U. S. Environmental Protection Agency
E-Clips
Prepared by the Office of Public Affairs

Monday, March 18, 2013

Table of Contents
(BNA articles can be viewed online **http://Intranet.epa.gov/desktop/news.htm**

Wednesday, May 20, 2009

ADMINISTRATOR JACKSON 3
- Alabama to Receive $1 M in Grants for Brownfields (*EP Magazine*) 4
- EPA Chief Lisa Jackson hits The Daily Show (*Mother Nature Network*) 4
- A culture change on Climate Change (*Cherry Creek News*) 5
- Tester pitches plan to help Libby (*Western News*) 6
- Cap and Trade Moving Quickly: Clarification on Aircraft Emissions (*Helicopter Association International*) 7
- Hinchey gets EPA administrator to acknowledge hydraulic fracturing impact on drinking water should be considered (*Mid-Hudson News*) 8

AIR 9
- Grilling Over Wood as a Sweaty, Smoky Sport (*New York Times*) 9
- California plans next steps to cut car pollution (*Reuters*) 12
- Air Quality Measures Consistently Cost Less than Predicted (*EHS Today*) 13
- Friday is Designated Don't Fry Day (*EV Living*) 14

BROWNFIELD 15
- Tennessee Gets $2.2 M for Brownfields Cleanup (*EP Magazine*) 15

CLIMATE CHANGE / GLOBAL WARMING 16
- Revised House climate bill carries smaller price tag, EPA report says (*New York Times*) 16
- Story also appeared: *Greenwire* 16
- Medical Doctor to EPA: Health Effects of Global Warming a Clear and Present Danger (*Hot Indie News*) 17
- Pierce Brosnan at EPA: "Markey. Waxman-Markey" (*Treehugger*) 19
- EPA Science Advisors Urge Greater Focus On Climate Effects In PM Review (*Inside EPA*) 21

U.S., China held secret meetings on emissions (*Greenwire*) 23
House panel approves 'clean energy' bank (*Greenwire*) 24
EDITORIAL / COMMENTARY/OP-ED/LETTERS 26
Car Compact (*Washington Post*) 26
The Earth Wins One (*New York Times*) 27
Hitting the gas (*Los Angeles Times*) 28
Emissions deal nearly stalled at the finish (*Los Angeles Times*) 29
FUEL 32
Obama says gas savings will cover efficiency upgrades (*Associated Press*) 32
Story also appeared: *Washington Times* 32
U.S. Orders Stricter Fuel Goals for Autos (*Wall Street Journal*) 33
As Political Winds Shift, Detroit Charts New Course (*New York Times*) 35
Emissions deal nearly stalled at the finish (*Los Angeles Times*) 37
The mysterious death of the chicken-fat car (*Washington Examiner*) 40
Obama Says New Car-Fuel Rules Give Industry 'Certainty' (*Wall Street Journal*) 42
New Auto Standards vs. Old U.S. Preferences (*Washington Post*) 44
Only 11 of today's cars reach Obama's 35.5 mpg fleet average, EPA figures show (*USA TODAY*) 46
Obama Heralds New Fuel, Emission Standards (*KDKA News*) 47
Obama wants increased fuel efficiency, less smog (*Associated Press*) 49
Story also appeared: *Monterey County Herald* 49
Ind. plant settles with EPA over air emissions (*Associated Press*) 51
This story also appeared: *Chicago Tribune* 51
EPA: BRC agrees to fine, upgrade in pollution response (*Bluffton News-Banner*) . 51
CBS's Smith: 'How Overdue' Are Fuel Emissions Standards? (*NewsBusters*) 52
Obama to reveal car pollution rules (Associated Press) 55
ABC's Diane Sawyer Pleads for European-style Gas Tax (*NewsBusters*) 56
Big Hoquiam biodiesel plant idled (*Associated Press*) 60
This story also appeared: Mi*d Columbia Tri City Herald* 60
Obama unveils dual standard for fuel economy, emissions (*Greenwire*) 60
HAZARDOUS WASTES 63
Tri-Party Agreement stands 20 years later (*Mid Columbia Tri City Herald*) 63
TOXICS 65
EPA: Sulfur, acids found in drywall (*Bradenton Herald*) 65
EPA: Analysis finds suspect materials in drywall (*Associated Press*) 66
Chinese drywall differs, EPA says (*Times-Picayune*) 67
Soil near Hegeler site will be tested for toxic metals (*Urbana/Champaign News-Gazette*) 68
US: Analysis finds suspect materials in drywall (*Associated Press*) 70
Story also appeared: *Forbes* 70
WATER 70
Bad water in Black Falls Navajo EPA hears complaints from elderly who must drink contaminated water (*Gallup Independent*) 70
State Gets EPA Award (*Jackson Free Press*) 73
Health department begins testing swimming sites this week (Ne*ws-Leader*) 73
Georgia-Pacific agrees to Kalamazoo River cleanup (*Associated Press*) 74

This story also appeared: *Chicago Tribune*, Atlanta Journal Constitution 74
Emory River at ‘tipping point’ (*Chattanooga Times Free Press*)..... 75
Fish at toxic 'tipping point' after Tenn. coal ash spill -- report (*Greenwire*) 77
EPA group looks at total coliform, aircraft-water rules (*Water Tech Online*) 78
Water projects rejected (*Martinsville Bulletin*) 78
Let's wait for new definition on wetlands (*Port Huron Times Herald*) 80

ADMINISTRATOR JACKSON

==========

Alabama to Receive $1 M in Grants for Brownfields (*EP Magazine*)

May 20, 2009
U.S. Environmental Protection Agency Administrator Lisa P. Jackson has announced the availability of an estimated $1 million in grants bolstered by funds from the American Recovery and Reinvestment Act of 2009 to help communities in Alabama clean up brownfields.

