not change, they may have new supervisors, the memo notes.

Prior to Jackson's confirmation, AFGE's O'Grady sent her a Jan. 13 e-mail urging Jackson to put the reorganization on hold. Jackson replied, "I will follow up on this once confirmed."

In February, O'Grady sent follow-up e-mails warning Jackson and Office of Administration & Resources Management Acting Assistant Administrator Craig Hooks that the Region V reorganization appears to be proceeding without a "workforce assessment conducted to determine

appropriate staffing and grade levels for the new organization,” nor an analysis of how the region’s workload will change as a result of the office shuffle.

However, sources say that Jackson has yet to respond to the February e-mail and that senior management who were in place before the new administration are not providing adequate responses -- spurring the union effort to persuade lawmakers to get involved and conduct oversight of the reorganization.

“The planning for this reorganization began under the previous administration and does not even follow the agency’s own guidance for conducting a workload and workforce analysis, nor has it involved EPA Region V’s state and tribal partners, nor its EPA headquarters or regional counterparts,” AFGE’s sample letter to lawmakers says. *Relevant documents are available on InsideEPA.com.*

The letter says that reorganizations are costly, disruptive, often unnecessary, and seldom meet the objectives of making an organization operate more effectively and efficiently. “The underlying theme behind the Region V plan appears to be one of political cronyism, favoritism, and patronage,” the sample letter says. “I am not just a bit surprised that regional management would go forward with this reorganization prior to a new regional administrator being named, and prior to [Jackson] having her full complement of assistant administrators appointed by the administration, on-board to assist her. . . . I believe that any reorganization decision should be the prerogative of the current administration.”

Unions fear that agency staff affected by the reorganizations are being kept out of key decisions, and want full union involvement in the office shuffles to ensure they do not adversely impact employees. Unions have the right to negotiate “procedures and appropriate arrangements” under the Federal Service Labor-Management Relations law, in order to temper the impact and implementation of agency changes.

Staff also have concerns about an ongoing Administrative Efficiencies Project (AEP) aimed at creating “efficiency” in ORD’s administrative positions. Begun in the Bush administration, staff say they lack key information from management about specifics of the ongoing project.

Another EPA source has said that an adverse impact of the plan could be that ORD scientists end up “asked to take on more of the administrative duties,” which could distract those scientists from conducting core research work while they focus on tasks such as processing travel authorization requests.

National Treasury Employees Union Chapter 279 President Larry Penley wrote in a March 24 e-mail to EPA’s Hooks that the AEP appears to be moving forward regardless of whether Jackson will ultimately approve the reorganization (*Inside EPA*, April 24).

And sources say that senior management in OECA are eyeing what could be a potentially disruptive reorganization in that office, stemming from the Office of Administration & Policy.

Several EPA sources draw parallels with the Bush EPA’s move to close libraries in the agency regions and at headquarters, which prompted outcry from staff and some Democrats. House and Senate Democrats eventually launched investigations into the library closures, and used appropriations laws to block the closures and provide money to restore the libraries to their prior status.

Meanwhile, EPA staff express optimism that any reorganizations driven by Jackson will aim to improve regulations and protect the environment, and cite remarks Jackson made earlier this year on reorganizations and her decision to halt the controversial voluntary Performance Track program as one of her first official duties.

In a Feb. 27 interview with reporters, Jackson said, "In general, I'm not a big fan of reorganizations. They take a lot of time, they're very disruptive when we have so much to do." Jackson also said that the agency needs to ask itself, "First, what are the environmental challenges we face? How do we make sure we're in front of the environmental challenges of the next 40 years?" (*Inside EPA*, March 6).

Another EPA source says that Jackson's comments indicate "most important to her is what can be done to protect the environment. Reading into that, I think that if there are going to be reorganizations [led by Jackson] then they are going to be forward-looking to address an environmental problem."

Several sources suggest that in contrast to the controversial ORD, OECA and Region V reorganizations under way before Jackson joined the agency, an example of the type of shuffle the new administrator may favor is her decision to halt the Performance Track program. Companies taking part in the program committed to voluntary, non-binding pollution cuts in exchange for various regulatory incentives.

When Jackson halted Performance Track in March, she also said the agency would conduct a broad review of voluntary programs with the intent of "refining those concepts that can lead us to a stronger system of environmental protection as we go forward" (*Inside EPA*, March 20).

An EPA spokeswoman declined to comment. -- *Anthony Lacey*

ENVIRONMENTALISTS QUASH PRIVATE CONCERNS TO PUBLICLY LAUD OBAMA (*Inside EPA*)

5/1/2009

As President Obama marks his 100th-day in office, environmentalists are publicly praising his administration despite growing private concerns that the administration is not moving quickly enough to address climate change, the scope of the Clean Water Act and chemicals management, while also raising concerns about some nominees.

Since taking office, Obama and his top administration officials have generally reiterated the president's position that he believes in reasonable regulations. "In some cases what we do is we balance the need for economic growth, but we do it in a sustainable way. There doesn't have to be a contradiction between jobs and the environment, we just have to be thinking a little smarter," Obama told a town hall meeting in Arnold, MO, April 29.

"Sometimes these [environmental] debates become this all-or-nothing thing: either commercial interests can do anything they want -- dump stuff in the oceans and tear down all the forests, and

that's the only way we can get economic growth; or alternatively, everybody is hugging trees and you can't cut a tree. You know, there's a balance that can be struck, and the key principle is sustainability," he added.

In its first 100 days, the administration has pushed through an economic stimulus law that funds many EPA programs, including water, waste and air programs. The administration has also launched EPA on a path to regulate climate change emissions.

While there has been little from the new administration in terms of new regulations, officials have also launched an aggressive effort to review roll back controversial Bush-era regulations. Most observers expect many of the rules to be reversed.

EPA chief Lisa Jackson opened the door to reviewing Bush rules that were issued as far back as 2001. And most recently, administration officials announced April 28 that they were reversing a controversial Bush endangered species rule -- a top rollback priority for activists.

But Obama officials have stopped short of completely aligning with environmentalists. Jackson, for example, has said publicly that environmentalists should not expect everything they want -- a message she delivered in a March 12 address to the Business Coalition for Innovative Climate & Energy Policy.

So far, activists have not raised any public concerns over the administration's approach, with most of the major environmental groups -- including Sierra Club, League of Conservation Voters (LCV) and the Natural Resources Defense Council (NRDC) -- issuing statements this week lauding President Obama and EPA at the 100-day mark.

"It is difficult to overstate the tremendous progress President Obama has made in just 100 days . . . [doing] more to lay the foundation for the clean energy future in three months than has been done in the previous three decades. . . . If what's past is prologue, we will have much to be hopeful about in the days to come," Carl Pope, executive director of the Sierra Club, said in an April 28 statement

"In short, his first 100 days have been the most environmentally important of any in history," LCV President Gene Karpinski said in a statement released April 28.

And NRDC's program director Wesley Warren said in an April 28 statement, "In just 100 days, President Obama has swung the door on energy, environment and climate that will move America in a new direction on these critical issues. Amid great challenges, Obama has set a new course for America that will lead to a new approach to energy, create million of jobs, and reduce the carbon pollution that threatens people's health and the climate."

The groups cite among top accomplishments: the president's "green dream team" cabinet picks; his agreement to reconsider EPA's denial of California's GHG auto waiver; EPA's issuance of the greenhouse gas (GHG) endangerment finding; the inclusion of environmental measures in the economic recovery bill the administration worked with Congress to pass; the inclusion of green measures in the budget proposal; the protection of 2 million acres of wilderness, rivers and parks; the scrapping of Bush administration policies on oil shale development and sale of public lands; the delay of the Bush offshore drilling plan; and the reversal of Bush's policies on mountaintop removal coal mining and the Endangered Species Act.

NRDC created an online time line to track Obama's progress, while the watchdog group OMB Watch is out with two reports praising the administration's work to advance regulatory reform and transparency.

But privately, many are concerned that the administration is more cautious than what they are seeking.

For example, some EPA staff are expressing internal concern over Jackson's apparent unwillingness to move urgently to address global warming after she testified to Congress April 22 that the Obama administration prefers legislation to establish a GHG reduction program at EPA. One source says Jackson's message to Congress appeared to be at odds with the agency's April 17 finding declaring that GHGs endanger public health and welfare.

At the hearing, Jackson laid out a broad time line for potential air act rules and said the proposed endangerment finding is a mechanism to help spur congressional action.

One EPA source says some staff involved in the agency's GHG endangerment finding "expressed concern that the administrator is not serious about addressing climate change and is merely going through the motions for political reasons. Their concerns were heightened when she was unable to answer even them most basic questions related to climate change in her recent testimony before Congress."

Environmentalists also acknowledge behind-the-scenes disappointment that EPA has not endorsed any bill to address water law jurisdiction, that Jackson did not accept their recommendations for broadly reforming the Toxic Substances Control Act, and that the Interior Department's recent announcement that it would roll back a Bush-era mountaintop mining rule did not include an explicit vow of strict enforcement.

It is "mystifying" the Obama administration has not more vigorously supported legislation to clarify the scope of the Clean Water Act, especially given Obama's endorsement of the legislation during his presidential campaign, one environmentalist says. While acknowledging that Jackson recently called for a legislative solution to the issue of the water act's jurisdiction, "It would be better if [the Obama administration] actually supported a specific bill," the source says.

Additionally, this source is harshly critical of Interior Secretary Ken Salazar's announcement to roll back the mountaintop mining stream buffer zone rule because it did not include a vow to strictly enforce a previous rule banning mountaintop mining, which environmentalists had long claimed was not being enforced, allowing miners to dump waste into streams with impunity.

Further, activists are worried that Obama's nominees for key waste cleanup positions within the government -- who stem from a range of ideologies -- will result in weaker cleanup policies. In particular, they are disappointed in Obama's choices of Ines Triay, who was second-in-command at the Energy Department's Office of Environmental Management under the Bush administration, to head that office, and of Mathy Stanislaus to head EPA's Office of Solid Waste & Emergency Response because of his background in brownfields redevelopment, which they say could be indicative of a willingness to relax cleanup standards in favor of development.

Overall though, environmentalists note while they remain concerned about the vigor with which Obama's EPA will pursue their priorities, they are happy with the general direction of the agency. One source says of Jackson's congressional testimony that, "You can spend a lot of time parsing her words but [EPA is] clearly moving forward and wanting Congress to move quickly. They are not taking a wait-and-see approach."

A Jackson spokeswoman declined to comment on the activists' private concerns but did acknowledge the public statements. "We're pleased to have such overwhelming support from groups who care deeply about protecting human health and the environment," the spokeswoman said.

Meanwhile, an industry source is pleased with EPA's cautious approach on climate change. "They've slowed the process so we might be able to talk about consequences, which I see as a positive step," the source says. "In the beginning, it was full steam ahead . . . and they're not doing that." -- Dawn Reeves

GRANTS

EPA GRANTS REQUESTS TO RECONSIDER BUSH CHANGES TO NSR PROGRAM (*Inside EPA*)

5/1/2009

The Obama EPA is formally granting separate requests to reconsider three controversial Bush administration changes to the new source review (NSR) program, which requires the installation of pollution controls to reduce emissions at new or modified sources.

EPA April 24 sent separate letters to different petitioners who asked the agency to review and rescind three NSR rules: a rule defining when companies must account for "fugitive" emissions that are not vented from a stack or vent; a rule on when companies must keep records on emissions; and a rule on when companies must account for emissions associated with fine particulate (PM2.5) pollution when obtaining a permit under the NSR program.

EPA Administrator Lisa Jackson in a letter to Natural Resources Defense Council Clean Air Director John Walke granted the group's Feb. 17 request for reconsideration of the fugitive NSR rule. *Relevant documents are available on InsideEPA.com.*

The rule was finalized in a Dec. 10 *Federal Register* notice and became effective Jan. 20 -- the day President Barack Obama took office. Jackson said she is staying the fugitive NSR rule for three months from the April 24 date of her letter. Critics say the rule will make it easier for facilities to avoid triggering NSR, which requires companies to install expensive pollution control requirements when they make major modifications.

Meanwhile, Jackson sent a separate letter to Earthjustice's Paul Cort granting that group's petition for reconsideration of provisions in a final Bush EPA rule establishing NSR requirements for sources that emit PM2.5 and pollutants that contribute to its formation. Earthjustice challenged various aspects of the rule, including its transition schedules, pollutant trading ratios, and grandfathering provisions.

Finally, acting EPA air office head Assistant Administrator Elizabeth Craig sent an April 24 letter to New Jersey Attorney General Anne Miligram granting the state's request for reconsideration of an NSR rule on "reasonable possibility in recordkeeping."

New Jersey challenged the December 2007 rule, which identified when a major source undergoing a physical or operational change that does not trigger NSR must keep records. The state claimed that EPA failed to provide adequate notice of decisions it made in the rule, among other challenges. Craig said EPA will reconsider the rule but will not stay it pending reconsideration.

HAZARDOUS WASTES

EPA to publish review of Nyanza cleanup (*MetroWest Daily News*)

By Aaron Wasserman/Daily News staff

The MetroWest Daily News

Posted Apr 30, 2009 @ 10:00 AM

ASHLAND —

The Environmental Protection Agency expects to publish in the next two weeks its fourth five-year review of its cleanup of the Superfund site at the long-closed Nyanza dye company.

The review is standard procedure for analyzing the cleanup's effectiveness. It involves reviewing groundwater data, inspecting the site for vandalism or any vegetation or burrowing animals that may have pierced the contamination cap, and interviewing town officials and people who live near the site, said Jim Murphy, a spokesman with the federal agency.

Since the last five-year review, federal officials installed systems in 43 homes located between the Nyanza site, on Megunko Hill, and the Sudbury River, to protect people from vapors emitting from a groundwater plume.

"In this five-year review, we went back and looked at those systems, in terms of their effectiveness and whether they're operating as designed," said Murphy. He said the report will have recommendations on maintaining the vapor systems, but couldn't address the report in detail while it is being reviewed by the Environmental Protection Agency's Washington, D.C., office.

Federal and local officials will conduct a public walk-through of the site Saturday, May 18, at 8:30 a.m., to answer questions.

The Nyanza site is named after the last company to produce textile dyes and other products there, though production lasted from 1917 to 1978. Large volumes of wastewater with chemicals and acid were discharged from the business. As a result, soil, groundwater, surface water and nearby wetlands as well as the Sudbury River are contaminated.

In 2006, state health authorities released a report saying children who swam in water contaminated by the Nyanza site developed cancer two to three times more often than those who avoided the water.

The most recent five-year report found the contamination is well contained and had only minor recommendations for maintaining the site. Since then, a long-planned development nearby on Megunko Hill again fizzled when the developer of 500 apartments could not get financing.

Also expected later this year is an Environmental Protection Agency proposal to address Nyanza-related mercury contamination in the Sudbury River. About 26 miles of the river are polluted and its cleaning is the last major part of the project yet to be tackled.

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PESTICIDES

COURT SIGNALS OPENNESS TO FULL PANEL REVIEW OF KEY PESTICIDES CASE (*Inside EPA*)

5/1/2009

The U.S. Court of Appeals for the 6th Circuit is asking environmentalists to respond to an industry request for an *en banc* review of its decision in a key pesticides case, which industry sources say shows the court is seriously willing to reconsider the decision with a full panel review.

One industry source says pesticide industry officials are “quite pleased” with the court asking for the response, which is due from environmentalists May 8.

However, an environmentalist discounts the importance of the court’s April 24 directive for a response, noting that the court did not seek a response from EPA.

At issue is industry’s effort to win full court review of the decision by a three-judge panel in *National Cotton Council v. EPA*, a 2009 decision that industry officials say has potentially far-reaching implications that could require pesticide application -- which has generally been exempted from the Clean Water Act (CWA) -- to obtain National Pollution Discharge Elimination System (NPDES) permits.

The industry request for the rehearing says the court’s decision contains a “precedent-setting error of exceptional public importance.”

