

3 companies to increase pollution controls

The Associated Press

Tri-Valley Herald and Contra Costa Times, Tuesday, January 13, 2009

TULSA, Okla.—Three manufacturers of sulfuric acid have agreed to spend at least \$12 million on air pollution controls expected to eliminate harmful emissions from six production plants in Louisiana, Ohio, Oklahoma, Texas and the Wind River Reservation in Wyoming, the U.S. Environmental Protection Agency and the Justice Department announced.

Chemtrade Logistics, Chemtrade Refinery Services and Marsulex also will pay a civil penalty of \$700,000 under the Clean Air Act settlement.

"The companies are expected to reduce harmful air pollution by an estimated 3,000 tons per year, which is well over half of their annual emissions" said Granta Y. Nakayama, assistant administrator for EPA's Office of Enforcement and Compliance Assurance. "Today's settlement will improve air quality for millions of people."

The settlement is the third nationwide compliance agreement in a Clean Air Act initiative under which the Justice Department and EPA expect to reach similar agreements with other sulfuric acid manufacturers.

The first and second nationwide sulfuric acid compliance agreements were announced in 2007 with Rhodia Inc. and Dupont.

The government's complaint, filed with the consent decree, alleges that Chemtrade and Marsulex made modifications to their plants which increased emissions of sulfur dioxide without first obtaining pre-construction permits and installing required pollution control equipment.

The Clean Air Act requires major sources of air pollution to obtain such permits before making changes that would result in a significant emissions increase of any pollutant.

Louisiana, Ohio, Oklahoma and the Northern Arapaho Tribe joined the federal government in the agreement.

Of the total penalty, \$460,000 will be paid to the federal government and \$240,000 will be paid to the three states.

On the Net:

<http://www.usdoj.gov/enrd/Consent—Decrees.html>

Air quality activists sue EPA over Valley air

Merced Sun-Star, Tuesday, Jan. 13, 2009

FRESNO -- Air quality activists are again suing the U.S. Environmental Protection Agency over a ruling that the San Joaquin Valley in California has met the health standard for dust and soot.

A lawsuit filed Friday in the U.S. Court of Appeals for the Ninth Circuit in San Francisco seeks to overturn an October 2006 EPA finding that the Valley no longer recorded dangerous levels of the pollution, called PM-10.

The action comes a little more than nine months after a similar lawsuit was filed with the Ninth Circuit related to the same matter. That lawsuit challenged the data used to determine that the region met the PM-10 standard.

Sierra Club member Kevin Hall of Fresno said legal action is the only avenue of recourse to get cleaner air in the Valley.

"Any progress we've made on cleaning the Valley's air over the last decade has been the direct result of legal action," he said.

Greenpeace buys land to foil London runway plans

By Gregory Katz - Associated Press Writer

In the Merced Sun-Star, Contra Costa Times, N.Y. Times and other papers, Tuesday, Jan. 13, 2009

LONDON -- An environmental coalition led by Greenpeace has thrown a monkey wrench into expansion plans for London's chronically congested Heathrow Airport.

The group, which includes Oscar-winning actress Emma Thompson and prominent comedian Alistair McGowan, announced Tuesday it had purchased a plot of land on ground earmarked for a proposed third runway at Europe's busiest airport.

Greenpeace director John Sauven said the new owners will never sell the property, roughly half the size of a football field, to the government or the airport operator.

The legal owners of the site will block the runway at every stage through the planning process and in the courts," he said. "They will never sell the land to Spanish-owned airport operator BAA, and if it comes to it many thousands of people will be prepared to peacefully defend their field in person, standing in front of bulldozers and blocking construction."

The land was purchased for less than 25,000 pounds (\$36,500) in the village of Sipson, where hundreds of family houses will be destroyed if the runway project goes forward. Campaigners wrote "Our Climate Our Land" on the property in giant letters Tuesday.

The surprise delaying tactic came as Prime Minister Gordon Brown and his Cabinet were wrangling over whether to support plans for a multibillion pound third runway project.

Brown's spokesman, Michael Ellam, said a much-delayed decision on the runway plan would be announced this month.

He said the government had already agreed in principle to add capacity at Heathrow if it does not lead to Britain violating European air pollution targets.

"The decision when it comes will not only be about Heathrow, but include announcements on wider transport and infrastructure projects," Ellam said.

The Cabinet appears divided over the issue, which pits environmental concerns - and Britain's commitment to controlling climate change by reducing carbon emissions - against economic growth and job creation.

Some supporters believe the runway would help create 65,000 new jobs.

Advocates say the new project would allow Heathrow to maintain its prominence as an international hub while opponents say it would scuttle Britain's ambitious plans to cut carbon emissions.

Some opponents within the government, including some Labour Party legislators, say Heathrow needs money spent on linking it to a high speed rail network rather than another runway.

Thompson, one of Britain's best-known actresses, said she had joined the group that purchased the land because it was "hypocritical" for the government to promise to reduce greenhouse gases while greatly increasing air traffic capacity.

"I don't understand how any government remotely serious about committing to reversing climate change can even consider these ridiculous plans," she said, vowing that the new owners would move to the property and defend it if necessary.

The expansion plan has also sparked fierce opposition from legislators representing towns and villages that would be adversely affected by the increased air traffic.

One of the new land owners, Conservative Party environmental adviser Zac Goldsmith, said the coalition hopes to use the land to slow down and ultimately kill Heathrow expansion.

"Eventually the government will probably be able to buy the land through compulsory purchase, but the question is how long it will take them," said Goldsmith, who plans to run for Parliament from Richmond Park, one of the affected districts. "I think this one single act will prevent anything from happening before the next election."