The grants include $400,000 from the Recovery Act and $600,000 from the EPA brownfields general program funding.

The applicant selected to receive Recovery Act funds is Talladega - $400,000 of community-wide assessment funds.

Applicants selected to receive brownfields general program funds are Jefferson County Industrial Development Authority—$200,000 for the cleanup of the Trinity Ironworks Site, and Mobile—$400,000 for community-wide assessment.

EPA Chief Lisa Jackson hits The Daily Show (*Mother Nature Network*)

Atlanta, GA
EPA Administrator answers burning questions about zombie vampires in the EPA offices and taxes on breathing
By Stephanie Rogers
Tue, May 19 2009 at 2:12 PM EST
When Environmental Protection Agency Administrator Lisa Jackson appeared on The Daily Show, host Jon Stewart couldn't resist asking, "When you first walked into the Environmental Protection Agency and the Bush administration had been there for eight years, had they been used? Was there a dead possum in your keyboard? Were there fires set? Were there zombie vampires? What was the building like?"
It's certainly a fair question, considering how ineffective the EPA was under Bush. Former EPA chief Stephen Johnson was little more than a puppet, acting on the Bush administration's orders like a reanimated corpse in search of brains. Now that the EPA is actually back to protecting the environment (amazingly enough), Jackson is leading the charge to lower carbon emissions on a large scale.
Jackson explains how she aims to do this without harming small business.
So, we've gone from an EPA that is stifled by the President, unable to even admit that global warming is real, to an EPA that sees the urgent need to act and is working on solutions. Refreshing, isn't it?

A culture change on Climate Change (*Cherry Creek News*)

Written by Publisher, Cherry Creek News

"For what everyone here believes, even as views differ on many important issues, is that the status quo is no longer acceptable." This week the makings of a change in the culture of Washington will be on display, and as the President's words above indicate there could be no better example than today's announcement of a breakthrough on fuel economy and greenhouse gas emissions standards. Whereas these issues seemed destined to be the subject of eternal political clashing just last year, today the President was joined on stage by the Presidents, CEOs, or other top executives from Ford, Toyota, General Motors, Honda, Chrysler, BMW AG, Nissan, Mercedez-Benz, Mazda, Volkswagon, and the United Auto Workers to announce a new consensus. In the course of his remarks, the President made clear that ending America's dependence on fossil fuels will be one of the greatest challenges the country has faced, and that this is only one of steps already being taken to address it. However, he also made clear that this was a historic day: Think about this. Consider how much has changed all around us. Think of how much faster our computers have become. Think about how much more productive our workers are. Think about how everything has been transformed by our capacity to see the world as it is, but also to imagine a world as it could be. That's what's been missing in this debate for too long, and that's why this announcement is so important, for it represents not only a change in policy in Washington but the harbinger of a change in the way business is done in Washington. No longer will we accept the notion that our politics are too small, our nation too divided, our people too weary of broken promises and lost opportunities to take up a historic calling. No longer will we accept anything less than a common effort, made in good faith, to solve our toughest problems. And that is what this agreement seeks to achieve. Addressing those concerned about whether these changes would mean a higher cost for their cars, the President explained that any costs would be offset in just three years, and that "over the life of a vehicle, the typical driver would save about $2,800 by getting better gas mileage." A top auto industry spokesman summed it up in a statement before the event began: "What's significant about the announcement is it launches a new beginning, an era of cooperation. The President has succeeded in bringing three regulatory bodies, 15 states, a dozen automakers and many environmental groups to the table… We're all agreeing to work together on a National Program." Indeed, leaders from environmental groups were in the audience applauding. One environmental group put it the same way this morning that the President did this afternoon: "Everybody wins." The program covers model year 2012 to model year 2016 and ultimately requires an average fuel economy standard of 35.5 mpg in 2016 with a projected reduction in oil consumption of approximately 1.8 billion barrels over the life of the program. Or, in the President's words, "more oil than we imported last year from Saudi Arabia, Venezuela, Libya, and Nigeria combined." The President was also joined on stage by Carol M. Browner, Assistant to the President for Energy and Climate Change, who helped spearhead what she called "an incredible step forward for our country"; EPA Administrator Lisa P.

Jackson, who noted that "A supposedly 'unsolvable' problem was solved by unprecedented partnerships"; and Transportation Secretary Ray LaHood, who called the program "the biggest leap in history to make automobiles more fuel efficient."- The Cherry Creek News -

Tester pitches plan to help Libby (*Western News*)

Libby, Montana
By The Western News
U.S. Sen. Jon Tester last week asked the Environmental Protection Agency to team up with the U.S. Department of Health and Human Services to improve health care for victims of asbestos poisoning in Libby.
During a May 13 Senate Appropriations Committee hearing on Capitol Hill, Tester told EPA Administrator Lisa Jackson that such a partnership would be “a giant step forward in meeting some of the challenges that occur in Libby.”

More than 200 residents of Libby have died and thousands more are still suffering from asbestos-related diseases. Victims were poisoned by asbestos from a now-defunct vermiculite mine operated by W.R. Grace and the entire community is now a Superfund site.

“I think that with some attention by people like you, Administrator Jackson, I think we can get a big bang for the buck,” Tester said. “We can help make Libby whole again and we can solve a huge problem that we have in one of the most beautiful places in the world.”

Sen. Dianne Feinstein, D-Calif., chaired the subcommittee hearing. After hearing Tester’s idea, Feinstein offered to help Tester and Libby “in any way.”

“Why don’t we work together on some report language for the bill, which essentially would mandate the EPA to really do what Sen. Tester has just suggested ... take a new look at it, and give us some findings,” Feinstein said.

Tester also brought up the recent acquittal of several W.R. Grace executives accused of covering up the dangers of asbestos in Libby.