En banc reviews of decisions, which convene the full slate of judges of an appellate court to review a decision by some of the judges, are difficult to obtain, legal experts say. In response to industry and state calls for EPA to seek the review, EPA officials underscored the difficulty and downplayed the likelihood of success in obtaining such a review. EPA ultimately sought a two-year stay of the mandate of the decision.

The environmentalist says, “It is not unusual for the court to ask for a response. EPA has not been asked to respond, a fact that cuts against the [success of the] industry request. It is probably because of the fact that every pesticide user around asked for rehearing that the court is giving them the courtesy of asking for a response from the environmental petitioners.”

A key issue in the court ruling is that it classifies pesticide application as a point source. The decision says, “It is clear that but for the application of the pesticide, the pesticide residue and excess pesticide would not be added to the water; therefore, the pesticide residue and excess pesticide are from a ‘point source.’”

The court’s decision “adopted an unprecedented ‘but for’ test for identifying regulated point source pollutant discharges that sweeps aside the fundamental CWA distinction between ‘point source’ and ‘nonpoint source’ pollution,” the industry request says, adding, “[t]he panel’s reasoning misconstrues the reach of the NPDES program and, indeed, could impose permitting on virtually any nozzle, tailpipe, or garden hose.”

Environmentalist plaintiffs, in response to a letter from Agriculture Secretary Tom Vilsack to EPA Administrator Lisa Jackson that voiced similar concerns, argued the court’s decision is much more limited.

“[W]hen read in context, it is clear that this statement involved the permissibility of the final rule’s treatment of pesticide residues as nonpoint source pollutants in light of the EPA’s acknowledgment that the original discharge of pesticides (including the portion of those pesticides that turn out to be residual) is made by a point source discharge,” the environmentalists argued in their March 31 response. “Indeed, the very nature of *Cotton Council* -- a challenge to an EPA regulation that exempted two specific categories of pesticide discharges -- makes clear that *Cotton Council* could not possibly have created new permit obligations for a broader range of pesticide discharges than those exempted from CWA permit requirements in the final rule.”

DESPITE SENATORS' CALL, EPA PLANS NARROW NPDES SPRAYING PERMIT (*Inside EPA*)

5/1/2009

EPA is planning to develop a narrow clean water general permit for pesticide spraying activities in states and tribal areas that do not have delegated permit authority, leaving most states with broad discretion to adopt stricter requirements than EPA despite calls from key lawmakers who had sought to avoid a patchwork of state approaches.

Agency lawyers earlier this month asked a federal appellate court to delay by two years its landmark ruling forcing many pesticide applicators to seek clean water permits for their activities. The U.S. Court of Appeals for the 6th Circuit ruled earlier this year in *National Cotton Council et al. v. EPA* to vacate EPA's rule exempting pesticide application from National Pollutant Discharge Elimination System (NPDES) permits under the Clean Water Act (CWA). Since the court ruled that pesticide spraying amounted to a point source discharge, spraying without a permit would face liability as an unpermitted discharge subject to penalties.

EPA estimates the ruling will apply to some 5.6 million annual pesticide applications performed by 365,000 applicators.

While many farm groups and their supporters in Congress urged the agency to appeal the ruling, the agency instead asked the court to delay the ruling to allow officials time to craft a permitting approach.

Two key senators -- Sens. Tom Harkin (D-IA) and Saxby Chambliss (R-GA), the chairman and ranking Republican on the Senate agriculture committee -- urged EPA to appeal the ruling but said that if the agency chose not to, it should instead craft a nationwide general permit for which sprayers would seek coverage as a way to avoid imposition of more burdensome individual permits.

In an April 3 letter, the lawmakers also urged EPA to adopt a nationwide general permit as a way to avoid overlapping state requirements. "A state-by-state regulatory mechanism in which each state can modify permit requirements would present serious logistical problems," the lawmakers say, noting that it could present especially difficult conditions for producers whose operations cross state boundaries. *The letter is available on InsideEPA.com.*

But EPA officials April 22 told its Pesticide Program Dialogue Committee (PPDC) meeting in Arlington, VA, that if it wins the stay it is seeking from the 6th Circuit, the agency plans to develop and propose final NPDES general permits only for those states that do not have delegated NPDES authority -- Massachusetts, Idaho, New Mexico and New Hampshire, as well as tribal areas and territories.

"During the stay, EPA will work closely with NPDES authorized states to develop their general permits concurrent with the development of EPA's general permits to expedite implementation," according to a presentation at the meeting.

An EPA official later said states could “slipstream” along with the agency efforts and use the permit as a template, or develop their own permit that is more protective than the permit developed by the agency.

As a result of the potential legal liabilities, resolving the issue quickly is important to industry, since many areas in the country are in, or moving into, their growing seasons. One pest control source says there have already been 34 notices to sue filed in California since the 6th Circuit’s decision was issued.

But an EPA source says EPA’s exemption remains in effect until the court decides how to proceed.

POLITICAL

Barrasso puts hold on EPA nominee (*Associated Press*) This story also appeared: *LocalNews8.com*

Associated Press - April 30, 2009 7:45 PM ET

Idaho

CHEYENNE, Wyo. (AP) - Republican Sen. John Barrasso of Wyoming is working to stop the confirmation of President Obama’s nominee for a key post in the Environmental Protection Agency.

Barrasso, a member of the Senate’s Energy and Natural Resources Committee, said Thursday that he had put a hold on the nomination of Regina McCarthy. The hold prevents the nomination from going on to a Senate vote.

McCarthy is Connecticut’s environmental protection commissioner. Obama nominated her last month to be the EPA’s assistant administrator for air and radiation, a position that oversees air quality and policies regarding climate change.

Barrasso says McCarthy has failed to address his concerns about implementing the Clean Air Act in light of the EPA’s finding this month that greenhouse gas emissions endanger public health and safety.

SUPERFUND

Gowanus Canal clean up tab for city? (*New York Daily News*)

BY Erin Durkin

DAILY NEWS STAFF WRITER

Friday, May 1st 2009, 4:00 AM

New York

The city could be on the hook to help pay for a federal Superfund cleanup of the Gowanus Canal, officials said.

"It's within the realm of possibility," that the city could be forced to pay up, if the feds move ahead with plans to list the canal as a Superfund site, said Environmental Protection Agency official Walter Mugdan.

While the EPA will mostly be going after industrial polluters who spewed chemicals and heavy metals such as mercury and arsenic into the canal, city-owned sewers cause additional pollution when they overflow into the waterway.

Millions of gallons of waste water - laced with raw human waste and oil, pesticides and other chemicals from street runoff - can end up in the canal when heavy rains cause sewers to overflow.

"As little as a tenth of an inch of rain can cause [sewer overflows] in New York City," said attorney Josh Verleun, who represents environmental advocacy group Riverkeeper. "Any contaminants that are coming out of their pipes and that are ending up in the sediments, [the city] could be held responsible for."

Sewers overflow into the Gowanus up to 75 times a year, dumping some 300 million gallons of sewage into the waterway, said Department of Environmental Protection spokeswoman Mercedes Padilla.

The city hopes to reduce the frequency of overflows by 30% through a four-year, \$160 million project to upgrade the canal's flushing tunnel and pumping station.

The Bloomberg administration is scrambling to keep the canal from being listed as a Superfund site, arguing that \$400 million in planned private development could be derailed.

City officials denied that fear of having to help pay for a Superfund cleanup is driving their opposition.

"The site needs to be cleaned one way or another, and we plan to play a leading role in making it happen as quickly and safely as possible," said mayoral spokesman Andrew Brent.

Even if the EPA doesn't go after the city for cleanup costs, any private company fingered as a responsible party could sue the city to defray its own costs, Verleun said.

The EPA and other polluters have sued municipal governments for Superfund cleanup costs in the past. In a case that was settled in February, the cities of Newburgh and Poughkeepsie, along with several private companies, reached a \$12 million settlement to clean up the site of an upstate metal processing plant.

EPA officials also said Wednesday they would extend the comment period on the Superfund proposal by 30 days - until July 8 - before making a final decision.

With Elizabeth Hays

EPA proposes removing N.J. Superfund sites from list (Waste News)

April 30 -- Cleanup work is complete at the Montclair/West Orange and Glen Ridge Radium Superfund sites in New Jersey, and the U.S. EPA has proposed removing them from its Superfund National Priorities List.

The sites include three noncontiguous areas located in five residential communities of suburban Essex County in northeastern New Jersey, about 12 miles west of New York City. The sites cover 250 acres and include 900 residential and 24 municipal properties.

The soil was contaminated with radioactive waste materials believed to have come from a nearby radium-processing facility that operated in the early 1900s, according to the EPA. When houses were constructed in the area, some of the radium-contaminated soil was used as fill, and some was mixed with cement for sidewalks and foundations. More than 220,000 cubic yards of

contaminated soil was scattered on public and private properties in the densely populated residential communities, according to the EPA.

More information about the sites is available at www.epa.gov/region02/superfund/npl/0200997c.htm.

Contact Waste & Recycling News senior reporter Bruce Geiselman at 330-865-6172 or bgeiselman@crain.com

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GOP EYES IG REPORTS ON SUPERFUND ACCOUNTS IN PUSH AGAINST REVIVED TAX (*Inside EPA*)

5/1/2009

Capitol Hill Republicans are eying a recent report from EPA's Inspector General showing the agency could make better use of existing Superfund funding options as they attempt to resist growing efforts by Democrats and environmentalists to reinstate the long-expired taxes that finance the program's trust fund, a Republican source says.

The Republican source says a recent IG report showing the agency would have more funds available for cleanups if it improved its management of so-called special accounts underscores the argument that increased Superfund spending and a reinstated tax on industry are not necessary.

The March 18 report, *Improved Management of Superfund Special Accounts Will Make More Funds Available for Clean-ups*, says the agency would have more funds available for Superfund cleanups if it improved its management of the special accounts. The report is the latest in a series of reports the IG has issued on the accounts in recent years. The accounts, which are linked to specific Superfund sites, consist of money recouped in Superfund enforcement settlements relative to those sites and can only be used for future cleanup work at those sites.

In its report, the IG reiterates its past concerns that EPA has allowed excess funds to languish in some of the special accounts, and that if the money was transferred to the general Superfund trust it could help speed cleanups at other sites that are in need of funds.

Since the IG began raising concerns over the issue, "EPA has addressed various aspects of managing special accounts," the report says. In addition, "EPA agreed with and has implemented, or

committed to implement, recommendations in earlier reports to reclassify or transfer to the Trust Fund \$59 million in idle special accounts,” the IG says.

But EPA is still struggling to implement some of the IG’s other recommendations, the report says. For example, the agency “has not agreed to develop a reserve policy and believes that its current guidance is sufficient” even though the IG “continues to believe that documenting the specific criteria that EPA uses to hold funds in accounts when agreements have been reached with [parties responsible for pollution at Superfund sites] is necessary,” the IG says.

In addition, the IG in a separate April 27 report found EPA could potentially improve efforts to recover cleanup costs from responsible parties at sites not on its National Priorities List for Superfund list but where emergency responses were necessary. The report, *EPA Needs to Improve Internal Controls to Increase Cost Recovery*, reviewed cost recovery efforts at a sample of the so-called removal action sites and found “as much as \$25 million that EPA could potentially pursue for cost recovery, but has not.”

The IG notes in the April 27 report that EPA “has a high rate of success in addressing cost recovery requirements prior to the expiration of the” statute of limitations. “However, EPA has limited controls in other key areas that affect its ability to recover the government’s costs from responsible parties” leading to “limited oversight of [responsible party] searches, inconsistent documentation of [responsible party] searches, and data quality problems in EPA databases that track Superfund cleanup status and cost recovery,” the IG says. “EPA also does not review and monitor changes made to all Superfund accounts so all appropriate site costs can be recovered.”

Key Republicans, including Sen. James Inhofe (R-OK) have in the past pointed to the potential for EPA to recover cleanup costs from responsible parties at specific sites as an argument against increasing the Superfund program’s budget and reinstating the taxes.

Republicans argue EPA could improve the program’s performance if it made better use of the funds it already has, the Republican source says. Republicans are skeptical that the \$600 million provided to the Superfund program in the recently approved economic stimulus package, combined with the eventual reinstatement of the Superfund taxes that Democrats are seeking, will have as significant an impact on improving the rate at which EPA is able to clean sites up, the source says.

EPA recently released a list of 50 Superfund sites that will receive the \$600 million stimulus allotted for the program and the agency showed a preference to sites listed on its National Priorities List (NPL) where regional officials could quickly obligate and spend the funds. Republicans will keep a close eye on the impact the stimulus money has on accelerating the pace of cleanups as they prepare to resist Democratic efforts to reinstate the Superfund taxes, the Republican source says.

But Democrats and environmentalists are making a strong push to reinstate the taxes, which President Obama’s budget assumes will be reinstated in 2011.

And during a confirmation hearing April 28, Senate environment committee Chairwoman Barbara Boxer (D-CA) won a commitment from EPA waste chief nominee Matty Stanislaus to develop a plan to expedite the pace of cleanups and also determine if EPA could do more cleanup work if funding levels increased. -- *Douglas P. Guarino*

TOXICS

Non-toxic paints gain popularity (*Associated Press*) This story also appeared: *Mail Tribune*

Nontoxic brands are becoming more common; you'll have to give up that 'new house smell'

By **JENNIFER FORKER**

for The Associated Press

May 01, 2009 6:00 AM

Spring often brings the urge to clean, perhaps to liven up a room with a fresh coat of paint. Now that can be done with eco-friendly paints that don't give off noxious odors.

The nontoxic arm of the household paint world is booming, and many companies have entered the market.

AFM's Safecoat brand is the granddaddy of the nontoxic paint business, having been in the market for 25 years. Boutique brands, including Mythic and YOLO Colorhouse, have cropped up in recent years, and industry giants tout their own nontoxic, latex brands.

Sherwin Williams has its Harmony line, while Home Depot sells Freshaire Choice. Benjamin Moore already sells its low-toxic Aura but is rolling out a new, zero-VOC interior paint called Natura that it says will be available in all of its nearly 3,000 colors.

"Everyone is trying to paint a green face on themselves," said David Johnston, 58, of Boulder, Colo., a building consultant who wrote "Green from the Ground Up: Sustainable, Healthy and Energy-Efficient Home Construction" (Taunton, 2008).

"That 'new house smell,' as much as we've come to love it, is really a flag that there's something in the air that we don't want our kids to breathe," said Johnston.

VOC refers to volatile organic compounds, those chemical additives that make regular paint work its magic: They help it roll on smoothly, dry fast and prevent mildew. Some of these chemicals are natural (but still toxic), such as formaldehyde, which is added to curtail chipping.

Not all paints have the same types and frequency of VOCs, which can cause smog and deplete the ozone. Some of the compounds have been linked to cancer, and the paint smell that lingers for days or weeks after painting is the "off gassing" of these chemicals.

The Environmental Protection Agency reports that exposure to paints high in VOCs can cause headaches, dizziness and vision problems, among other symptoms, depending on which chemicals are in the paint, how long the exposure is and a person's age (kids are more vulnerable). These paints are regulated, to some degree, and cannot include more than 250 grams per liter of VOCs.

Nontoxic latex paint is not regulated. The most eco-friendly paints have zero VOCs, but some paints are low-VOC, with 50 grams per liter.

So how does a consumer know if a paint brand really is nontoxic?

Industry insiders suggest a simple sniff test: If the paint smells noxious, it has VOCs, perhaps a lot of them. If it's odorless, or smells like fresh milk, then it's likely a nontoxic paint.

"If something smells pungent, or if it burns your nose or your eyes, you know that's probably not something you want to paint with," said Carl Minchew, director of color technology at Benjamin Moore in Montvale, N.J.

However, because some toxic chemicals are odorless, Johnston advises that consumers read labels and look for certification, such as from Greenguard or Green Seal, that a brand is eco-friendly.

Not all paints that advertise as eco-friendly actually are, warn industry insiders. Colorants added to the nontoxic base paint at the retail store can shoot up the levels of VOC, said Minchew, with darker colors, such as reds, carrying the highest levels.