He said that could effectively end the expansion plan since the Conservative Party, which enjoys a healthy lead in opinion polls, opposes construction of a third runway. Britain's next general election must be held by the middle of next year.

The third-party Liberal Democrats are also against the expansion plan, as is London Mayor Boris Johnson.

"I'd like to see any decisions, or any kind of work, delayed until after the election," said Goldsmith. "We're telling any contractors or workers to be very careful about getting involved because the Conservative Party will end this project if it wins."

Greenpeace posted a notice on its Web site Tuesday urging supporters to sign up to become legal owners of the property on the deeds in a bid to make it more complicated for the British government to take the property or negotiate its purchase.

Expanding Facilities Get Relief From EPA Pollution Permit Program Streamlined

By Juliet Eilperin

Washington Post, Tuesday, January 13, 2009

The Environmental Protection Agency issued a new rule yesterday that will make it easier for industrial plants, refineries and paper mills to expand operations without applying for new pollution permits under the Clean Air Act.

The rule, part of the Bush administration's ongoing effort to revamp a pollution-control program known as New Source Review, says that when expanding or modernizing plants calculate their emissions to determine whether they need to install new control measures, they are not required to include emissions from unrelated activities at the same plant.

Robert J. Meyers, principal deputy assistant administrator in the EPA's office of air and radiation, said the agency determined that it did not make sense to count emissions from distinct projects collectively if they did not have "a substantial economic and technical relationship."

But environmentalists said the rule, which applies to about 3,500 facilities nationwide, could make it easier for the facilities to expand without limiting harmful emissions.

"It's a classic loophole," said John Walke, clean air director for the Natural Resources Defense Council, an advocacy group. "What they've done is to allow industry to ignore these pollution increases, which decreases the likelihood of cleanup obligations."

It was unclear how many plants will no longer have to apply for modification permits because of the policy change: Facilities typically need to apply when they emit an additional 40 tons a year of a major pollutant, though the requirement varies depending on the pollutant and the location of the source. Michael Ling, associate director of the EPA's air quality policy division, said the impact of the new rule would be "negligible."

Still, industry representatives hailed the decision as a last-minute regulatory relief from the Bush administration, which has been working on the matter for more than two years.

"Frankly, I'm a little surprised they've gotten to this," said Bryan Brendle, director of energy and resources policy at the National Association of Manufacturers. Brendle added that his association "supports any sort of simplification and streamlining of a fairly cumbersome program" such as New Source Review.

The EPA also decided yesterday to abandon another rule change it had contemplated enacting under the Clean Air Act, which would have further narrowed the number of activities in a production line that count toward a facility's overall pollution threshold.

The agency postponed making a decision on a third proposal, known as "netting." Under the proposal, an expanding or modernizing plant could bypass a rule requiring it to analyze whether a particular project would increase its emissions so long as the change is not anticipated to dramatically boost the facility's overall pollution level.

Meyers said the administration's changing of course by rejecting one rule change and postponing another "really shows we listened closely to public comments."

Brendle said that manufacturers had hoped the administration would approve the original troika of changes but that "one is better than nothing."

State Giving More Study to Green Waste Regulations

Valley Voice Newspaper, Monday, January, 12, 2009

Tulare County Compost is one of two Valley composting companies that have volunteered to work with the San Joaquin Valley Air Pollution Control District trying to come up with new rules regarding the composting of green waste.

Rick McVaigh, deputy air pollution control officer with the Valley Air District, told the Visalia City Council Monday that new regulations adopted to go into place this year are being put on hold to allow for more study.

The timeline now is to have new regulations by the end of 2010, but in the meantime, the district will use the on-site research projects to test best management practices.

"The goal is to not make composting prohibitive," said McVaigh. He said that green composting releases 4 to 9 tons of organic compounds a day which contribute to smog. The Valley Air District is under a federal mandate to develop an ozone plan that will reduce smog levels.

However, limiting green waste composting puts a pinch on cities and counties that are required to reduce the amount of waste going to county landfills. The city of Visalia diverts 22 percent of its waste, but is under a mandate to divert 50 percent.

John Jones of Tulare County Compost said he has been pleasantly surprised by the air district's willingness to rethink its rule and its cooperation in seeking alternatives.

"Engineered controls are really expensive – \$10-12 million – and those costs would have to be passed on to cities and their customers," he said.

[Modesto Bee, Letter to the Editor, Tuesday, January 13, 2008](#)

Bee right, we must curtail burning

I appreciated The Bee's Jan. 6 editorial, "Valley air cleaner due to no-burn days." It listed the many people with fragile health who benefit from a decrease in small-particulate pollution. However, the article failed to mention the largest and most important group: our children.

Children's immune systems and immature organs are very susceptible to toxic air. The tiny, sooty particles penetrate deep into their lungs. The subsequent reduction in lung growth and functioning plus other bad effects of long-term exposure are irreversible.

I realize that the curtailment of a personal freedom (burning wood) is aggravating. But it is past time for all of us to consider the common good. I urge the disbelieving writer of " 'Ban saved 30': I'm not buying it," (Jan. 6, Letters) to investigate this issue for himself. A simple Google search reveals various studies.

Someone enjoying a roaring fireplace is not out walking around the block. Try it sometime. The evidence of thick, choking air shows that your freedom to burn makes house prisoners of the rest of us.

As a senior citizen, this annoyance is negotiable. My grandchildren's health is not.

DIANA DOLL, Modesto