“Last week the Justice Department failed in their criminal case against W.R. Grace, and the people in Libby and Montana are extremely frustrated,” Tester told Jackson. “The situation in Libby is serious enough that it demands your personal attention. And immediate attention.”

Earlier this year, Jackson agreed to visit Libby at the request of Montana Sen. Max Baucus.

“The folks of Libby mean a lot to me. I’ve been there more than 20 times since 1999 and what’s happened there is wrong,” said Baucus, a senior member of the Environment and Public Works Committee, which has jurisdiction over the EPA.

“Cleaning up Libby, getting folks the health care they deserve and helping the town rebuild its economy and its future is of utmost importance – and you can bet Jon and I will keep EPA’s feet to the fire to make sure that happens,” Baucus added.

Earlier this year, Tester and Baucus secured and voted for $190,000 in funding for Libby’s Center for Asbestos Related Disease, a facility that specializes in treating asbestos victims.

Cap and Trade Moving Quickly: Clarification on Aircraft Emissions (*Helicopter Association International*)

Alexandria,VA
House Democrats are closing ranks over energy legislation that appears likely to win committee approval this week, despite Republican efforts to lure moderates to their side. The committee will reconvene Tuesday to continue a markup of the bill (HR 2454) that would cap greenhouse gases that have been linked to global warming. The bill now includes language to increase oversight over the markets for carbon allowances and other energy commodities.

HAI has obtained information relating to aircraft and aircraft engines that will likely be contained in the final bill. The EPA Administrator shall promulgate standards applicable to emissions of greenhouse gases from new aircraft and new engines used in aircraft by December 31, 2012. The Administrator, in consultation with the Administrator of the Federal Aviation Administration, shall also promulgate standards applicable to emissions of greenhouse gases from other classes and categories of aircraft and aircraft engines for such classes and categories as the EPA Administrator determines appropriate and in the timeframe the EPA Administrator determines appropriate. The EPA Administrator may revise these standards from time to time.

Emissions of greenhouse gases from new aircraft and new aircraft engines used in aircraft shall achieve the greatest degree of emissions reduction achievable based on the application of technology which the EPA Administrator determines will be available at the time such standards take effect, taking into consideration cost, energy, and safety factors associated with the application of such technology. Any such standards shall take effect after such period as the Administrator finds necessary to permit the development and application of the requisite technology.

Members will begin offering amendments Wednesday, with potentially hundreds from the Republican side. But the minority party did not request a reading of the entire bill as

a protest move, as many Democrats had feared would occur.

Republicans have objected that the Congressional Budget Office has not yet scored the bill to determine its costs. The legislation would cap greenhouse gas emissions and issue pollution allowances to industry, which could be traded in the marketplace.

The 27-nation European Union first imposed a cap-and-trade system in 2005, and last year the European Commission and European Parliament voted to explicitly include airlines in the system beginning in 2012. The Waxman-Markey proposal does not specifically include aviation, but would make oil companies responsible for the emissions created by the transportation fuels they produce. Those costs presumably would be passed down to airlines when they buy jet fuel.

The proposal would essentially impose a carbon tax on jet fuel and would take money away from helicopter operators that could be spent on modernizing their fleets with more efficient aircraft. There is a growing realization in the helicopter industry that some sort of cap-and-trade system is inevitable.

If a cap-and-trade system is imposed, HAI would like to see money paid funneled back into the aviation system, where it could be used to modernize air traffic control and fund research into alternative fuels and next-generation engines.

Wednesday, May 20, 2009

Hinchey gets EPA administrator to acknowledge hydraulic fracturing impact on drinking water should be considered (*Mid-Hudson News*)

WASHINGTON - Congressman Maurice Hinchey (D-NY) used a House Appropriations Subcommittee on Interior hearing Tuesday to ask U.S. Environmental Protection Agency Administrator Lisa Jackson to conduct a review of her agency's policy on the risk that hydraulic fracturing for oil and natural gas exploration and drilling poses to drinking water supplies. Jackson told Hinchey that she believed her agency should review the risk that fracturing poses to drinking water in light of various cases across the country that raise questions about the safety.

"It's imperative that we protect our drinking water supplies from harmful chemicals that are being pumped into the ground by oil and gas companies looking to produce on more and more land in New York and across the country," Hinchey said. "I was extremely pleased that EPA Administrator Jackson recognized the need for the EPA to reexamine the Bush administration's misguided views on the risks associated with hydraulic fracturing. We are in a much stronger position to protect our drinking water now that we have an administration in place that is committed to environmental protection. While there is value in drilling for natural gas, it's imperative that we do so in a manner that

doesn't have long-term environmental consequences on our drinking water -- a resource that is critical to human health and survival."

In the 2005 Energy Policy Act, which Hinchey strongly opposed and voted against, Congress exempted hydraulic fracturing from the Safe Drinking Water Act, which was designed to protect people's water supply from contamination from toxic materials. This loophole, which some have called the Halliburton Loophole, has created “an extremely dangerous set of circumstances,” said the Hudson Valley lawmaker.

Hydraulic fracturing -- also known as “fracking” -- involves injecting fluids into a well at extremely high pressure to crack open an underground formation and then prop open the new fractures in order to facilitate the flow of oil and gas out of the well. More than 90 percent of oil and gas wells in the U.S. undergo this treatment with many undergoing it more than once over the life of the well.

AIR

==========

Grilling Over Wood as a Sweaty, Smoky Sport (*New York Times*)

May 20, 2009 Wednesday
Late Edition - Final

Section D; Column 0; Dining In, Dining Out / Style Desk; Pg. 1
By OLIVER SCHWANER-ALBRIGHT
GRILLING over a wood fire is as much a sport as an art -- it's more instinctive than cooking with a gas grill, more nuanced than cooking with charcoal, and more athletic than both.