Benjamin Moore uses a new, waterborne colorant system that adds no toxins to Natura, he said.

AFM is rolling out a new brand called Safecoat Naturals that will use zero-VOC colorants, said AFM vice president Jay Watts in San Diego, Calif.

Alex Rossi, 34, a Denver-area house painter, uses only nontoxic paints, and says they are as simple to use and durable as regular latex, or oil, paints. They dry faster than regular latex paints because the water in zero-VOC paints evaporates faster than the other paints' petroleum products.

Years ago, the zero-VOC paints didn't work as well as regular latex paints, Rossi said. They didn't cover a surface as easily or thoroughly, he said. Today, Rossi has found that's not the case.

"What the green

paint companies have done is they

ve found ways to make their paint more 'scrubbable

and more user-friendly to compete with the old, traditional coatings," he said. "With two coats of the two products (latex and zero-VOC latex paint) side by side, I see no difference."

Some of his customers, such as Laurie Tamm, 52, of Boulder, Colo., are chemically sensitive. Tamm said that immediate exposure to toxic chemicals such as VOCs in paint (or other household products, such as carpets and cabinetry) can give her headaches, anxiety, depression and even paranoia. She thinks of herself and other chemically sensitive people as the proverbial canaries in the coal mine.

"I've been going through this for 20 years," she said, adding that she cannot enter newly built buildings because of fumes. "If anyone is going to start the trend (of using nontoxic paint), it has to start with people like me."

Nontoxic latex paints are similar in price to high-end latex ones. For example, Benjamin Moore's Natura line will retail for about \$50 a gallon.

Minchew thinks consumers will appreciate the nontoxics' faster drying time.

"You can paint in the room in the morning and eat in there in the evening," said Minchew. "That's something you couldn't do with a traditional, latex paint."

EPA DOWNPLAYS PROSPECTS FOR BIOMONITORING DATA AHEAD OF GAO STUDY (*Inside EPA*)

5/1/2009

EPA officials are downplaying prospects that they can soon use biomonitoring data in regulatory and other decisions ahead of a soon-to-be released report from the Government Accountability Office (GAO) regarding how the agency uses biomonitoring data.

The agency's stance could undermine environmentalists' efforts to use biomonitoring data in upcoming regulatory decisions -- and as the basis of prioritizing chemical testing in a soon-to-be introduced chemical management reform bill. But the agency's stance will likely be a relief to industry officials who fear that biomonitoring data does not provide a good scientific basis for decision-making because it does not say enough about the risks posed by exposure to chemicals.

While agency officials say they eventually want to use the data in their decisions, they say they have limited data to use, are uncertain about how to use it in risk assessments and that more research is needed to determine how the agency can effectively use the information.

Agency sources say they are already working with other agencies to improve coordination on biomonitoring data, an issue that GAO recommended EPA improve.

There are “scientific questions” surrounding biomonitoring, including “how to use it in an assessment” and “how do you interpret” the information, James Jones, acting assistant administrator for the Office of Prevention, Pesticides and Toxic Substances, told *Inside EPA* April 29 at the CropLife America spring conference in Arlington, VA. He added that there are also “not a lot of” biomonitoring data.

Debbie Edwards, head of pesticide programs at EPA, said at the conference on April 28 that EPA wants to do biomonitoring “in a way that makes sense” but that agency officials are still not clear about “what data is useful.”

GAO initiated an investigation of “EPA’s use of biomonitoring data” at the request of Senate environment committee Chairwoman Barbara Boxer (D-CA) and Sen. Frank Lautenberg (D-NJ), who is expected to soon introduce the Kid Safe Chemical Act -- a bill that reforms the Toxic Substances Control Act (TSCA) along the lines favored by environmentalists.

Lautenberg’s bill, which he has introduced twice in previous sessions, relies in part on biomonitoring data to determine which chemicals EPA should prioritize for hazard assessment.

Environmentalists and public health advocates often urge greater use of biomonitoring data because it shows what chemicals are present in samples of human blood, urine and breast milk. The Environmental Working Group (EWG), for example, has performed a study of the concentration of polybrominated flame retardants found in the blood of toddlers and their mothers.

The group is also poised to release the results of a two-year study that documents the presence of up to 48 toxic chemicals in the blood of five prominent minority women leaders in the environmental justice movement. “Testing was targeted toward compounds that are heavily used in everyday consumer products, but that have escaped effective regulation under the antiquated TSCA,” the group says in an announcement of the study results.

However, there are difficulties in using this kind of data in risk assessments, in large part because the data provide a single snapshot of a concentration in the blood or urine, but do not show how or if the concentration changes over time as the body processes the chemical or whether the presence of the chemical is harmful.

Linda Sheldon, acting director of the human exposure division of EPA’s National Exposure Research Laboratory, raised this concern -- as well as how such data is used with existing exposure data in agency hazard assessments -- during a presentation at a March 20 meeting on the use of biomonitoring hosted by the Society of Toxicology and the American Chemistry Society.

Sheldon described biomonitoring as a surveillance tool that helps identify trends over time, but said it provides less information about where, when, and how exposure occurs, as well as how people are affected differently. There is not much exposure data available in biomonitoring studies and few standardized collection methods to use in comparisons of exposure data, she said. “We have to know how to put it all together,” she said, and “collect exposure and biomonitoring data together.”

Daniel Goldstein of Monsanto, when asked about biomonitoring by an audience member April 28 during the CropLife conference, echoed Sheldon's concerns. He said biomonitoring looks at current health outcomes for exposures that happened in the past, which makes it "hard to make the connection" between exposures and effects. He said moving forward the prospects are better for useful biomonitoring.

The GAO investigation sought to determine both "To what extent does EPA use information from human biomonitoring studies in its assessments of chemical risks?" and "How does EPA address challenges that limit the usefulness of biomonitoring data for risk assessment and management activities?" according to a GAO document describing the objective of the report. A source familiar with the report says GAO also examined the extent of EPA's authority under TSCA to request biomonitoring data.

GAO is scheduled to release the report to Boxer and Lautenberg April 30, and it is to be released to the public by May 30. Lautenberg's office declined to comment on its request for the report.

"EPA is authorized to assess the risk of chemicals to human health and the environment and restrict a chemical's production or use. The Centers for Disease Control and Prevention's [CDC] biomonitoring program, which measures internal chemical exposure in adults and children, shows that children are exposed to chemicals that may cause adverse health effects at certain levels. EPA typically concentrates on external sources of chemical exposure, such as chemicals in drinking water, and is seeking ways to use this biomonitoring data," according to the objective document.

According to the source familiar with the report, the agency responded that it agreed with GAO's finding that it needed to do more to coordinate with other agencies, such as the CDC's annual National Health and Nutrition Examination Survey (NHANES) study, the largest biomonitoring program in the U.S., which examines and tests the blood of 5,000 Americans age 6 and older.

EPA's response also states the challenges of using biomonitoring data in risk assessments and that additional research needs to be done, the source says.

"The issues of actually using biomonitoring data in risk assessment requires an understanding of what the data means," the source says. "How do you relate biomonitoring data to external exposure and health outcomes? That's the question." The source also considered biomonitoring a "surveillance tool," and says it "raises questions that need to be addressed in epidemiological studies."

EPA is working to develop collaborative research with CDC on how to "interpret and use biomonitoring data," Sally Darney, EPA's national program director for human health, told the agency's Science Advisory Board April 23.

EPA and CDC approach the question of exposure differently, explains an agency source: EPA works from the source of pollution or contamination while CDC monitors disease occurrences and chemicals found in people. "The idea is to work together," the source says. "Take the NHANES as a start, we could try to add environmental monitoring to NHANES." -- *Maria Hegstad*

EPA PACT WITH CALIFORNIA MARKS EARLY STEP TO SPEED IRIS RISK STUDIES (*Inside EPA*)

5/1/2009

EPA's key risk assessment center has signed an agreement with its California counterpart to standardize their risk assessments as a first step toward speeding completion of scores of risk assessments for the agency's Integrated Risk Information System (IRIS) database, including cumulative risk studies and other measures recently recommended by the National Academy of Sciences (NAS).

Peter Preuss, director of EPA's National Center for Environmental Assessment (NCEA) which manages the database, told members of the agency's Science Advisory Board (SAB) at an April 23-24 meeting in Arlington, VA, that NCEA has signed a memorandum of understanding (MOU) with California's Office of Environmental Health Hazard Assessment (OEHHA), which performs hazard assessments for the state, "to try to work together to standardize our risk assessments so we can in effect double in size."

The short-term goal of the MOU is for the two centers to share information about the chemicals they are assessing, Preuss said. In the long term, the goal is to "see if we can harmonize the way we do assessments," Preuss said. He added that EPA and the state's methods are "very close" and that the two are working on an implementation plan for the MOU.

The agreement with OEHHA is the first of a number of steps NCEA is considering to speed its assessments, according to Preuss.

The program, which contains highly regarded hazard assessments of nearly 600 chemicals, has been the subject of several congressional hearings after the Bush administration's implementation of a new process for finalizing the assessments was blamed for lengthy delays. A Government Accountability Office investigation last year found that the program was at risk of becoming obsolete because the assessments were taking so long to complete.

Preuss says the center is considering changes to the way IRIS assessments are performed, because it "has become clear that doing assessments one at a time, while that is very important and very useful, is not something we can do for the ever-increasing number of chemicals we're interested in."

To that end, Preuss described additional ways NCEA can increase the IRIS program's efficiency. He described several different paths under consideration for increasing NCEA's output, including performing assessments on groups of chemicals; adopting the use of high-throughput screening technologies; taking advantage of the data the European Union is collecting on thousands of chemicals through its new chemicals management law and implementing changes recommended in several NAS reports published in the past two years.

Preuss cautioned that there are "a number of directions we are thinking about," and that a course of action has not been decided upon, but that discussions about these options are taking place within the Office of Research & Development, and will later be discussed within the agency more broadly.

“In the near future, we’ll continue chemical-by-chemical assessments,” Preuss said. “But we’re also thinking about some other ways to look at chemicals that are different than what we’re doing.”

Preuss said he and other NCEA managers have discussed whether IRIS staff should instead assess “families of chemicals that are related structurally.” Another approach under consideration -- and one recommended in the NAS’ December 2008 report, *Phthalates and Cumulative Risk Assessment: The Tasks Ahead* -- is assessing as a group the chemicals that act upon the same health endpoint, Preuss said. Though the report focused on performing a cumulative risk assessment of phthalates and other chemicals that impact the developing male reproductive system, Preuss said the approach could be applied generally, as the NAS also suggested.

Preuss said that NCEA managers are considering a small number of pilots of assessing groups of chemicals that could be conducted “over the next few years to get experience and put together a path to follow in the future.” One pilot, a risk assessment of a half-dozen phthalates, is already underway, Preuss said. IRIS chemical managers are working on individual assessments for the phthalates, and are at various stages in the process, he said. The plan is to complete each individual assessment “and then ask how they contribute to cumulative risk,” Preuss said. “We want to do each one in a standard, consistent way, so the conclusions of one can relate to each other.” The phthalates pilot will be NCEA’s first example of a group assessment of a family of chemicals and a group of chemicals that act upon a similar health endpoint, he said.

In the longer term, Preuss says NCEA is looking to the promise of high-throughput screening, which could reduce the time, cost, number of animals used and many of the uncertainties inherent in existing toxicological work, which underlies hazard assessment. “The end result, we would hope, five, 10 or 20 years down the road these high-throughput tests would be well-enough developed and well-enough understood without a five-year animal test cycle and have developed so we can do risk assessment with this kind of data.”

Preuss noted that EPA’s National Center for Computational Toxicology (NCCT) has completed a first-round review of some 300 pesticides, and created a database to compare existing animal toxicology data about the chemicals to the results of the high-throughput tests. He added that it is “really important” for NCEA and NCCT to work closely together as the technology progresses, noting that EPA’s pesticides office is interested in using the technology for screening, not assessment. “It’s a question of false positives and false negatives,” Preuss said. “That’s why I think it needs a lot more development.”

EPA OFFICIAL SAYS TOXICS REFORM MAY BORROW ASPECTS OF FOOD QUALITY LAW (*Inside EPA*)

5/1/2009

A key EPA toxics official says that pending legislation to reform the Toxic Substances Control Act (TSCA) could borrow from aspects of the 1996 Food Quality Protection Act (FQPA), which set new standards for when pesticides are safe and put the burden on manufactures to prove “reasonable certainty of no harm.”

James Jones, acting assistant administrator for EPA's Office of Prevention, Pesticides & Toxic Substances, said April 29 at the CropLife America spring conference in Arlington, VA, that agency Administrator Lisa Jackson has identified chemicals management as one of her five priority issues. Jackson has "made it clear it's not enough" to continue using voluntary chemicals programs backed up with regulatory action, Jones said.

Environmentalists are strongly pushing chemicals law reform and looking to Sen. Frank Lautenberg (D-NJ) to reintroduce his Kid-Safe Chemicals Act, most recently introduced in the 110th Congress.

Jones said that Lautenberg's bill contains some key elements of the FQPA, which amended the Federal Food, Drug and Cosmetic Act and the Federal Insecticide, Fungicide and Rodenticide Act. The FQPA "fundamentally" changed the way EPA regulates pesticides, according to the agency's Web site, including setting stricter pesticide safety standards and ordering a complete reassessment of all existing pesticide tolerances.

"People think the [FQPA] worked," Jones said. He said that some of the "basic, big picture" aspects of the food protection law might be incorporated into legislation to reform TSCA, including the law's safety standards and mandatory time-frame for providing data on pesticides.

Under existing toxics law, EPA must show that a "chemical of concern" poses an "unreasonable risk," while the standard in prior versions of the Lautenberg bill was similar to that of FQPA, which puts the burden on manufactures to show that pesticides pose "reasonable certainty of no harm."

Lautenberg's office has said the senator intends to introduce and move the bill this session of Congress. A House Energy & Commerce subcommittee has already held the first of many hearings on chemicals reform.

Activists argue voluntary programs like the Chemicals Assessment and Management Program (ChAMP) are inadequate in collecting information about industrial chemicals. "EPA's ability to require data to be developed that are sufficient to conduct a robust assessment of a chemical's risks is highly constrained under TSCA," Richard Denison of the Environmental Defense Fund said in a 2008 critique of ChAMP. "That's why it is now proposing yet more voluntary initiatives, even though EPA's recent voluntary programs have received low marks."

Meanwhile, the Environmental Working Group (EWG) has invited Lautenberg and Jackson to a May 4 event in Hackensack, NJ, to discuss U.S. chemicals reform. According to a EWG press release, Deirdre Imus will give a keynote speech at the event, while EWG executive director Richard Wiles, Lynn Goldman of Johns Hopkins School of Public Health, Richard Cizik, formerly with the National Association of Evangelicals, and Winsome McIntosh, founder and president of activist group Rachel's Network, are also slated to appear.

Studies show some flame retardants decreasing in wildlife (*Greenwire*)

Sara Goodman, E&E reporter

04/30/2009

Levels of flame-retardant compounds in wildlife are declining in northern countries, suggesting that curbs on the chemicals are working, according to two new studies.

The studies published in the most recent edition of the journal *Environmental Toxicology and Chemistry* examine concentrations of polybrominated diphenyl ether (PBDEs) and hexabromocyclododecanes (HBCDs) over 20 years in Canada and Norway.

While use of those chemicals is uncommon in those countries, the compounds have been found in the environment and in the bodies of animals migrating north.

A **study** examining data on Lake Ontario trout between 1979 and 2004 found that PBDE concentrations increased until the mid-1990s, then leveled off or fell. HBCD levels also fell, although not as quickly.

The second **study** focused on PBDE and HBCD in seabird eggs in northern Norway between 1983 to 2003 and produced findings that echoed the Canadian research. PBDE concentrations increased until 1993, then fell through 2003. But HBCD levels increased in the Norway study, which the researchers were unable to explain.

Researchers credited the decline to government policies aimed at reducing PBDEs, which studies suggest can cause cancer. Within the past year, studies have found undescended testicles in babies whose mothers had high levels of the chemicals, decreased sperm quality in men and effects on thyroid function.

Some countries and several U.S. states have limited or banned the most common types of the chemicals, but older furniture or carpet containing the compounds are still in use and still for sale in some places.

The two studies are important for understanding how to prioritize chemical regulations, the researchers wrote. The studies also provide a window into how replacement chemicals are interacting in the environment.

[Click here](#) to read the Canadian study.

[Click here](#) to read the Norwegian study.

WATER

EPA finds chemicals and pharmaceuticals in fish across the US (*Creative Loafing Tampa*)

May 1, 2009 at 6:30 am by [Kevin O'Dunn](#)

It turns out that not only is fish a great source of Omega 3 fatty acid, fish is easily fortified with pharmaceuticals that treat anything from high blood pressure or the risk of unwanted pregnancy to high cholesterol and bipolar disorder. How, you ask?

Waste water treatment plants used to be called sewage treatment plants but no one wanted a sewage treatment plant on the banks of their river so we began calling them “Waste Water Facilities”. Waste water facilities do well at allowing the human waste collected for treatment to reach a neutral state of organic activity with out the spectrum of bacteria and viruses that are present in raw sewage. Treated sewage is used many ways, some of it is processed beyond the “treatment” stage by breeding worms in it and then capturing the discharge from the worms to use as organic fertilizer; what happens in Orlando, and other cities in Florida, is that this worm step is not taken — the treated sewage is released into the river.

The now organically acceptable treated sewage disperses along the downstream current and fish benefit from the added nutrient, grasses are more plentiful and the food chain thrives, except that, in the treated sewage, there is all the pharmaceutical stuff our bodies did not metabolize. All the blood pressure medicine and birth control hormones, cholesterol lowering drugs, allergy medicines, and behavior drugs used to treat bipolar disorder and depression.

The EPA captured fish down stream from waste water treatment facilities in Orlando, as well as in Chicago, Dallas, Phoenix and Philadelphia. The EPA then [researched and exposed 24 pharmaceuticals](#) that found their way into the fish flesh. They also tested for industrial elements like soaps and fragrances, that make their way into waste water, which was also found.

Some time ago the AP reported that over 46 million citizens are at risk from trace amounts of pharmaceuticals in drinking water. The EPA is supposed to be launching a population study on the long term effects of imbibing trace levels of random drugs.

The levels of drugs and industrial chemicals in the fish are not high; this, like all environmental dangers is going to be understood in the long term. We can identify that the drugs are there and we can say with some confidence that the drugs at that level are not going to kill you, and for sure one meal of fish with trace amounts of birth control hormones is not going to make a person sterile; but the long term consequence of eating [drug polluted fish](#), drinking drug polluted water, and the effect the drugs will have on the breeding cycles and growth of the fish, is a major concern.

Live Well.

EPA seizes Crestwood files (*Chicago Tribune*)

Raid comes after tainted-well report

By Michael Hawthorne and Carmen Greco Jr.

April 30, 2009

Illinois

Federal agents raided government offices in south suburban Crestwood on Wednesday, less than two weeks after a Tribune investigation revealed the village had secretly pumped drinking water from a polluted well for more than two decades.

Acting on a search warrant obtained by U.S. Atty. Patrick Fitzgerald's office, investigators from the U.S. Environmental Protection Agency spent most of the day collecting records from Crestwood Village Hall, the public works department and the Police Department. They carted away several boxes of documents and took computers for further review.

The involvement of federal prosecutors signals a significant turn in the case. Most violations of environmental laws are handled in civil court, and criminal pollution investigations typically are directed at corporations and individuals, not municipalities.

Agents on the scene in Crestwood wouldn't say much, nor would Fitzgerald's office. But the raid closely followed the Tribune's April 19 report that village residents for years drank water contaminated with chemicals linked to cancer, liver damage and other ailments.

"We're looking for evidence of any environmental crimes we can find," said Randall Ashe, special agent in charge of the EPA's Midwest criminal office.

Fifteen EPA investigators served a warrant at Village Hall about 9 a.m., joined by uniformed Illinois State Police and agents from the Coast Guard.

As federal agents continued to work inside the hall, Mayor Robert Stranczek issued a one-sentence statement from the front steps: "Right now our drinking water is 100 percent safe and the village doesn't believe there was anything wrong with it prior to this."

Records obtained by the Tribune show that although Crestwood officials have told residents all their tap water was treated Lake Michigan water bought from neighboring Alsip, they were still taking a portion of the village's water supply from the polluted well.

The well was finally shut in late 2007, when the Illinois EPA tested the water for the first time since 1986. State officials found the well was contaminated with two chemicals,

dichloroethylene and vinyl chloride, which is so toxic the U.S. EPA says there is no safe level of exposure.

In an interview Friday with the Tribune, Stranczek acknowledged he has known about the use of the well since at least 1997, when he became a village trustee. He was appointed mayor in 2007 when his father, Chester, retired after leading the village for nearly four decades.

Village officials, as well as the state EPA, knew the well was contaminated at least as early as 1986, records show. They also heard about the contamination in 1998, when village officials were on hand as contractors tested the well and found dichloroethylene in the water.

The contractors were investigating pollution from a dry cleaner less than 300 feet from the well, according to a letter found in state files. A dry-cleaning solvent that had leached into the ground, perchloroethylene, breaks down into dichloroethylene and vinyl chloride.

Federal and state officials vowed to take swift action after the Tribune first reported about the polluted well. Gov. Pat Quinn and Illinois Atty. Gen. Lisa Madigan have proposed tougher rules for municipal water systems and for state agencies, which failed to notify Crestwood residents that their water was contaminated.

U.S. Rep. Bobby Rush (D-Chicago), who represents Crestwood, has urged the U.S. EPA and the Justice Department to investigate.

Wednesday's raid was led by the Chicago office of the EPA's criminal division, a little-known group that agency officials in Washington have recently promoted more aggressively. The EPA even created a most-wanted list of environmental scofflaws, most accused of illegal dumping or importing banned chemicals.

One of the division's most recent convictions came in an unrelated case from Crestwood. James Spain, owner of the cleaning-products maker Crown Chemicals, was sentenced Feb. 4 to one year of home confinement and fined \$30,000 after pleading guilty to charges that his company illegally dumped toxic chemicals into local sewers.

In October, Ashe and his team raided the offices of the Gary Sanitary District in Northwest Indiana. Most of the agency's other criminal cases involve businesses or individual polluters.

Left unanswered in Crestwood is whether the contaminated water might have contributed to any diseases or illnesses. Officials have not tried to answer that difficult question, which has been on the minds of many current and former residents.

Michael Hawthorne is a Tribune staff reporter. Carmen Greco Jr. is a freelance reporter.

BAUCUS PLAN MAY SPLIT DEMOCRATS ON EVE OF CLEAN WATER BILL MARKUP (*Inside EPA*)

5/1/2009

Just days before a planned Senate environment committee markup of legislation to clarify the scope of the Clean Water Act (CWA), Sen. Max Baucus (D-MT) is floating an alternative proposal that could split committee Democrats over the issue.

Baucus' plan, crafted as a substitute amendment to Sen. Russ Feingold's (D-WI) bill, S. 787, hews closely to a proposal from the Environmental Council of the States to codify EPA's regulatory definition of "waters of the United States," while codifying for the first time EPA regulatory exemptions for waste treatment facilities and prior converted croplands, according to a copy of the proposal obtained by *Inside EPA*. *The plan is available on InsideEPA.com.*

Environmentalists late last year largely rejected a similar proposal, in part over its codification of the EPA regulatory exemptions. Eight of 11 Democrats on the committee have already cosponsored Feingold's bill, S. 787, including Chairwoman Barbara Boxer (CA).

But Baucus, Amy Klobuchar (MN) and Tom Udall (NM) have not signed on to the legislation. An industry source says the substitute amendment "indicates how fatally flawed the Feingold proposals is, that somebody, especially a Democrat, had to float an alternative like this."

The industry source says there is unease among some committee Democrats about Feingold's bill, and that "it's a group -- it's not limited to one or two" of the lawmakers. Sen. Ben Cardin (D-MD), the chair of the clean water subcommittee, has said that he expects the Feingold bill to make it out of committee but that its floor prospects are "uncertain."

In the face of staunch Republican opposition, Boxer had said at a hearing on the issue in 2008 that she was looking to Baucus to help craft a compromise. "You have a way of finding that sweet spot [that will move legislation forward]," she said at a hearing last April. But it is not clear whether Boxer will support Baucus' amendment at the markup. Boxer's spokeswoman did not return requests for comment.

The Senate Environment & Public Works Committee is slated to mark up S. 787 May 7, sources say.

Feingold's bill seeks to clarify the scope of the water act in the wake of several Supreme Court rulings that critics say have narrowed the law's jurisdiction over isolated wetlands, intermittent streams and other marginal waters. In *Solid Waste Agency of Northern Cook County (SWANCC) v. Army Corps of Engineers*, the court limited the basis for asserting jurisdiction over solely intrastate waters, while in *Rapanos, et ux., et al. v. United States*, the court provided two competing tests for determining jurisdiction.

To address concerns that the two rulings have narrowed the law's scope beyond congressional intent, Feingold's bill eliminates the law's current language that subjects only "navigable" waters to jurisdiction, which the high court had sought to interpret in its two rulings.

Feingold and Rep. James Oberstar (D-MN) introduced versions of the bill in the last Congress but faced stiff opposition from industry and Republicans, as well as Democrats from rural districts.

Baucus' draft language strikes the law's current jurisdictional focus on "navigable" waters but requires waters to be connected to interstate commerce for EPA to retain jurisdiction and also includes key portions of EPA's regulatory definition of "waters."

In general, the bill says waters fall under the act's jurisdiction if they are "currently used, were used in the past, or may be susceptible to [use] in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide," the draft says. Such a definition evokes language in an 1870 Supreme Court case, *The Daniel Ball*, that established a key navigability test for U.S. waters.

The draft also grants EPA jurisdiction over solely intrastate waters -- which the high court had limited in *SWANCC*, if "the use, degradation, or destruction of which would or could affect interstate or foreign commerce."

The list of intrastate waterbodies includes "lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds" -- the same list of waterbodies found in EPA's regulatory definition.

Baucus' bill includes in its statutory language two key exemptions from the CWA that industry has sought: waste treatment systems and prior converted croplands. One environmentalist reiterated that activists are opposed to codifying the exemptions, currently contained in EPA rules, because it would forever shut the door to regulating those areas under the CWA. But the source expects them to be included in the final bill that passes committee.

Baucus' bill also includes EPA's regulatory definition of wetlands, which has not been included in past proposals.

The bill requires EPA to promulgate regulations within 90 days "as are necessary to implement" the bill. The industry source says this requirement could force EPA to more clearly define the scope of the water law in a rulemaking, which industry groups have long sought.

But industry is concerned that one of the bill's findings says the intent of the bill is to reflect EPA's regulatory definition prior to the *SWANCC* case. In *SWANCC*, the Supreme Court struck down the so-called migratory bird rule, holding that the presence of migratory birds was an insufficient nexus to interstate commerce to justify regulating isolated intrastate waters.

The industry source says while the language allowing the migratory bird rule would be problematic, the bill is worth reviewing. "Sen. Baucus is a serious legislator, and this proposal reflects that."

The Senate dispute comes as environmentalists are increasingly frustrated by the lack of support from the Obama administration for Feingold's legislation. "It's mystifying to me" that the Obama EPA hasn't endorsed specific language, one environmentalist says, especially with Obama's clear endorsement of the legislation during his presidential campaign.

Administrator Lisa Jackson said earlier this month a "legislative fix" is necessary to clarify CWA jurisdiction, and suggested that a broad interpretation of the act's scope was desirable. But she did not go so far as to endorse specific legislation (*Inside EPA*, April 10). -- *Jonathan Strong*

OMB DATA DENIAL HINDERS EPA PUSH FOR NUMERIC STORMWATER LIMITS (*Inside EPA*)

5/1/2009

EPA's ability to pursue stringent numeric limits on the turbidity in stormwater discharges from construction sites is in doubt after the White House Office of Management & Budget (OMB) denied the agency's request to collect data to help the agency decide how it should regulate the discharges.

"It presents some problems for EPA," one industry source says of the OMB denial.

EPA is under a court-ordered deadline to set effluent limitations guidelines (ELG) for the construction sector by the end of the year. The agency late last year proposed three options for the ELG, with option 1 requiring non-numeric erosion and sediment control measures and options 2 and 3 requiring additional numeric limits of 13 nephelometric turbidity units (NTUs), a measure of water's clarity.

As part of the ELG proposal, EPA submitted an information collection request (ICR) to OMB for approval because option 2 "would require operators to perform turbidity monitoring that would entail measuring and recording the NTU level of effluent prior to discharge," EPA says in the draft ELG. The ICR on turbidity monitoring requirements for construction sites would provide data to EPA that could help justify choosing the more stringent stormwater control options.

But OMB last month denied EPA's ICR, telling EPA in a March 27 notice that the agency should resubmit the ICR at the final rule stage. "During the final rule, as EPA develops recordkeeping and reporting requirements, EPA should ensure that they comply with all aspects of the Paperwork Reduction Act and [federal regulations], including the requirements that the collection of information have practical utility . . . and that it reduce to the extent practicable and appropriate the burden on persons who shall provide information to the agency, including with respect to small entities," OMB says. *The notice is available on InsideEPA.com.*

The industry source notes that EPA must have an approved ICR in order to collect data, and without that ICR the agency may not be able to support a decision to require numeric turbidity limits. Given the court's deadline, "decisions have to be made sooner rather than later" on a final rule, making it unlikely EPA will attempt to repropose the ICR, the source says.

EPA's proposed ELG has drawn broad concerns from state officials and many in industry who say the numeric limit is costly and difficult to implement and may not achieve environmental benefits.

An EPA spokeswoman says OMB's approval of the ICR becomes relevant only when EPA issues a final rule.

REGULATORS EYE GENERAL PERMITS TO ADDRESS GROWING CWA 'UNIVERSE' (*Inside EPA*)

5/1/2009

EPA and state regulators are increasingly relying on broad, sometimes controversial Clean Water Act (CWA) general permits to address an ever-expanding universe of discharges requiring permits, most often in response to court mandates but also as a way to address pollution on a more comprehensive regional basis.

"Honestly, when I look at the challenging issues" of expanded CWA jurisdiction, vessel discharges and stormwater, general permits make the most sense," former Bush EPA water chief Benjamin Grumbles said April 23 at an American Law Institute-American Bar Association (ALI-ABA) conference on clean water law and regulation in Washington, DC.

State and current EPA officials who also spoke at the ALI-ABA conference echoed Grumbles assessment of the need for general permits, which permit classes of discharges, rather than individual permits that apply to specific facilities.

Linda Boornazian, director of EPA's water permits division, said the large growth of the National Pollutant Discharge Elimination System (NPDES) "universe" due to several recent court rulings, combined with only "steady" federal funding has pushed EPA to look for efficiencies and settle on the use of general permits.

Paul Davis, director of the Tennessee Department of Environment & Conservation's Water Pollution Control Division, said general permits are the only way states can keep up with the vast number of permits they are required to issue under the CWA. There is "no bigger issue than . . . where we are going with general permits," he said.

But the use of general permits is not without controversy. Grumbles joked that his prediction of the increased use of general permits would "sen[d] shivers down the spine" of environmentalists, who are often critical of general permits for not sufficiently controlling pollution and for being less focused than individual permits because it may be unclear who is seeking coverage under a general permit.

And Davis said regulators could be facing a "train wreck" when they attempt to use general permits for some discharges, such as those from concentrated animal feeding operations, in light of requirements for full regulatory review and public participation.

Grumbles said he agrees there needs to be accountability from dischargers, but at the same time there also needs to be flexibility in meeting CWA requirements.

Reed Super, an attorney who has represented environmental groups in key CWA litigation and who also spoke at the conference, acknowledged that he is concerned about a possible increase in the use of general permits. "General permits, if not done properly, take away all benefits of the NPDES program," Super said.