In my experience it's also more satisfying, and not just when a platter of grilled lamb or a slab of crispy glazed pork belly is brought to the table still smelling of oak and applewood. It's the theater of building a fire out of split logs, and cooking over it. It's steaming open clams in a caldron set directly on the flames, or charring fennel on a cast-iron griddle, or lowering a grill over a shallow pile of glowing coals for a steak gently seared to medium-rare. Grilling over hardwood is sweaty, smoky, eye-stinging work, but it's fun.

Every Memorial Day, when I grill in a primitive fire pit made out of stacked rocks, one friend repeats the same awed phrase: "Dude, this is like Argentina."

Not quite. If we were in Argentina, I would draft my friends to help me grill a whole cow, which is one of the recipes in "Seven Fires: Grilling the Argentine Way" (Artisan, 2009) by Francis Mallmann, the chef and owner of Patagonia Sur, the celebrated Buenos

Aires restaurant, and Peter Kaminsky, the Brooklyn-based writer. (The first ingredient is "1 medium cow, about 1,400 pounds, butterflied, skin removed.")

Not all of the recipes in "Seven Fires" call for a pulley. While some of the dishes are the sort of gonzo cooking sure to be documented, mid-flame, on Twitter (pork leg buried in salt, lamb roasted in a wheelbarrow), most of what's in this captivating book about cooking over wood is as straightforward as it is appealing. Take the oranges and rosemary sprinkled with sugar and caramelized on a cast-iron skillet. The charred, sugary rosemary is both rough and refined, a gratifying end to a grilled meal.

A wide cast-iron griddle, like the ones from Lodge (lodgemfg.com), heats exceptionally well over an open flame. Along with long-handled tongs, fire-resistant gloves, an instant-read thermometer and a broad stainless steel spackle knife from a hardware store (narrower and stronger than most spatulas), it's one of the basic tools for grilling over wood.

But the most essential piece of equipment is an adjustable cast-iron grill. The grill fits into a freestanding bracket, and can be raised well above the flames or lowered until it kisses the coals.

Mr. Kaminsky, who has written about food and the outdoors for The New York Times, has a fairly elaborate setup in the yard of his Cobble Hill brownstone. In addition to an adjustable grill, he has two Tuscan grills (like the adjustable grills, these are available at spitjack.com), heavy cast-iron grates on four-inch legs. He also had a local wrought-iron shop fabricate an Argentine infiernillo, which looks like a pair of stacked metal coffee tables and works like an open-air oven: you start a fire under one and on top of the other, and roast food between the two.

But to cook Mr. Mallmann's trademark rib-eye, modestly called "A Perfect Steak," all you need is medium-high heat, with a grill set about two inches above the embers. I joined Mr. Kaminsky in his backyard, where he explained the technique: patience. The one-and-a-half-inch-thick rib-eye was cooked for nine minutes on one side, then seven minutes on the other, timed on an iPhone. Mr. Kaminsky hardly touched it, rotating it 45 degrees on each side, and flipping it only once.

"You want to get that nice crust, so you want it hot, and you don't want to mess with it," Mr. Kaminsky said. "The idea is to get it pink all the way through, with none of that well-done gray part around the edge."

IT seemed like a long time to cook a steak, but when he cut it open it was rose-red, juicy and delicious. Indeed, it was a perfect steak.

And Mr. Kaminsky demonstrated perfect technique. He stacked split pieces of well-seasoned, thoroughly dry oak, and started a fire using some newspaper and fatwood, a resinous pinewood that flames easily. (Pine is fine for starting fires, but because it burns quickly and imparts an acrid flavor it should never be used for cooking.) Mr. Kaminsky

used a fireplace shovel and a poker modified so that it looked like a croupier's rake to gather the hot embers, carefully placing them under the grill, adding more oak to the fire as the wood turned into embers.

But at its most basic, grilling over hardwood is campfire cooking. My backyard cooking falls somewhere between Mr. Kaminsky's control and a campfire's chaos. I'll ignite oak and applewood in a fire pit, and while the flames are still burning I'll heat a griddle for searing vegetables for a salad (sliced fennel, tomato halves and wedges of radicchio all char nicely). Or I'll put clams, white wine and herbs in a cast iron caldron and set it directly on the burning wood, then toast some bread for a simple appetizer. Once the wood turns into hot embers -- between 20 and 30 minutes -- it's ready for grilling.

Because a wood fire can be much hotter than what you'll get from charcoal or gas, you should use canola oil or another neutral-flavored oil with a high smoke point for seasoning the grill and griddle or for brushing meat, fish and vegetables. Olive oil, which breaks down over high heat, can be drizzled on later, for flavor.

Wood fire might seem to have a greater environmental impact than charcoal or gas, but it's not so easily assessed. According to the Environmental Protection Agency, a wood fire emits more gases and particulate matter than clean-burning propane, but it also has a smaller carbon footprint. The E.P.A. does not endorse one form of grilling over another.

THAT smoke is a guilty pleasure. It gives so much flavor, it makes most marinades and rubs unnecessary. But a bright and balanced sauce, like the honey-sweetened gremolata in ''Seven Fires,'' adds a note of sophistication.

So does the fresh dried chili oil from Russell Moore, the chef and an owner of Camino, in Oakland, Calif., a restaurant where almost everything is cooked with a wood fire. This time of year Mr. Moore grills asparagus and spring onions, then tops them with a chili oil he makes from mild dried New Mexican chilies, pounded garlic and chopped mint. The result has so much body and flavor it's more salsa than sauce. Mr. Moore describes it as ''a super-rough harissa.''

The recipe is really a template -- you can use any mild chili, such as chihuacle or mulatto, and any herb -- and drizzle it over whatever vegetable looks good that week, from artichokes to new potatoes to escarole to summer chanterelles. ''You want all the freshness of the seasons in there, and three strong flavors,'' Mr. Moore said.