Prior to two recent court rulings covering discharges from vessels and the spraying of pesticides on or near water, there were approximately 45,000 facilities covered by an individual NPDES permit

and 350,000 permittees covered by a general permit, according to EPA officials. But those two court decisions combined have required EPA to issue permits to cover an additional 435,000 dischargers - more than doubling the size of the NPDES program -- and a third pending case involving water transfers could require permits for several thousand more entities, EPA officials say.

EPA chose to use a general permit approach to meet a court-ordered deadline to regulate 26 types of discharges from vessels including ballast water, bilge water and greywater. Both industry and environmental groups sued over the Dec. 18 Vessel General Permit (VGP), but the agency has been meeting with the plaintiffs, which sources say indicates a possible willingness by the Obama administration to settle the dispute and avoid a loss in court by revising the permit.

Boornazian said the agency is “working through obviously what the next iteration [of the VGP] might look like and trying to help people understand how to implement it.”

Grumbles acknowledged the VGP is controversial, but said the approach has some congressional support and is likely to become a model for other permitting challenges. “Look for future expansions in the use of general or area-wide permits if EPA is directed to rescind or revise its June 2008 water transfer rule,” he said.

The U.S. Court of Appeals for the 11th Circuit is currently weighing whether water transfers in the Everglades must receive NPDES permits in *Friends of the Everglades, et al. v. South Florida Water Management District, et al.* The case stems from a 2006 ruling from a federal district court in Florida, which held that water transfers are subject to NPDES permits.

A related legal challenge to EPA’s 2008 rule exempting such transfers from NPDES requirements is on hold in the 11th Circuit until the appellate court has ruled in the Everglades case. Both cases revolve around the plain language meaning of the CWA in regards to whether transferring water from one source to another constitutes the “addition” of pollution, an issue the high court has already sidestepped when it reviewed an earlier version of the Everglades case in 2006.

EPA is also weighing the use of general permits in response to the Jan. 7 ruling from the U.S. Court of Appeals for the 6th Circuit in *National Cotton Council, et al. v. EPA* that vacated an EPA exemption for pesticide application from NPDES permits. Since the court ruled that pesticide spraying amounted to a point source discharge, spraying without a permit would face liability as an unpermitted discharge.

EPA April 9 filed with the court seeking a two-year stay, as urged by state water regulators, declining to appeal the ruling, but industry group CropLife America April 9 filed its appeal for an *en banc* hearing. “It is a significant activity,” Boornazian said, adding, “We don’t want to be in a situation like we were in vessels,” where the agency had to roll out a general permit under a very tight time schedule.

Kevin Minoli, EPA assistant general counsel for CWA scope and implementation, said that while general permits are often viewed as being a relatively quick way to permit discharges, they “are a challenge to do, especially if EPA hasn’t permitted the activity before,” which is the case for the vessel and pesticide discharges.

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COURT LIMITS EPA DISCRETION UNDER CWA WHEN VETOING CORPS PERMITS (*Inside EPA*)

5/1/2009

In a precedent-setting ruling, a federal court has limited EPA's discretion under the Clean Water Act (CWA) in determining whether or not it will veto a U.S. Army Corps of Engineers permit, holding that the agency is obligated to veto a permit if the project is likely to result in "adverse effects."

The ruling late last month from the U.S. District Court for the District of Columbia was a first-time test of the court's earlier holding in the case that environmentalists have a right under the Administrative Procedure Act (APA) to sue to require the agency to veto a permit. *The ruling is available on InsideEPA.com.*

The holding, if upheld in any appeal, could give EPA and activists new leverage to block or amend so-called dredge-and-fill permits likely to cause water quality harms, a key concern for environmentalists seeking to block pending mountaintop coal mines in Appalachia that rely on the permits.

In fact, the ruling comes as Obama administration officials are facing concern from Sen. James Inhofe (R-OK), the ranking Republican on the Senate environment committee, over EPA's decision to delay six Corps mountaintop mining permits, and possibly another 200, that Inhofe says have already been reviewed. "It would seem that EPA's additional reviews are creating unnecessary delays and compounding a nearly 3-year backlog of such permits. For these reasons, it's important to discern the key environmental issues being raised by EPA, and why additional review is needed," Inhofe said in an April 20 letter to EPA Administrator Lisa Jackson.

A spokesman for the Department of Justice says the government is reviewing the ruling and considering its options. But an environmentalist involved in the case says while there have been no indications of the government's future plans for the case, "I would be surprised if they don't [appeal.]"

The case, *Alliance to Save the Mattaponi, et al. v. U.S. Army Corps of Engineers, et al.*, pits the Corps and EPA against local environmentalists and a Native American tribe in a fight over a permit issued by the Corps for the planned King William Reservoir project, a 1,526-acre project in Virginia that EPA has said would result in the largest destruction of wetlands in the mid-Atlantic region in the history of the CWA.

EPA is authorized under the water act to veto section 404 wetlands permits issued by the Corps, an authority the agency rarely uses. In a 2007 ruling in the same case, the court ruled that environmentalists are entitled to sue EPA for choosing not to veto a Corps project under the APA, since the decision is a "final agency action." The court at the same time dismissed charges under the CWA's citizen-suit provision. EPA moved for reconsideration of the 2007 judgment, but was denied it by the court.

Now, the court in a March 31 ruling has limited EPA's discretion when choosing to veto a 404 permit, finding that EPA's decision not to veto the permit in question was arbitrary and capricious. The court remanded the permit to EPA and the Corps.

In its brief, the agency made several arguments charging that it was not required to veto the permit. Donald Welsh, who served as EPA Region III administrator, argued that he had discretion whether to initiate veto proceedings even if EPA disagrees with the Corps' permitting decision. Walsh argued that initiation of veto proceedings would take resources away from other EPA obligations, such as other 404 permits and mandatory environmental reviews required by the National Environmental Policy Act, and, given the extensive public process already allowed by the Corps, a new public comment process was "unlikely to yield any new information." Welch also argued that some means of increasing water supply was necessary and said he expected the permit to be litigated regardless of how EPA acted.

"It was my view that exercise of EPA's Section 404(c) authority would add a layer of process and delay without substantially contributing to the ultimate resolution of the issues," he said in a statement to the court.

But the court rejected these arguments. "It is clear that the Administrator's decision not to veto the permit was not based on his determination that the permit would not likely have unacceptable adverse effects, but on a whole range of other reasons completely divorced from the statutory text," the court ruled.

But in its ruling, the court held that while the statute authorizing EPA to veto permits is non-discretionary, the agency enjoys some discretion under the law when to veto. "The statute authorizes the Administrator to veto a permit '*whenever he determines . . . that [it] will have an unacceptable adverse effect. . .*' To be sure, this grants the Administrator 'a degree of discretion,'" the ruling says.

But the court cites the Supreme Court's landmark holding in *Massachusetts, et al., v. EPA, et al.*, saying that this discretion "is not a roving license to ignore the statutory text. . . . Instead, the Administrator's exercise of discretion must relate to whether the permit will 'have an unacceptable adverse effect on municipal water supplies, shellfish beds and fishery areas . . . wildlife or recreational areas,'" the ruling says.

DRAFT SENATE WATER BILL SILENT ON KEY POLICY, FUNDING MEASURES (*Inside EPA*)

5/1/2009

The Senate environment committee is poised to consider legislation reauthorizing EPA's key clean water and drinking water programs but the draft bill is still silent on several key policy and funding provisions that could create differences with the House-passed version of the bill, according to a draft version obtained by *Inside EPA*.

The panel is preparing to markup the water funding bill, as well as legislation addressing the scope of the Clean Water Act (*see related story*) at a markup that may be held around May 7.

The draft bill seeks to reauthorize EPA drinking water and wastewater funding through the clean water and drinking water state revolving loan funds (SRF). The draft provides \$20 billion over five

years for the clean water SRF, an amount significantly higher than the \$13.8 billion authorized by a recent House bill, H.R. 1262, which was developed by the Transportation & Infrastructure Committee. *The draft bill is available on InsideEPA.com.*

The Senate bill provides \$13 billion over five years for the drinking water SRF, an issue the House bill did not address because it is within the jurisdiction of the energy committee.

The Senate bill is also silent on a number of provisions included in H.R. 1262, including so-called “Buy America” provisions requiring American-made construction materials that states and some equipment manufacturers were hoping to keep out of the Senate bill (*Inside EPA*, April 10).

The Senate draft is also silent on funding for CWA section 106, which funds permitting and enforcement; a “green” infrastructure set-aside; a controversial allocation funding formula that determines how much each state receives; and any funding for regional programs, such as the Great Lakes, Chesapeake Bay, Puget Sound and Gulf of Mexico multi-state watersheds.

A state source following the legislation notes that many are concerned that there is no CWA Section 106 funding -- funds earmarked for permitting and enforcement -- included in the draft Senate version of the bill especially given the growing universe of new water permits. It is “a real concern,” the state source says.

The House bill includes \$300 million per year for the program, while a 2002 EPA report said that at the time there was an \$800 million funding gap, which state sources say is now estimated to be \$1 billion. The Environmental Council of States recently called for a \$540 million per year authorization.

The Senate bill also does not include a set-aside for “green” infrastructure funds like the one included in the House legislation and the economic stimulus. “They kept the language the same so far from last year, but I have heard that there’s at least some environmentalists who are promoting a 15 percent set-aside,” the state source says.

In H.R. 1262, the T&I committee required EPA to set aside as much as 25 percent of the total SRF funds for such projects. And once the bill reached the House floor, lawmakers attached several amendments to include additional green infrastructure measures, including a \$100 million set-aside for green infrastructure funds to address stormwater and requirements that 20 percent of the combined sewer overflow and sanitary sewer overflow funds go to green infrastructure.

Instead, the draft Senate bill reiterates language from a bill passed the committee last year that establishes a priority system for distributing clean water SRF money that gives greater weight to applications that use non-traditional ways to treat or minimize sewage or urban stormwater discharges, including green infrastructure technologies and nonstructural approaches; stream buffers; actions to minimize the quantity of and direct connections to impervious surfaces; and soil, vegetation or other permeable materials. The bill also places additional focus on energy efficiency measures at wastewater and drinking water treatment facilities, as well as water efficiency and conservation. The bill also allows states to forgive up to 5 percent of a loan used for green infrastructure projects.

Unlike the House bill, which instructs EPA in 2012 to establish a new formula for distributing clean water SRF funds to states, the Senate bill is silent on the issue.

And the draft bill does not include any regional program funding, such as the House bill’s \$150 million to clean up contaminated sediment in the Great Lakes, a program strongly supported by the Obama administration. An industry source following the draft legislation was surprised to not see any

funding for the Chesapeake Bay either, considering water panel Chair Benjamin Cardin's (D-MD) strong support for the watershed, which is partially in his state and is often pointed to as a high priority for EPA and a launching ground for new water cleanup policy.

The draft bill is also silent on several measures that House lawmakers added on the floor, including requiring EPA to address presence of pharmaceuticals and personal care products in water and language requiring notification of sewer overflows.

But the draft bill does include language drawn from a bill introduced in the Senate last year by Ohio Sens. George Voinovich (R) and Sherrod Brown (D) requiring EPA to amend its combined sewer overflow guidance to allow wastewater agencies to take a variety of local and economic conditions into consideration when deciding rate schedules. The House bill does not address this issue.

OCEAN RENEWABLE INDUSTRY FAILS TO WIN CONSOLIDATED NEPA POLICIES (*Inside EPA*)

5/1/2009

Ocean renewable energy industry officials have so far failed in their bid for lawmakers and agencies to consolidate the government's environmental reviews of projects that use the ocean to generate energy, and while industry continues to favor such consolidation there now appears to be fewer options for moving their provisions.

In recent weeks, industry argued that a consolidated National Environmental Policy Act (NEPA) process was necessary because the oversight of marine renewable energy -- such as wave energy - is divided among federal agencies, leading to duplicative reviews that could be time consuming and expensive for the industry.

The ocean renewable industry had been in discussions with Rep. Jay Inslee's (D-WA) staff in an effort to include a measure to consolidate the NEPA process in the congressman's marine renewable energy bill. And the industry had urged the Minerals Management Service (MMS) to ease the environmental review process in its final regulation for alternative energy development on the outer continental shelf (OCS).

However, Inslee's bill, introduced April 28, and a companion bill introduced by Sen. Lisa Murkowski (R-AK) April 29 do not include the provisions and the final MMS rule also opens the door to multiple environmental reviews for marine renewable projects, one industry source says.

Industry had sought the legislative and regulatory provisions to avoid a duplicative environmental review process that resulted in part from an April 9 memorandum of understanding (MOU) between the Department of Interior, which oversees the MMS, and Federal Energy Regulatory Commission (FERC). The agreement clarified which agencies have jurisdiction over renewable energy projects on the OCS, giving MMS jurisdiction over leasing for ocean renewables, and FERC jurisdiction over licenses for hydrokinetic projects, such as wave power projects.

Industry raised concerns about how this agreement will impact the NEPA process. “This requirement is a bit troubling because it suggests that there will be two NEPA processes -- one for the lease and one for the license, rather than a uniform NEPA process,” the Ocean Renewable Energy Coalition said in a statement.

To resolve these issues, industry sought to have two provisions included in Inslee’s marine renewables bill to help consolidate the environmental review process for marine renewable projects.

One measure would have imposed a unified management process on the agencies overseeing the environmental requirements for ocean renewable projects, the industry source says. Under the process, a renewable developer would submit a single application for the MMS and FERC NEPA analyses, the industry source says. The application would also apply for environmental permits, such as dredge and fill permits under section 404 Clean Water Act that are overseen by EPA, and Coastal Zone Management Act reviews that are overseen by National Oceanic and Atmospheric Administration, the source says.

Industry also sought a provision to establish a task force to develop a uniform NEPA protocol that agencies must follow for ocean renewable projects, the industry source says. The White House Council on Environmental Quality could be brought in to help the agencies negotiate an agreement on the protocol, the source says.

The legislative proposals proved to be too controversial and were stripped from the marine legislation, the industry source says. Instead, the bills provide federal research funding, tax incentives, technology verification and an adaptive management fund that reduces the cost of environmental reviews for marine pilot projects.

Industry also urged MMS to ease the NEPA process in its regulations for alternative energy development on the OCS. For example, MMS could have decided that the programmatic environmental impact statement for ocean renewables, which was completed in 2007, satisfies the leasing environmental review requirements, or decide that leasing qualifies for a categorical exclusion from NEPA review requirements, the industry source says.

But the MMS final rule for alternative energy development on the OCS, issued April 22, takes limited steps to streamline NEPA review by combining the lease sale and site assessment reviews, which reduces the number of NEPA and CZMA reviews from three to two, and eliminating a requirement for MMS approval of site assessment surveys.

But the industry source says it is unclear whether the MMS site assessment is the same as the review that FERC will conduct, so there is still potential for two reviews at MMS and one review at FERC.

MMS also declined to set any categorical exclusions at this time, saying, “As the program matures, MMS will review the impacts from the program and make a determination whether we can recommend categorical exclusions to the Council on Environmental Quality.”

Although industry would still like to see policy that consolidates the NEPA process, the recent bills and MMS rule appear to have limited their options for moving the provisions. There are rumors that lawmakers could draft legislation that would remove FERC’s oversight of marine renewables, which could address some of industry’s concerns, but there is no such legislation at this time, the industry source says. And industry will continue to work on model MOUs that could help agencies coordinate their oversight of the projects, the source says.

EPA EYES NEW URBAN STREAM PLAN, SHELVED SSO RULE TO LIMIT STORMWATER (*Inside EPA*)

5/1/2009

EPA staff are reconsidering options to help limit harmful discharges from urban stormwater runoff, including a new focus on previously unregulated urban streams and a possible new effort to finalize the agency's long-contentious sanitary sewer overflow (SSO) policy, which was proposed during the waning days of the Clinton administration but which was shelved by the Bush administration.

Environmentalists and agriculture industry officials say urban stormwater runoff is an increasingly harmful source of nutrients and other pollutants and are calling for EPA to take a more holistic approach to addressing stormwater pollution.

EPA's water permits division Director Linda Boornazian told an American Bar Association conference April 23, "Our latest thinking is that we're going to start focusing on an urban rivers initiative," in terms of the agency's stormwater program. The plan is still in a very early stage, Boornazian told *Inside EPA*.

Activists have long been pushing for a focus on urban stormwater runoff, and some in the agriculture industry see stormwater from impervious surfaces as a greater problem than agricultural runoff, and one that is growing.

At the same time, sources say that EPA wastewater chief Jim Hanlon recently told stakeholders at a meeting of municipal representatives that staff are "dusting off" the SSO policy for another look under the new administration.

SSOs occur when untreated sewage spills from a collection system or treatment facility, often during extreme wet weather events when stormwater infiltrates a sewer system and overloads the system's capacity.

Officials from publicly-owned treatment works (POTWs) have long argued that a national policy is needed to establish national compliance standards for treatment facilities and avoid a piecemeal approach that could result in confusion over what wastewater plants are required to do.

EPA previously proposed an SSO rule during the Clinton administration, with then-EPA Administrator Carol Browner signing the proposed regulation in January 2001. But the Bush administration withheld the Clinton proposal from publication in the *Federal Register*.

While promulgation of a rule has long been a priority for POTWs, the policy stalled as environmentalists resisted industry efforts to ensure EPA's rule included an affirmative defense that would shield them from enforcement action if a sewer overflow occurred despite the system's best efforts.

Industry sought the liability defense because while EPA's combined sewer overflow policy -- which addresses sewage and stormwater together -- allows some unintended spills, SSOs are not permitted any overflows.

Industry sources say that EPA staff may be taking another look at SSO policy. An EPA Office of Water source says that the policy is definitely on the table. The agency is “looking at all these types of things that were put on a shelf or lost in a queue somewhere,” another POTW source says.

An EPA spokeswoman, however, said in an e-mail, “We don’t have any new direction on this issue.” The spokeswoman did not respond to questions about Hanlon’s comments.

Clarification (*Inside EPA*)

5/1/2009

An article in our April 3 issue, “Absent EPA, Standards Group Crafts Melamine Drinking Water Level,” may have mischaracterized the potential risks posed by exposure to melamine, a chemical found in some pipes. While some reports suggest exposure poses both reproductive and kidney risks, NSF-International, which recently completed a hazard assessment, says there is no evidence to suggest the chemical is a reproductive toxicant.

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**U. S. Environmental Protection Agency
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Prepared by the Office of Public Affairs

Friday, January 11, 2013

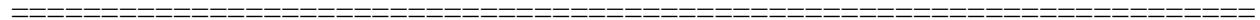


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(BNA articles can be viewed online <http://Intranet.epa.gov/desktop/news.htm>)

Tuesday, September 1, 2009

ADMINISTRATOR JACKSON



EPA to declare CO2 a dangerous pollutant (*San Francisco Chronicle*)

Jennifer A. Dlouhy, Hearst Washington Bureau
Tuesday, September 1, 2009

(09-01) 04:00 PDT Washington --

Carbon dioxide will soon be declared a dangerous pollutant - a move that could help propel slow-moving climate-change legislation on Capitol Hill, the head of the Environmental Protection Agency said Monday.

EPA Administrator Lisa Jackson told reporters that a formal "endangerment finding," which would trigger federal regulations on greenhouse gas emissions, probably would "happen in the next months."

Jackson announced her timeline even as top senators said they were delaying plans to introduce legislation that would set new limits on carbon dioxide emissions. Senators had been scheduled to unveil legislation next Tuesday, but the date has now been pushed back to later in September.

The House narrowly passed a broad energy and climate-change bill in June, but supporters have moved more slowly in the Senate, where the issue has been trumped recently by work on the health care overhaul.

The EPA kick-started the regulatory process in April when it proposed declaring carbon dioxide and five other greenhouse gases as pollutants that jeopardize the public health and welfare. EPA scientists believe the greenhouse gases contribute to global warming by trapping heat in the Earth's atmosphere.

The EPA can formalize the finding anytime, now that it has closed a 60-day public comment period that netted more than 300,000 responses.

A formal endangerment finding would obligate the agency to regulate greenhouse gas pollution under the Clean Air Act - even if Congress doesn't pass a final climate-change bill.

President Obama and Jackson have said they would prefer that Congress - rather than the EPA - take the lead in implementing new greenhouse gas limits. Businesses and energy industry leaders also have largely favored congressional action over EPA-imposed limits, because they believe lawmakers are better positioned to combine economic safeguards with any new carbon cap.

"Legislation is so important, because it will combine the most efficient, most economy-wide, least costly (and) least disruptive way to deal with carbon dioxide pollution," Jackson said. "We get further faster without top-down regulation."

But Jackson insisted the EPA would continue on a path that began when the Supreme Court ruled in 2007 that greenhouse gases qualified as pollutants and could be regulated if the government determined they threatened the public.

"Two years is a long time for this country to wait for us to respond to the Supreme Court's ruling," Jackson said.

Supporters of climate change legislation are hoping the threat of EPA-mandated limits will spur congressional action.

Sens. Barbara Boxer, D-Calif., and John Kerry, D-Mass., had been planning to introduce their own climate change bill next week. But in a joint statement Monday, the pair said they were delaying the bill introduction until "later in September" because of the death of Sen. Edward Kennedy, D-Mass., Kerry's hip surgery in August, and Kerry's membership on the Finance Committee, which is negotiating health care.

Sen. James Inhofe of Oklahoma, the top Republican on Boxer's Environment and Public Works Committee, said the delay "is emblematic of the division and disarray in the Democratic Party over cap-and-trade and health care legislation."

AIR

EPA sues Illinois power plants! (*Justice News Flash*)

2009-09-01 03:50:06 (GMT) (JusticeNewsFlash.com - Government, Justice News Flash)

Written by Nicole

Legal news for Illinois government attorneys. Midwest Generation charged with violating the Clean Air Act.

Illinois government attorneys alert- The Environmental Protection Agency sues Illinois coal-fired power plants for violations of the Clean Air Act.

Chicago, IL—Illinois Attorney's General's office, and the Justice Department filed a civil lawsuit on behalf of the U.S. Environmental Protection Agency (EPA) <http://www.epa.gov/> against Midwest Generation LLC on Thursday, August 27, 2009 in the Northern District of Illinois. The civil complaint accuses Midwest Generation of repeated violations the Clear Air Act, as reported by the EPA.

The lawsuit accuses Midwest Generation, which owns six coal-fired power plants, of neglecting to install the federally required pollution control system when they conducted major modifications to its Illinois-based plants. As a result of failing to install the pollution control system, the power plants released vast amounts of sulfur dioxide, nitrogen oxide, and particulate matter into the air. In addition, the lawsuit charges Midwest Generation of exceeding the limits of opacity and particulate matter. The plaintiffs are asking the court to order Midwest Generation to install, and operate the appropriate pollution control equipment to reduce the vast amounts of emissions released by the plants. The claimants are also asking Midwest Generation to take appropriate corrective steps in rectifying the public health and environmental effects caused by the toxic emissions. In addition, the plaintiffs are asking that Midwestern Generation be assessed civil penalties at the maximum level allowed by law. Officials stated, the six Illinois-based coal-fired power plants together emit more pollution into the air supply than any other source in the United States. The toxic emission produced by the plants can cause heart attacks, respiratory diseases, and early death.

Legal News Reporter: Nicole Howley-Legal news for government lawyers practicing in Illinois.

EPA to test Treece residents for lead poisoning (*The Wichita Eagle*)

BY DION LEFLER

The Wichita Eagle

Posted on Mon, Aug. 31, 2009

Kansas

Residents of Treece will be tested for lead poisoning next week, in response to concerns expressed to high-level federal officials who recently visited the contaminated southeast Kansas community.

In addition, the Environmental Protection Agency will install air monitors to check for airborne lead and other possible contaminants.

The lead testing, on Sept. 8 and 9, will be open to all residents and will be the first comprehensive program of its kind in Treece.

The air monitoring will be the first since 1993, said David Bryan, a spokesman for the EPA.

Tonya Kirk, a City Council member and mother of three, said she's pleased that the testing is beginning.

"I think it's a good deal," Kirk said.

Of her three sons, only the youngest, 4-year-old Colton, has been tested.

His lead level was eight micrograms per deciliter, about four times the national average for his age but less than the 10 that the Centers for Disease Control considers hazardous, Kirk said.

Kirk plans to get tested herself, along with her older boys, Brandon, 7, and Andrew, 15.

"Now I've just got to talk my husband into it," she said.

Children are generally considered the most susceptible to lead poisoning because they play in the dirt and put their hands in their mouths.

Lead has been linked to a variety of childhood health problems, including brain damage and developmental disabilities.

The lead testing will take place at Treece City Hall from 6 to 8 p.m. Sept. 8 and 10 a.m. to noon Sept. 9.

Bryan said it's unusual to offer lead testing for adults, but the EPA decided to open the Treece program to all because of the depth of public concern and the small number of residents.

Health officials from federal, state and county agencies will conduct the testing, he said.

A once-prosperous mining town, Treece has dwindled to about 100 people since the ore petered out in the early 1970s.

A century of mineral extraction left the community surrounded by hundreds of acres covered with mammoth piles of lead- and zinc-contaminated waste known as chat.

Miners tunneled beneath the city and the landscape is dotted with abandoned shafts, sinkholes and cave-ins that have filled with contaminated water.

Unable to sell their homes, residents have been calling for the federal government to buy them out so they can move away from the environmental hazards.

The adjacent, larger town of Picher, Okla., which faced similar environmental damage, has already been bought out and nearly emptied of people.

Treece residents say the loss of Picher's jobs, public services, shopping and recreation has rendered their town unsalvageable.

Sen. Pat Roberts, R-Kansas, had been pressing EPA Administrator Lisa Jackson to visit Treece. She sent three top aides to assess the situation Aug. 20.

The officials who toured the community and fielded questions from residents were Mathy Stanislaus, assistant administrator of the EPA's Office of Solid Waste and Emergency Response; Bob Sussman, senior policy counsel to Jackson; and William Rice, acting head of EPA's Region 7, based in Kansas City.

Roberts aide Sarah Little said the senator is pleased with the quick response to the residents' request for environmental testing.

Lack of data is one factor that has hampered efforts to get Treece the same treatment that Picher received.

"If you're going to say Treece is different, you have to say why," Little said.

The EPA has done some cleanup work in Treece, testing all the yards in the community and replacing topsoil in about 40 that showed high concentrations of lead. Officials have said that removed the main exposure pathway for residents.

The agency also has a 10-year plan under way to reclaim contaminated land and lay clay caps over the remaining chat piles.

But in the meeting with the EPA chiefs, residents said they were far from reassured and that the EPA cleanup efforts regularly kick up clouds of dust from the chat piles.

The air monitoring will begin this month and results will be posted on the EPA's Web site along with historic data from Treece and other Cherokee County sites, officials said.

Reach Dion Lefler at 316-268-6527.

EPA to monitor air, blood lead levels in Kan. Town (Associated Press) This story also appeared: *KTKA.com*

Story by [The Associated Press](#)

4:50 p.m. Monday, August 31, 2009

WICHITA, Kan. (AP) - A federal agency says it will monitor the air quality in a former Kansas mining town where residents worry about the effects of contaminated dust.

Monday's announcement by the U.S. Environmental Protection Agency follows a recent visit by EPA officials to the town of Treece in southeast Kansas.

The EPA said monitors will check the levels of lead and other heavy metals in the air. The agency also said it has arranged for residents to have their blood screened for lead.

The screenings are scheduled for Sept. 8 and 9 at City Hall.

About 70 families live in Treece, where zinc and lead were mined for decades. Many residents are hoping for a government buyout, saying remnants of the old mining operations make it impossible to sell their homes.

Drillers Warns Activist-Sought Change To EPA Emissions Policy Unlawful (*Inside EPA*)

Monday, August 31, 2009

Industry is urging EPA to reject an activist request to scrap a Bush-era policy allowing oil and gas facilities located near each other to avoid strict controls by counting their emissions separately rather than aggregating them, claiming the move would be illegal under the Clean Air Act and require new rules or legislation to overturn.

Activists want to replace the policy -- laid out in a memo issued by then EPA air chief William Wehrum -- with EPA's previous policy that emphasized the interdependence of different operations to determine whether operations are adjacent, which may increase the likelihood that permitting agencies will aggregate emissions.

But oil and gas company Kerr-McGee and the American Petroleum Institute (API) say that scrapping the Wehrum memo would be illegal under the air act, in comments on a [proposed consent decree](#) that sets a deadline for EPA to respond by Sept. 14 to a petition filed by WildEarth Guardians asking the agency to object to a Title V air permit for a Kerr-McGee compressor station in Colorado for failing to aggregate its emissions.

The oil and gas sector says the Wehrum memo is the correct interpretation of the air act and that the policy prior to the memo has always been barred under the statute. Industry's move steps up the sector's fight against activists' long-running effort to file challenges to permits in order to invalidate the memo.

The Wehrum memo said the distance between oil and gas operations, such as the distance between a well and a compressing station, should be the primary factor in determining whether the facilities are "contiguous or adjacent" and should be grouped together for permitting purposes. The air act also says facilities must be under the same industrial code and under the same ownership to be grouped together in permits.

Activists say the memo contradicts earlier policy, which they say is correct, that placed a greater emphasis on the interdependence of different operations to determine whether operations are adjacent. For example, if a processing plant would not exist but for the wells that feed into it, then the plant and the wells should be grouped with the plant for permitting purposes. Environmentalists claim the Wehrum policy makes it easier for sources to disaggregate emissions and thereby qualify for less stringent air permits.

The Colorado Department of Public Health and the Environment relied on the Wehrum memo to justify not aggregating emissions from nearby wells in the permit it issued for the Kerr-McGee

compressor station at issue in the petition filed by WildEarth Guardians and subsequent consent decree.

However, Kerr-McGee says in its [July 23 comments](#) on the proposed consent decree that the agency cannot change the aggregation policy under current regulations and law. “A shift in guidance or policy by EPA such as that sought by [WildEarth Guardians] can’t simply rewrite the statute or its implementing regulations. Indeed, what [WildEarth Guardians] is asking to have done would probably require legislation, and most certainly would require rulemaking by EPA, not a simple pronouncement in response to [WildEarth Guardian’s] source aggregation petition.”

The earlier policy emphasizing interdependence in aggregation decisions, outlined in a series of agency letters primarily sent by regional EPA offices to state permitting agencies, was a creation of EPA staff and has no basis in the statute, one industry source says. While the agency letters may be entitled to deference by the court, the source says the earlier policy “probably wouldn’t withstand a judicial challenge. Interpretive letters are not judicial opinions.”

The source says the Wehrum memo is the correct interpretation of the Clean Air Act, and is the approach many permitting agencies have taken in the past. For example, Colorado permits for the Frederick facility that were finalized before the Wehrum memo also did not require aggregation, the source says.

API echoes this argument in its [July 23 comments](#) on the decree. “EPA and federal courts have emphasized that the ‘contiguous or adjacent’ requirement is a location-based requirement.” The U.S. Court of Appeals for the District of Columbia Circuit’s ruling in *Alabama Power Co. v. Costle*, which criticized EPA’s approach to the prevention of significant deterioration air permitting program, and the 1980 regulatory amendments prompted by that ruling both refer to the contiguous or adjacent requirement as a proximity requirement, the comments say.

The industry source also says withdrawing the memo will not resolve the issue of aggregation for the Frederick site. The oil wells that feed into the compressor station fall under a complex web of well and lease ownership, so activists would face hurdles proving the common ownership prong of the aggregation test, the source says.

However, one activist says industry’s argument that regulations or legislation would be necessary to change the policy and withdraw the memo is “ridiculous.” Even though many states ignored EPA’s earlier policy letters and did not aggregate emissions before 2007, the Wehrum memo cannot supplant regulation, which requires consideration of interdependence, the source says. The memo allows the oil and gas industry to be treated differently than other sectors, such as mining, in which distant sources are grouped because of interdependence, the source says.