Many of the dishes in Adam Perry Lang's ''Serious Barbecue'' (Hyperion, 2009) call for indirect heat -- this could become a bible for disciples of the ceramic outdoor cooker known as the Big Green Egg -- but some dishes, like his Crisp and Unctuous Pork Belly, do just as well when braised in a conventional oven and finished on the grill. Mr. Lang, the chef and owner of Daisy May's BBQ in Manhattan, builds flavor whenever possible, and the pork belly calls for a marinade, a bourbon glaze (preferably applied with a bundle of herbs), and a dressing applied directly to the cutting board: you squeeze

lemon on the board and add olive oil, chives and pepper, so that the resting slab of pork draws in even more flavor.

Mr. Lang suggests serving slices of the belly in a bun with applesauce and mustard, the latest iteration of the pork bun. It's also good on watercress or arugula, tossed with a sharp dressing.

For all the technique he details in the book, when I spoke to Mr. Lang he drove home one point: Never use a spray bottle to douse flares from dripping fat. Instead, he suggests moving the food to a cooler corner of the grill, or stacking meat so that it's exposed to less heat. "A lot of people fear the flame," Mr. Lang said. "I tell them: Don't. Because when you're cooking on wood the flavor is like nothing else."

California plans next steps to cut car pollution (*Reuters*)

Tue May 19, 2009 8:27pm EDT
By Peter Henderson
SAN FRANCISCO (Reuters) - California is planning the next stage of clean car standards even as U.S. President Barack Obama announces federal plans based on the state's model, its top climate change official said on Tuesday.

Obama on Tuesday set 2016 mileage and carbon emissions goals for U.S. fleets, which will be codified by the federal Department of Transportation and the Environmental Protection Agency.

"California will be immediately getting to work on what the standards should be for beyond 2016," Mary Nichols, who chairs the California Air Resources Board, said in a telephone interview. She expects "a much more stringent standard."

Other state plans for vehicle emissions, from caps on pollution by big rig diesel trucks to requirements that gasoline and other providers cut the amount of carbon in their fuel, are still under way, despite the state's agreement to work with the federal government on car emissions.

"It doesn't signal any kind of flagging interest on the part of California in being part of a transformation of the auto fleet to something much more efficient than what it is today," Nichols said.

The U.S. Department of Transportation will set a 35.5 miles per gallon fleet average target. The Environmental Protection Agency will set a fleet goal of tailpipe emissions of 250 grams of carbon per mile traveled by 2016, matching the California goal, but ramping up at a slower rate, said Nichols.

The three big U.S. car makers had average fuel efficiency of 24-25 miles per gallon in 2007, while carbon emissions for 2009-model vehicles range from a low of 135 grams per mile for the Toyota Prius to 400 and higher for SUVs, according to California.

California, with federal approval, sets its own vehicle standards. It effectively works as a laboratory -- the federal government often later adopts its standards. Nichols expects the federal government in June to let it regulate tailpipe emissions, which it would coordinate with Obama's new policies.

Longer term, the state will focus on performance targets like carbon emissions, although it has set targets for production of zero-emission vehicles, such as all-electric cars. The board will consider rebates of vehicle fees, which Nichols called 'feebates', later this year, too.

"We will be working with our colleagues at EPA, but the reality is that because California is one state with a very strong market and a history of desire for advanced vehicles, we can move much more quickly and aggressively than the federal government," she said.

(for more environmental news see our Environment blog at blogs.reuters.com/environment)

(Additional reporting by Kevin Krolicki in Detroit; editing by Mary Milliken and Mohammad Zargham)

Air Quality Measures Consistently Cost Less than Predicted (*EHS Today*)

May 19, 2009 10:32 AM, By Sandy Smith
In December 1970, the Clean Air Act became law. A triumph of bipartisanship, the statute has delivered cleaner, healthier air to millions of Americans and has proved to be one of the most cost-effective regulatory programs in American history. EPA valued the total health benefits through 1990 at $22.2 trillion and the total compliance costs over the same years at $0.5 trillion, resulting in net monetary benefits of $21.7 trillion. The Clean Air Act continues to deliver these benefits, supplemented by the considerable health and environmental gains from the Clean Air Act Amendments of 1990.
Each time EPA has considered new clean air standards, it has been challenged with claims that meeting the new standards would not be feasible, practical or affordable. A new fact sheet from the Environmental Defense Fund has shown that the reverse is true: Benefits have overwhelmed the costs, which have been consistently lower than predicted.

The cost of cleaning America's air has been consistently lower than projected. For

example, Clean Air Act amendments were predicted to cost $104 billion per year. The actual figure is $22 billion per year, or 21 percent of the predicted cost. Low emissions vehicles were predicted to cost $1,500 more than comparable models. In reality, the additional cost is less than $100. Reformulated gasoline was predicted to increase the cost of a gallon of gas by 17 cents, when it actually increased the cost by 5.4 cents a gallon.

One of the most innovative aspects of the Clean Air Act is its cap-and-trade approach to reducing emissions of sulfur dioxide, a precursor to acid rain. Initial analyses of the program warned of high costs, but these fears were not realized. Acid rain SO2 reduction measures were predicted to cost $6 billion per year. The actual cost was 30 percent of that, or $1.8 billion.
In fact, the program demonstrates that properly designed, market-based approaches can reduce emissions ahead of schedule and at far lower cost than conventional command-and-control regulation. The cap-and-trade approach provides incentives to reduce emissions, leads to low-cost environmental results and turns pollution reductions into marketable assets.
Since its inception, the program has achieved 100 percent compliance in Phase I, reduced emissions at least 35 percent below 1990 levels and cost far less than projected.

Friday is Designated Don't Fry Day (*EV Living*)

May 19, 2009 · Published By Editor
EPA Cancer Warning to Memorial Day Vacationers: "Friday is Don't Fry Day"
Americans Should Save Their Skin
(Washington, D.C.) To remind Americans to practice sun-safe behaviors on Memorial Day weekend and the rest of summer, EPA's SunWise Program and the National Council on Skin Cancer Prevention have designated the Friday before Memorial Day as "Don't Fry Day." Skin cancer is largely preventable; however, new cases of melanoma, the most deadly of skin cancers, continue to rise at a faster rate than the seven most common cancers.
"Any change in your skin, whether burned or slightly tanned, is a sign of ultraviolet radiation damage," said Drusilla Hufford, director of EPA's Stratospheric Protection Division and council co-chair. "The good news is you can protect yourself and your family members from too much sun, the main cause of skin cancer, by taking simple steps like putting on sunscreen, a hat, sunglasses and a t-shirt."
"Many people believe skin cancer occurs after a lifetime of exposure, and yet, melanoma is the second most common form of cancer for young adults 15-29 years of age," said Dr. Henry Lim, council co-chair. "In the last 30 years, the number of women under age 40 diagnosed with basal cell carcinoma has more than doubled while the squamous cell carcinoma rate has also increased significantly."
Consistent with Administrator Lisa P. Jackson's priorities, EPA's participation focuses on children and families. The SunWise Program recognizes the important role parents

play in protecting their children from too much sun. Sunburns in childhood are associated with an increased risk of developing melanoma.

EPA is encouraging schools to participate by pledging to incorporate sun safety into their May activities. Participating classrooms will receive a Don't Fry Day poster and a classroom set of sun safety stickers. In addition, each classroom will be entered into a drawing for a SunWise Classroom Prize Pack - a set of UV-sensitive SunWise bracelets, a real-time UV monitor, and other sun safety resources.

EPA recommends some simple ways to stay safe in the sun. Remember, Slip, Slop, Slap and Wrap and plan activities away from the midday sun.

- Slip on a shirt.
- Slop on sunscreen (SPF 15 or higher).
- Slap on a hat.
- Wrap on sunglasses to protect the eyes and sensitive skin around them from ultraviolet light.

Skin cancer from UV radiation is the most common of all cancers in the United States. More people will be diagnosed with skin cancer this year than breast, prostate, lung, and colon cancer combined. UV radiation is a carcinogen whether it comes from the sun or an artificial light source.

There is a misperception that people of color are not at risk of getting skin cancer. While the risk for people of color is not as high, skin cancer, including melanoma, affects all skin types. Skin cancer is often detected in people with darker skin after it is too late, so it is important that people of color are safe in the sun and see a doctor if they notice any changes with their skin.

As part of the Don't Fry Day campaign, EPA is also targeting the 10 states with the highest number of new melanoma cases by releasing state-specific skin cancer fact sheets for Connecticut, Idaho, Maine, Massachusetts, New Hampshire, Oregon, Rhode Island, Utah, Vermont and Washington. Additionally, Salt Lake County, Utah will become a SunWise Community, the newest member of a national program of eight communities that encourage sun safety on the part of their citizens.

More information on Don't Fry Day:
http://www.skincancerprevention.org/Events/DontFryDay/tabid/113/Default.aspx

Submitted on behalf of EPA

More information on EPA's SunWise program: http://www.epa.gov/sunwise/ More information on the Don't Fry Day pledge: http://www.epa.gov/sunwise/dfdpledge.html

BROWNFIELD

==========

Tennessee Gets $2.2 M for Brownfields Cleanup (*EP Magazine*)

May 19, 2009

An estimated $2.2 million in grants are available from the U.S. Environmental Protection Agency to help communities in Tennessee clean up sites known as "brownfields" which may be contaminated by hazardous chemicals or pollutants.

"Brownfields initiatives demonstrate how environmental protection and economic development work hand-in-hand," said Stan Meiburg, EPA acting regional administrator in Atlanta. "This funding will help local efforts in transforming underutilized properties into community assets while providing a boost for the economy through the creation of green jobs."

Applicants selected to receive brownfields general program funds are:

- Chattanooga - $1, Revolving Loan Fund for cleanup and a $200,000 for cleanup of the former Anchor Glass site
- Hamilton County - $200,000 for the former Bell Elementary School cleanup
- Knoxville - $400,000 for community wide assessment
- Upper Cumberland Development District - $400,000 for community wide assessment.

The grants will help to assess, cleanup and redevelop abandoned, contaminated properties known as brownfields. Brownfields are sites where expansion, redevelopment, or reuse may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. In addition, the Small Business Liability Relief and Brownfields Revitalization Act of 2002 expanded the definition of a brownfield to include mine-scarred lands or sites contaminated by petroleum or the manufacture of illegal drugs. Grant recipients are selected through a national competition. The Brownfields Program encourages development of America's estimated 450,000 abandoned and contaminated waste sites.

CLIMATE CHANGE / GLOBAL WARMING

==========

May 19, 2009

Revised House climate bill carries smaller price tag, EPA report says (*New York Times*)

Story also appeared: *Greenwire*

By DARREN SAMUELSOHN, Greenwire

Compromises among House Democrats will lower the price slightly for a major climate and energy bill being marked up this week in the Energy and Commerce Committee, U.S. EPA said in a preliminary analysis released today.