The source also argues that well and lease ownership is not as complex as industry claims. “If they can figure out who they owe and who owes them for profit purposes, then they can do that for clean air purposes,” the source says. -- *Kate Winston*

CLIMATE CHANGE/GLOBAL WARMING

Should EPA Bow To Chamber's Demand? (*National Journal*)

Monday, August 31, 2009

Should the Environmental Protection Agency be required to publicly defend its finding that greenhouse gases endanger public health and welfare?

In April, the EPA released a proposal concluding that carbon dioxide and other global warming pollutants cause health problems. Now the agency is poised to release the final version of that ruling. But the U.S. Chamber of Commerce argues that before the decision is finalized, EPA should be required to defend its scientific conclusions in front of an administrative law judge. Chamber officials and other critics claim that the Obama administration is suppressing internal agency studies that disagree with the proposed endangerment finding.

Should the climate change data be reviewed in a public administrative law hearing? Would a public hearing make any difference? Or is the hearing request just an excuse to delay the agency's climate change decision?

-- *Margaret Kriz Hobson, NationalJournal.com*

ENERGY

Some Buildings Not Living Up to Green Label (*New York Times*)

By [MIREYA NAVARRO](#)
August 31, 2009

The Federal Building in downtown Youngstown, Ohio, features an extensive use of natural light to illuminate offices and a white roof to reflect heat.

It has LEED certification, the country's most recognized seal of approval for green buildings. But the building is hardly a model of energy efficiency. According to an environmental assessment last year, it did not score high enough to qualify for the Energy Star label granted by the [Environmental Protection Agency](#), which ranks buildings after looking at a year's worth of utility bills.

The building's cooling system, a major gas guzzler, was one culprit. Another was its design: to get its LEED label, it racked up points for things like native landscaping rather than structural energy-saving features, according to a study by the [General Services Administration](#), which owns the building.

Builders covet LEED certification — it stands for Leadership in Energy and Environmental Design — as a way to gain tax credits, attract tenants, charge premium rents and project an image of environmental responsibility. But the gap between design and construction, which LEED certifies, and how some buildings actually perform led the program last week to announce that it would begin collecting information about energy use from all the buildings it certifies. Buildings would provide the information voluntarily, said officials with the [United States Green Building Council](#), the nonprofit organization that administers the LEED program, and the data would be kept confidential. But starting this year, the program also is requiring all newly constructed buildings to provide energy and water bills for the first five years of operation as a condition for certification. The label could be rescinded if the data is not produced, the officials said.

The council's own research suggests that a quarter of the new buildings that have been certified do not save as much energy as their designs predicted and that most do not track energy consumption once in use. And the program has been under attack from architects, engineers and energy experts who argue that because building performance is not tracked, the certification may be falling short in reducing emissions tied to [global warming](#).

Some experts have contended that the seal should be withheld until a building proves itself energy efficient, which is the cornerstone of what makes a building green, and that energy-use data from every rated building should be made public.

"The plaque should be installed with removable screws," said Henry Gifford, an energy consultant in New York City. "Once the plaque is glued on, there's no incentive to do better."

Scot Horst, the council's senior vice president for its certification program, said that any changes in the process would have to be made by consensus to ensure that the building industry would comply. Already, some construction lawyers have said that owners might face additional risk of lawsuits if buildings are found to underperform.

The council is planning several meetings with builders, owners, developers and others around the country in September and October to promote its building performance initiative, which could lead to further revisions in the rating program to ensure buildings reduce energy consumption as much as they can.

Mr. Horst called the issue of performance one of his "absolute priorities."

"If you're not reducing carbon, you're not doing your job," he said.

The LEED label, developed by the council in 1998 to have a third-party verification of a building's environmental soundness, certifies new homes, schools and other buildings, as well as existing ones. (The certification for existing buildings is the only one currently tied to energy performance.) Its oldest and largest program, in terms of square footage, is the certification of new commercial and institutional buildings, with 1,946 projects already certified and 15,000 more that have applied for certification. Many other buildings include environmentally friendly features and advertise themselves as "green" but do not seek the LEED label.

The program uses a point system based on a broad checklist of features and buildings can be certified by accumulating points on not just efficient energy use but also water conservation, proximity to public transportation, indoor air quality and use of environment-friendly materials. Council officials say that these other categories also help reduce energy use and emissions. And many architects and engineers praise the comprehensiveness of the label. But the wide scope of the program, many in the industry point out, also means that buildings have been able to get certified by accumulating most of their points through features like bamboo flooring, while paying little attention to optimizing energy use.

Another problem is that the certification relies on energy models to predict how much energy a planned building will use, but council officials and many experts agree that such models are inexact. Once a building opens, it may use more energy than was predicted by the design. And how a building is used — how many occupants it has, for example — affects its energy consumption.

"If the occupants don't turn off the lights, the building doesn't do as well as expected," said Mark Frankel, technical director for the [New Buildings Institute](#), which promotes improved energy performance in new commercial construction and conducted the research commissioned by the Green Building Council on LEED buildings.

"In the real world, the mechanical systems may have problems, so that increases energy use," Mr. Frankel said, adding that keeping track of energy use is rarely a priority for owners.

LEED energy standards have grown more stringent over the years, and construction like the Youngstown federal building, built in 2002, would not be certified under the current version of the program, the G.S.A. study noted. The LEED standard goes through periodic revisions, and this year, the minimum energy requirements needed for the basic LEED certification for new buildings were raised.

But in its own [study last year](#) of 121 new buildings certified through 2006, the Green Building Council found that more than half — 53 percent — did not qualify for the Energy Star label and 15 percent scored below 30 in that program, meaning they used more energy per square foot than at least 70 percent of comparable buildings in the existing national stock.

Anecdotal information from follow-up research to that study indicated that the best-performing buildings had limited window areas and tended to be smaller.

Sometimes, a building's inhabitants are the first to notice energy-wasting features.

At the Octagon, a LEED-certified residential rental building on Roosevelt Island in New York City, residents like Alan Siegal say that obvious energy savers, like motion sensors in the hallway, are hard to miss.

But Mr. Siegal, 59, a customs service broker, said his three-bedroom apartment has floor-to-ceiling glass windows that offer great views but also strong drafts.

"If there's a lot of glass, is that going to be efficient?" he asked.

Bruce Becker, whose company Becker and Becker Associates developed and owns the Octagon, said that the windows offer day lighting but conceded that there were plenty of opportunities to become more energy efficient. He said the Octagon would soon switch to a fuel cell system for heat and electricity, partly to cut energy costs at a time of a depressed rental market.

Mr. Horst, the LEED executive, said that LEED may eventually move toward the E.P.A.'s Energy Star model, which attests to energy efficiency only for the year the label was given, similar to restaurant ratings.

"Ultimately, where we want to be is, once you're performing at a certain level, you continue to be recertified," Mr. Horst said.

**Keep Home Cool With Energy Efficient Strategies
(Associated Press) This story also appeared: *New York Times***

By THE ASSOCIATED PRESS

Filed at 3:15 p.m. ET

August 31, 2009

Find yourself sweating inside your house during the long, hot days of summer? Are high utility costs enough to make you perspire on their own?

Strategies such as eliminating air leakage, upgrading attic insulation, and installing a new air conditioning system and ceiling fans help keep your home cool efficiently, and can help save on energy costs in the process. On average, heating and cooling a home costs about \$1,000 a year, nearly half the total energy bill for the house, the [Environmental Protection Agency](#) reports. Through 2010, a federal tax credit is available for energy efficiency upgrades for insulation, windows, central air conditioners and heat pumps.

The credit refunds 30 percent of the purchase price for energy-efficient products, up to a total of \$1,500. Homeowners can use the tax credit for cooling systems, and many local power companies offer rebates for installing more efficient products.

BEST PRACTICES

There are many ways to make sure your home stays cool in the best way possible, without buying a new air conditioning systems or adding ceiling fans.

First, check to make sure your attic is properly insulated. An uninsulated attic allows too much cool air to escape and too much warm air to enter. Adding or updating the insulation is one of the easiest ways to make a home more energy efficient.

According to the National Association of Home Builders, upgrading inefficient insulation in the attic of a two-story, 2,000 square foot home in Chicago can cost around \$1,000, but the tax credit lowers that cost to \$700.

Added to an energy efficient rebate from MidAmerican Energy in Chicago for up to \$600, the cost can drop to \$100. That project will save about \$51 in annual utility costs, the NAHB said.

Another tip is to cover windows with shades or blinds, to keep hot sunlight out.

Homeowners can also plant trees to give the home shade. West-facing windows are important to protect because it's typically hotter in the afternoon. Other shade options include overhangs and awnings.

FINDING THE RIGHT PRODUCT

Decide if you need room air conditioners or a central unit. Homes with many rooms would benefit from a central unit, while studios apartments or efficiencies will be more likely to have units in individual rooms.

Also, check the condition of ceiling fans and pick out rooms that would benefit from the added circulation of a new ceiling fan, such as living rooms and bedrooms.

Cooling systems vary in cost, depending on the system size and price the contractor will charge for installation. But count on spending at least \$2,000 for a new central air conditioner. Adding ducts to the home will bring the cost up even more.

Room air conditioners typically cost between \$150 and \$600, depending on the size and model. When considering buying a central air conditioner or heat pump (which both cools and heats a home), homeowners should ask a local contractor to check for leaks in the house that allow cool air to escape. The contractor evaluates whether ducts need to be sealed, insulated or replaced, and whether windows and doors are properly sealed.

Holes hidden in attics, crawl spaces and basements should be sealed.

The key measurement of a central air conditioner is the SEER rating (officially the "Seasonal Energy Efficiency Ratio). The higher the rating, the higher the energy efficiency.

SEER ratings of 14 to 21 are becoming more common, but the system typically gets more expensive as you move up the SEER scale. Proponents of high-SEER systems stress that savings on utilities outweigh the cost.

When looking for energy efficient products, check if they carry an Energy Star rating by the Environmental Protection Agency.

The EPA began using the rating in 1992 as a way to reduce greenhouse gas emissions through better energy efficiency. It includes more than 60 products, which are listed on the EPA's Web site, www.energystar.gov.

The more reliable products are among the most well known in the industry -- Trane, Rheem and Ruud, according to a July 2009 product reliability survey of more than 32,000 readers of Consumer Reports magazine. Other brands include [General Electric](#), Carrier, Lennox and American Standard.

Nearly two-third of readers in the Consumer Reports survey who had a problem with their central air conditioning said the unit broke down for a day, and about one in three reported a complete system failure. About half of those reporting problems spent \$150 or more to get cool again, Consumer Reports said.

For ceiling fans, blades sizes range from 29 to 54 inches, with the most popular being the 52-inch model, according to the EPA. Smaller rooms need a fan size of 29 to 36 inches, while the larger rooms take 50 to 54 inch fans.

Standard mounts come with a 3 to 5 inch "downrod" -- the metal pipe that extends from the ceiling bracket down to the fan. Longer mounts are available for higher ceilings.

Here's a good tip from the EPA. In summertime, use the fan in a counterclockwise direction, which forces cool air down and gives the feeling of a breeze. In winter, a clockwise direction at slow speed produces an updraft that pushes warm air down into the room.

MAINTENANCE

The easiest way to ensure a long life for the cooling system is changing the filter regularly -- once a month is a good starting point.

Cooling coils should be cleaned at least once a year. Cooling systems in homes with furry pets that shed hair will be more susceptible to getting dirty and potentially malfunctioning.

Make sure the contractor you choose to install your air conditioning system or heat pump is licensed and insured.

The product should have a warranty as well, so fill out the correct paperwork to ensure that you are covered.

Many sellers and installers of air conditioners should have maintenance agreements in which the consumer pays a yearly fee for visits from repairmen to make sure the product is working correctly.

BY THE NUMBERS

So far this year, combined U.S. factory shipments of central air conditioners and air-source heat pumps have totaled more than 2.7 million, down 18 percent compared with January to June of last year. That's according to the Air-Conditioning, Heating and Refrigeration Institute.

The struggling economy may be a reason for this drop, but companies like Rheem are seeing more buyer activity due to the tax credit, said Carrol Basham, an assistant product manager at Rheem.

HAZARDOUS WASTES

EPA: Ash sites pose hazard (*Knoxville News Sentinel*)

Groups call on agency to regulate TVA disposal areas

By Dave Flessner Chattanooga Times Free Press

Tuesday, September 1, 2009

CHATTANOOGA - Nineteen of the 28 coal ash disposal sites operated by TVA pose either a high or significant hazard, according to new EPA data released Monday.

A coalition of environmental groups on Monday again called on the U.S. Environmental Protection Agency to regulate what it calls toxic coal ash dumped into 584 ponds and landfill sites in 35 states. The number of such sites listed by EPA has grown by more than 35 percent since the agency released a preliminary site listing in June.

"There is no lingering doubt, these coal ash dumps are dangerous and must be regulated immediately," said Lisa Evans, an attorney for Earthjustice, an environmental group that released the EPA data Monday. "The EPA list provides a clear view of the substantial extent of the threat."

TVA says it is inspecting its coal ash storage facilities and believes they are safe.

EPA reveals almost twice as many dangerous coal ash dumps as previously known (*Facing South*)

By [Sue Sturgis](#) on August 31, 2009 12:47 PM

The U.S. Environmental Protection Agency has released information showing there are 584 coal ash dump sites across the country -- almost twice as many as previously identified. The facilities are located in 35 states and concentrated in Appalachia, the Southeast, Midwest and Intermountain West.

The release came late last Friday in response to a Freedom of Information Act request. The information released reveals ownership, location, hazard potential, year commissioned, type and quantity of coal combustion waste disposed, dates of the last regulatory or company assessment and in some instances whether an unregulated discharge of ash has occurred.

However, some critical data is missing because companies are claiming it's confidential business information. Duke Energy, Progress Energy and the Southern Co.'s Alabama Power and Georgia Power are among the corporations withholding information on 74 coal ash dump sites, including some of the country's largest ash dumps.

"Some utilities -- notably Duke and Southern Companies -- are hiding the ball, withholding data on their ash ponds that their competitors have already provided to EPA," said Eric Schaeffer, executive director of the [Environmental Integrity Project](#), which submitted the FOIA request along with the environmental law firm [Earthjustice](#) and the [Sierra Club](#). "Let's hope that EPA's

enforcement program puts a stop to these bogus claims of 'confidentiality,' and compels the disclosure of data that companies are required to report."

For a PDF table summarizing the data released, click [here](#).

States with coal ash sites included in the list are as follows (*states in the South bolded*): **Alabama, Arkansas**, Arizona, Colorado, Delaware, **Florida, Georgia**, Iowa, Illinois, Indiana, Kansas, **Kentucky, Louisiana**, Massachusetts, Maryland, Michigan, Minnesota, Missouri, **Mississippi**, Montana, **North Carolina**, North Dakota, New Mexico, New York, Ohio, Oklahoma, Pennsylvania, **South Carolina, Tennessee, Texas**, Utah, **Virginia**, Wisconsin, **West Virginia** and Wyoming. The list includes all 13 states that Facing South counts as part of the region.

In March, the EPA sent letters to hundreds of power generating facilities requesting information about coal ash surface impoundments. (*For a copy of one of the letters, click [here](#) [pdf].*) The agency was responding to the disaster that occurred last December at the Tennessee Valley Authority's Kingston power plant in eastern Tennessee, where a dam failure released over 1 billion gallons of toxic coal ash sludge into a nearby community and river.

Coal ash sites contain harmful levels of arsenic, lead, mercury and other toxins, which can leach out and contaminate drinking water sources.

The EPA data shows that most of the dump sites are over three decades old, raising questions about the structural integrity of the dams and the adequacy of the liners to prevent harmful chemicals from migrating into water sources. It also shows regulatory inspections of the dams by state and federal agencies are infrequent or nonexistent.