EPA's analysis (pdf) says that major changes to the legislation made during closed-door talks between committee leaders with moderate and conservative Democrats produced

a less-aggressive 2020 limit on greenhouse gas emissions, free allowances to local distribution companies that service electric utilities, greater use of international and domestic offsets, and additional incentives for carbon capture and storage.
As a result, EPA said, H.R. 2454 (pdf) "would likely result in lower allowance prices, a smaller impact on energy bills, and a smaller impact on household consumption" when compared with an earlier study of the legislation when in draft form. The agency did not put dollar figures on its new assessment, but it cited the previous analysis that found allowance prices of $13 to $17 in 2015, as well as a $98 to $140 per year cost from the legislation for individual households.
House Democrats agreed last week to change the draft bill's 2020 emission limit to 17 percent below 2005 levels, compared with an original 20 percent target. EPA determined that the new limits would drop allowance prices by 3 percent. While household energy bills would still go up from the bill, EPA said it would lower the overall impact.
New language that allows industry to purchase domestic and international offsets, including environmentally friendly forestry and farming practices, also will change the legislation's economics. For example, EPA said allowances prices would fall 7 percent per year due to a change giving industry a more friendly formula for funding offset projects. The prices could drop "significantly further" because of a compromise allowing more international projects into the mix.
EPA did determine that allowance prices may see a slight increase because of Democrats' decision to give away 30 percent of the emission allowances for free to the state-regulated local distribution companies "because it will lessen somewhat the incentive for consumers to conserve electricity." But EPA said the allowance price increase "will be overpowered" because of the less aggressive emission caps and use of domestic and international offsets.
Lastly, EPA projects greater deployment of carbon capture and storage technologies between 2020 and 2025 because of new incentives for the electric utility industry.
The agency's latest study of the bill came during the second day of an Energy and Commerce Committee markup that is expected to run through the week.
The first two hours of today's session has been dominated by debate on just one amendment that would create a new energy-technology investment bank (see related story). Republicans have assailed the measure on multiple fronts, including federal studies projecting higher energy bills.
"The costs are going to be astronomical," said Rep. Joe Barton of Texas, the committee's top Republican, during yesterday's opening statements.

Medical Doctor to EPA: Health Effects of Global Warming a Clear and Present Danger (*Hot Indie News*)

Brooklyn,NY
Tuesday, May 19th, 2009

EPA Holds Public Hearing on Threat of Global Warming Gases

(Washington – May 19, 2009) Today, the U.S. Environmental Protection Agency (EPA) is holding a public hearing in Arlington, Virginia on its proposed determination that global warming pollution "endangers" the nation's human health and well-being. Environmental Defense Fund's Dr. John Balbus, a leading expert on the health effects of global warming, testifies at today's hearing about the serious health impacts already occurring. For more information, http://epa.gov/climatechange/endangerment.html.

"The effects of climate change on health are multiple and severe," said John Balbus, Chief Health Scientist at Environmental Defense Fund. "Global warming is a clear and present danger to human health. EPA's action is a wake up-call for national policy solutions that secure our nation's health and well-being."

On April 2, 2007, the U.S. Supreme Court in Massachusetts v. EPA pointedly admonished EPA for its refusal to act. The Court found that EPA had proffered a "laundry list of reasons not to regulate" greenhouse gas emissions that was contrary to law.

Today's decision – a determination that global warming pollution is a danger to America's health and well-being – reflects the first step under the federal Clean Air Act to begin establishing national emission standards for large global warming emitters but does not contain such emission limits. It is anticipated that EPA will finalize the "endangerment" determination while it begins developing national emission standards for new motor vehicles and new coal-fired power plants, the nation's two largest sources of global warming pollution.

EPA's action comes as Congress takes its own historic steps toward enacting a cap on global warming pollution. The House Energy and Commerce Committee is holding hearings today to begin marking up comprehensive energy and climate legislation, called the American Clean Energy and Security Act (H.R. 2454). Chairman Henry Waxman is working move the bill out of committee by Memorial Day. House Speaker Nancy Pelosi said she intends to bring the bill to the House floor this year.

EPA Responds to an Order from the U.S. Supreme Court. In 2003, the Bush EPA denied a 1999 request to establish greenhouse gas emission standards for motor vehicles under the Clean Air Act. EPA claimed it had no power to address global warming pollution, expressly reversing prior EPA legal opinions. On April 2, 2007, the U.S. Supreme Court in Massachusetts v. EPA pointedly admonished EPA for its refusal to act by proffering a "laundry list of reasons not to regulate" greenhouse gas emissions. The high Court commanded EPA to make a decision on the basis of science: "That EPA would prefer not to regulate greenhouse gases because of some residual uncertainty…is irrelevant. The statutory question is whether sufficient information exists to make an endangerment finding."

The Science Shows Abrupt Climate Impacts and Threat to Poor, Elderly, Human Health. EPA's extensive review of the science, conducted as part of today's "endangerment" determination, documented: (1) abrupt climate change impacts

including the accelerated flow and thinning at the edges of the Greenland and West Antarctic ice sheets and associated effects on sea level rise; (2) the climate-related human health perils for the poor, the elderly, the disabled, and the uninsured, and (3) the expected climate-induced rise in smog pollution and heat-related deaths in major regions of the country.

Pollution Has Soared While EPA Denied Responsibility. EPA's action is long overdue. Since citizens petitioned EPA to address global warming pollution in 1999, the nation has discharged over 50 billion tons of greenhouse gases into the atmosphere and heat-trapping carbon dioxide concentrations have soared to 385 parts per million (2008).

Policy Solutions, Not Scare-Tactics. EPA's announcement is a wake up call for national policy action that will reduce global warming pollution and grow America's clean energy economy. But the usual suspects that lobby to delay progress and avoid accountability continue to use scare tactics to claim that action by EPA will result in a "cow tax" and make other absurd claims. EPA is not even requiring reporting of greenhouse gas emissions for sources emitting less than 25,000 tons of carbon dioxide annually. To put the 25,000 reporting threshold into perspective, it is the amount of pollution emitted from the annual energy use of about 2,200 homes, approximately 58,000 barrels of oil consumed, or 130 railcars of coal.