In addition, EPA's data reveal that many of the wet dumps are very large, with over 100 exceeding 50 acres and numerous sites covering several hundred acres. Furthermore the largest dumps tend to be the older sites with the least amount of protection.

In response to another information request by the same three environmental groups, [EPA recently identified 49 "high hazard" coal ash dump sites](#), where a failure would be likely to cause loss of life. The Department of Homeland Security had initially determined that the sites presented such a threat to nearby communities that [revealing their location would present a national security risk](#).

EPA Administrator Lisa Jackson says her agency expects to release a proposed federal rule governing disposal and storage of coal ash by year's end. Regulation is currently left up to an uneven patchwork of state laws.

First Lawsuit Filed by Business Against Tennessee Valley Authority (*Newsinferno.com*)

Date Published: Monday, August 31st, 2009

Readers of this column are all-to-familiar with last year's historic [fly ash spill](#) that dumped a mind-boggling 5.4 million cubic yards—over one billion gallons—of toxic coal sludge into Tennessee's Emory and Clinch rivers and the 300 acres surrounding the Tennessee Valley Authority's (TVA) Kingston plant.

We have long expressed concern over the hazards to people and the environment left in the wake of the catastrophic spill that involved a layer of unstable ash sludge—"slimes"—that went undetected, the "construction of retaining walls on top of the ash," "saturation of the stored ash," and "pressure exerted by rising stacks," according to a prior KnoxNews report, citing a consultant's findings. It took months, but the TVA finally increased the "hazard potential" for some of its ash sites under a self-assessment given to the U.S. Environmental Protection Agency (EPA), the Associated Press (AP) reported recently.

Now, KnoxNews reports that the TVA is being sued for about \$17 million by a Knox County developer in what seems to be the first lawsuit filed by a business related to the TVA Kingston Fossil Plant coal ash spill. The lawsuit was filed on August 18 in federal court by Walt Dickson and New Homes Construction Co. Inc. against the TVA, said KnoxNews. According to papers filed, the lawsuit alleges damages to the Lakefront Estates development located in Rhea County on Watts Bar Lake in Spring City, about 25 miles downstream from Kingston, said KnoxNews.

The dangers to human and animal life and ecology from the spill are widely known and the recent lawsuit alleges that increased heavy metal toxin levels—for instance lead, thallium, and arsenic—are in the river water, reported KnoxNews. Those levels, according to the lawsuit, allegedly caused property values in the 90-acre Lakefront Estates to plummet and adversely affected development of aquatic recreation, said KnoxNews. "As a result of TVA's conduct described herein, Plaintiffs have lost the sale of multiple lots, the development has diminished in value, the recreational amenities afforded by the development have been substantially affected, and the whole development and its purpose herein described, has been unreasonably interfered with by TVA as a result of the spill," stated the lawsuit, quoted KnoxNews.

We have written that information pointing to "significantly higher cancer risks" for those living near coal-fired power plant ash dumps was allegedly covered up by the recent Bush Administration, citing a report by EnvironmentalIntegrity.org. Apparently, the 2002

EPA Risk Screening Report was only finally released in 2009 after President Barack Obama and his administration took office, said Environmental Integrity.

The lawsuit also alleges that TVA reports and a review of the ash spill by TVA's Inspector General allege that the authority did not "take proper measures to prevent the spill," said KnoxNews. For instance, we previously wrote that Stephen Smith, executive director of the Southern Alliance for Clean Energy, said the report shows that correct site characterization did not occur when site expansions took place, adding, "The report points to structurally weak slimes in the foundation from historic ash disposal as a significant contributing factor.... One would think that TVA, with its vast engineering experience, would have known to look for this material," reported KnoxNews.

There are about seven federal lawsuits that involve hundreds of property owners as well as four class action suits also in the works against the utility authority, reported KnoxNews.

EPA says Johnston Atoll chemical weapons disposal plant was properly closed (*Associated Press*) This story also appeared: *Honolulu Star-Bulletin*

By Associated Press

POSTED: 09:48 a.m. HST, Aug 31, 2009

(Single Page View) | [Return to Paginated View](#)

The U.S. Environmental Protection Agency announced today that a U.S. chemical weapons disposal plant on Johnston Atoll has been properly cleaned and closed.

The EPA said its review found the Army met all permit requirements for closing the Chemical Agent Disposal System facility on the uninhabited island about 890 miles west-southwest of Honolulu.

The closure, cleanup and dismantling effort took about three years. The facility that was closed in 2004 was used to dispose of 4 million pounds of toxic chemical weapons.

The EPA says its closure approval assures protection for the ecology and environment of the Johnston Island National Wildlife Refuge. It's now part of the new Pacific Remote Islands Marine National Monument.

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EPA: Colorado home to high number of coal-ash disposal ponds (*The Colorado Independent*)

By [David O. Williams](#) 8/31/09 1:15 PM

Colorado ranks a surprising fourth on the list of states hosting wet coal-ash dumping ponds. An [Environmental Protection Agency list](#) obtained through a Freedom of Information Act request filed by environmental groups lists 40 ponds in Colorado. The Agency tallied 584 ponds located around the country.

Coal ash, the residue produced by coal-fired power plants, is a toxic stew of hazardous materials such as lead, arsenic, selenium, boron, thallium and cadmium, to name a few, and, according to a separate EPA report, unlined [coal ash waste ponds carry a risk of cancer](#) that is 900 times above what the federal government defines as acceptable.

Coal ash disposal made national headlines late last year when a [Tennessee Valley Authority retention pond collapsed](#), releasing more than 5 million cubic yards of coal-ash-contaminated mud into Tennessee's Emory River. The ramifications of that disaster are still being felt [locally](#) and [nationwide](#), and the recent EPA analysis is a result of environmental pressure to better define the scope of the issue.

According to a release from Earthjustice, the Sierra Club and the Environmental Integrity Project, the number of ponds in the report was nearly twice the number previously identified.

"Because the EPA does not regulate the waste from coal-fired power plants, the agency had no information on the location and nature of the 584 wet ash dumps located throughout the U.S.," according to the release.

“EPA has acknowledged that wet disposal of coal ash presents a greater risk to human health and the environment than dry landfills because hazardous chemicals are more likely to migrate from such dumps and the large impoundments present a risk of catastrophic failure.”

Colorado’s 40 ponds compared to 53 in top-ranked Indiana, 44 in Kentucky and 43 in Iowa, where disposal sites such as a quarry in Waterloo (used by the state’s university system) have drawn sharp criticism from experts, as detailed extensively by Colorado Independent sister site, [the Iowa Independent](#).

In Colorado, 35 of the 40 ponds are associated with Minnesota-based Xcel Energy power plants; three are linked to Westminster-based Tri-State Generation and Transmission facilities; and two are Platte River Power Authority ponds. Only six of the Xcel ponds (three in Hayden and three in Brush) even garnered a “low” hazard potential, while the rest are rated as having no hazard potential.

But that should not be overly reassuring for Colorado residents concerned about cancer risk and groundwater contamination, according to Lisa Evans, senior administrative counsel for the environmental law firm Earthjustice.

“You don’t need 10 million tons of ash to create a problem, especially if you have limited water supplies [like Colorado],” Evans said. “I wouldn’t be too sanguine about Colorado’s off the hook as far as any kind of damage. You have numerous good-sized ponds, and what are the controls in places that have precious or scarce groundwater? Is there damage being done?”

Two categories of the report Evans found particularly disconcerting were the age of many of the ponds and the lack of information about recent oversight.

“You have in Colorado not very many entries either in the last company inspection or the regulatory inspection, so in Colorado is the regulatory agency aware of any potential problems?”

And regionally, states like New Mexico and Wyoming has coal-ash ponds rated as “significant” in the hazard potential category. For example, the Jim Bridger Power Station has two ponds in Rock Springs, just across the state line in Southwest Wyoming, that are both in the significant hazardous risk category. And a coal ash pond near Prewitt, N.M., 95 miles south of Farmington in the Four Corners region is also rated at the significant hazard level.

SUPERFUND

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EPA using \$5M in stimulus to clean up N.J. Superfund site (*Waste & Recycling News*)

Aug. 31 -- The U.S. EPA is making nearly \$5 million in stimulus funding available to clean up the Monitor Devices/Intercircuits Inc. Superfund site in Wall Township, N.J.

The money will fund efforts to address contaminated ground water at the site and will create jobs in Wall Township, according to the EPA. This stimulus funding is part of the \$600 million that Congress appropriated to the federal Superfund remedial program.

The final ground water remedy includes enhanced in-situ bioremediation, a process that uses natural microorganisms to digest contaminants and break them down into nonhazardous components. The ground water is contaminated by volatile organic compounds, according to the EPA. The remedy also involves the placement of institutional controls until the ground water reaches the cleanup goals, which are drinking water standards.

Contact Waste & Recycling News senior reporter Bruce Geiselman at 330-865-6172 or bgeiselman@crain.com

TOXICS

Industry Plans Major Study To Help Soften Strict Risk Levels For Chromium 6 (*Inside EPA*)

Monday, August 31, 2009

A key industry group is launching research to determine how hexavalent chromium causes cancer -- the first step in their effort to soften California's and other anticipated risk assessments and related regulatory standards that are expected to rely on a strict default assumption unless convincing data explains how the widely used metal causes cancer.

The Aerospace Industries Association (AIA) is funding an expansive two-year research project designed to evaluate potential biological modes of action (MOA) for how exposure to chromium 6 in drinking water causes cancer and to consider how chromium 6 converts into the nutrient trivalent chromium (chromium 3) in the body.

The research project -- launched before California's just-announced health goal -- was triggered by a 2007 study by the National Toxicology Program (NTP), which reported stomach and mouth tumors in lab animals exposed to chromium 6 in drinking water. "State and federal regulatory agencies are likely to reevaluate their drinking water regulations for hexavalent chromium and will consider using the NTP cancer bioassay to develop an oral cancer slope factor for hexavalent chromium," notes the Web site of Toxicology Excellence for Risk Assessment (TERA), which has put together an expert panel to advise the research project.

The NTP study is the basis for the strict public health goal (PHG) California's Office of Environmental Health Hazard Assessment (OEHHA) proposed Aug. 20. The state is the first to propose a stand-alone measure to address the metal.

Currently, state and federal drinking water regulations address total chromium, or a combination of chromium 6 and chromium 3, the nutrient. EPA has an enforceable drinking water standard -- or maximum contaminant level (MCL) -- for chromium of 100 parts per billion (ppb), while California's MCL is a more strict 50 ppb.

But California's proposed PHG is the first step in the state's process of drafting a stand-alone chromium 6 drinking water standard. The state's proposed risk-based goal of 0.06 ppb or 60 parts per trillion (ppt) is far stricter than the existing total chromium standards, suggesting any new standard will be stricter than the existing standard.

The state's proposal could also influence EPA's drinking water program. An EPA source says the agency has been aware of California's ongoing work on the PHG, and that it is among the types of information the agency considers as it conducts its six-year reviews of all existing drinking water standards -- which includes the MCL for total chromium. The results of the current six-year review are undergoing review by the White House Office of Management & Budget, the source says.

In addition, EPA's cancer risk assessment guidelines require its assessors to use the default, and conservatively health protective, linear dose response model if a chemical's MOA is unknown or is mutagenic.

Chromium 6's MOA for cancer by ingestion is currently unknown, and California's OEHHA used a linear model -- that assumes a linear relationship between dose and harmful response -- to calculate its proposed PHG.

"The resulting proposed PHG is quite low, based on the linear extrapolation to a one in one million lifetime cancer risk from the high incidence of tumors observed in the mice" in the NTP bioassay, according to California's PHG.

The industry research is intended to address this issue. "In the absence of additional data concerning the mode of action underlying the tumorigenic responses, cancer risk assessment guidance recommends that an oral slope factor be derived using a default linear dose response model. Therefore, a research program is being initiated to investigate the mode(s) of action underlying these tumorigenic responses in rodents in order to determine the shape of the dose response curve and the human relevance of these responses prior to the development of an oral slope factor for hexavalent chromium," according to TERA's Web site.

AIA did not respond to a request for comment by press time. TERA president Michael Dourson explained the research was triggered by unexpected results in the NTP study and a desire to use data, not default assumptions in risk assessment.

“No one aspires to use defaults, we want to use real data,” says Dourson. He explains that traditionally, ingested chromium 6 was thought to convert to chromium 3 in the body, and therefore “wasn’t a problem.” Researchers expected the high-dose NTP studies to show tumors in the animals’ stomachs, but not their mouths, Dourson says.

“Now, the question is, what is the MOA,” Dourson asks.

The emerging efforts to limit exposure to the metal -- made famous in the 2000 film *Erin Brockovich* - is a concern for many industries which would likely face significant new cleanup and regulatory liability. Among other things, the substance is used for the production of stainless steel, textile dyes, wood preservation, leather tanning and as an anti-corrosion and coatings ingredient.

An industry source says the new research program was created in anticipation of the California PHG’s release. The source noted that OEHHA was selected to peer review the eventual results of the research program, and added that California’s release of the proposed PHG “seems premature to say the least.”

AIA has engaged ToxStrategies, a scientific consulting firm, to coordinate the research plan, according to documents available on TERA’s Web site. The research is being conducted by Charles River Laboratories and the Hamner Institutes for Health Sciences, which grew out of the Chemical Industry Institute of Toxicology. TERA was contracted to create an independent expert advisory panel.

The TERA panel held a two-day meeting with representatives from industry, the consultants, EPA, OEHHA and Texas Commission on Environmental Quality July 28-29 in North Carolina, critiquing the sweeping research plan and providing suggestions for improvements, according to its [agenda and charge questions](#). The research plans include a 91-day rodent bioassay, a gene array of six different doses of chromium 6 and magnetic resonance imaging scans.

“This is the future of risk assessment,” says Dourson, describing a plan including “top-flight researchers doing all this work and then seeing how it fits.”

The effort may be essential for industry officials who fear California’s effort could force significantly stricter regulatory requirements. An industry source says that water diverted from the Colorado River, one of the primary drinking water sources for southern California, would likely not meet the state’s proposed PHG, and could raise serious concerns about water supply issues. “The key is what is reasonable to [California’s Department of Public Health]” the source says. “The cost for water districts to clean-up to a 0.06 ppb standard would be astronomic and unreasonable.”

The source argues that 0.06 ppb is below the “detectable limit,” of chromium 6 in water. A water industry source notes California’s existing detection limit for the purposes of reporting is 1 ppb, “so the [0.06 ppb] PHG is well below that number.” Water industry sources have indicated that about one-third of California’s 7,000 water systems have levels near 100 ppb for chromium 6, and that a standard below 100 ppb could be problematic. -- *Maria Hegstad & Greg Hyatt*

WATER

Bay program to present signatures to EPA official (Annapolis Capital)

Published 08/31/09
Maryland

ANNAPOLIS, Md. (AP) — Chesapeake Bay advocates will present more than 15,000 signatures this week to the Environmental Protection Agency's senior adviser for the bay.

The presentation is scheduled Tuesday morning at the Chesapeake Bay Program offices in Annapolis. The signatures will be presented to Chuck Fox, the EPA's senior bay adviser.

President Obama has ordered the EPA and other agencies to develop a bay restoration strategy. Obama's order requires federal agencies to submit draft reports by Sept. 9.

EPA targets unpermitted stream bank work on Rogue River (*OregonLive.com*)

by The Oregonian

Monday August 31, 2009, 9:50 AM

The U.S. Environmental Protection Agency has ordered an Eagle Point couple to remove unauthorized fill they placed along the Rogue River's banks.

Robert and Marilyn Malloy placed riprap, used to prevent erosion, along 345 feet of stream bank, the EPA says.

The spring 2006 work on the Malloy's 63 acres was done without required [Clean Water Act](#) permits from the U.S. Army Corps of Engineers, according to the agency.

The Rogue River is designated as critical habitat for threatened salmon species under the Endangered Species Act.

In addition to the removal of the riprap, the EPA said the Malloys have volunteered to revegetate the top of the bank, which should reduce future erosion and improve habitat for native fish.

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