Environmental Defense Fund, a leading national nonprofit organization, represents more than 500,000 members. Since 1967, Environmental Defense Fund has linked science, economics, law and innovative private-sector partnerships to create breakthrough solutions to the most serious environmental problems. For more information, visit www.edf.org.

Pierce Brosnan at EPA: "Markey. Waxman-Markey" (*Treehugger*)

by Alex Pasternack, New York, NY on 05.19.09
First of Two EPA Hearings on Greenhouse Gas Regulation
As Washington fluttered with climate change action yesterday, actor and environmental campaigner Pierce Brosnan added some star power to a public hearing at the Environmental Protection Agency about greenhouse gas emissions. But Brosnan said nothing about the hearing's topic, the endangerment finding that could mean regulations over emissions sources under the Clean Air Act. Instead, he praised Washington's alternate approach to climate change, the Waxman-Markey bill, which is getting a (slow) mark-up on Capitol Hill this week. Video below...
"Climate change is not simply an environmental issue," said Brosnan, who used to play James Bond and who appeared with his wife Keeley Shaye Smith. "It's an economic, global, health national security and moral issue. Congressman Markey and Waxman's bill will help protect our planet... I urge you to do everything you possibly can to help achieve this."

Start of Huge Climate Week
But star power wasn't needed. Yesterday was a veritable parade of serious policies to address climate change in Washington. On top of the EPA hearings and the Congress mark-up, the White House stepped up with a long-awaited approach that could impact the other policies: California-style fuel-economy and emissions standards for automobiles that amount to "the single biggest step the American government has ever taken to cut greenhouse-gas emissions."

(It may be moot now, but Obama recently killed government funding for hydrogen cars, something that Brosnan might not like to hear -- he drives a BMW Hydrogen 7 car.)

EPA vs. Congress
EPA regulations are seen as a last resort option by President Obama and EPA chief Lisa Jackson, both of whom prefer Congressional legislation.

But some supporters of the EPA finding emphasized that regulations should be undertaken regardless of what happens on Capitol Hill.

"We must reduce greenhouse gas emissions now without further delay and without waiting for a perfect solution," said Navis Bermudez, speaking on behalf of New York Gov. David A. Paterson, according to the Associated Press.

"While we also hope that Congress enacts comprehensive federal climate change legislation, we believe EPA can act now under the existing Clean Air Act without waiting for such legislation."

Opponents, of which there were few, reports Sierra Club, voiced their concerns too, echoing the criticism by lawmakers that regulation would prove too complex and would interfere with attempts by Congress to legislate over carbon emissions.

Bryan Brendle, director of energy and resources policy for the National Association of Manufacturers, testified that the Clean Air Act was ill-suited to deal with the global problem of climate change and would "pre-empt ongoing congressional debate on an issue that would impact all sectors of a struggling economy."

Others meanwhile see regulation as the EPA's threat to Congress: kill the Waxman-Markey bill and we're going to have to do this the hard way.

"If Congress does nothing, then greenhouse gases could be regulated administratively through the EPA without input from members that represent diverse constituencies nationwide," Rep. Gene Green, D-Texas, said in Congress yesterday.

If the House bill passes, its cap-and-trade scheme to lower greenhouse gas emissions would pre-empt the EPA from forcing industries to reduce their emissions.

Discussion on the 932-page bill, which the House Energy committee intends to vote on by the end of the week, is currently being dragged-out by Republicans who are raising a slew of amendments.

More than a hundred people signed up to testify at the EPA hearing, including environmentalists, scientists, religious leaders and climate change skeptics.

Another hearing on the EPA's finding is scheduled for Thursday, May 21, in Seattle.

EPA Science Advisors Urge Greater Focus On Climate Effects In PM Review (*Inside EPA*)

Tuesday, May 19, 2009
EPA's scientific advisory group is urging a greater focus on the effects of climate change in its recent comments on the agency's ongoing review of the particulate matter (PM) national ambient air quality standard (NAAQS), a move that could heighten attention to synergies between traditional air pollutants and greenhouse gases in science and policy.

EPA is facing a number of high-profile questions in the review in addition to how it incorporates climate effects, including how it attributes PM exposure to health effects in a new causality framework being created for the review, and whether it should consider health effects from potentially more harmful particles originating from certain sources.

The agency is still in the early stages of the PM NAAQS review, having issued its first draft of the Integrated Science Assessment (ISA) in December, with a final document set to come out by the end of the year, followed by a final risk assessment by mid-2010, a proposed rule by January 2011, and a final rule by October 2011.

EPA is conducting the PM NAAQS review amid uncertainty about the existing 2006 standard, after the U.S. Court of Appeals for the District of Columbia Circuit Feb. 24 remanded portions of the NAAQS related to fine particles back to the agency for further justification. In addition, EPA is reviewing the Bush-era modification of the traditional NAAQS review process, which was a controversial attempt to streamline it.

EPA Office of Air Quality Planning & Standards official Lydia Wegman said both of these issues may affect the current schedule for the PM NAAQS review. "The schedule is subject to change depending on what we do with the NAAQS review process, and also how we respond to the remand and the timing of our response to the remand," Wegman said at an April 1 Clean Air Scientific Advisory Committee (CASAC) meeting on the PM NAAQS review in North Carolina, according to the meeting transcript.

However, amid the uncertainty over the schedule, EPA set a May 15 cutoff for new science to be considered in the review, according to EPA's John Vandenberg. "That will allow us to incorporate comments from CASAC, from the public, from the new studies, but we have to have some point in time that we work from," Vandenberg said at the meeting.

CASAC is widely praising the draft ISA, but in a draft letter the panel is asking EPA to clarify its stance on climate change and to include the effects as a more central issue in its consideration of both the primary standard, which addresses human health, and the secondary standard to protect the environment.

"The implications of PM size and composition for climate effects need to be more thoroughly explored, both with regard to climate change and the associated health effects of climate change," the April 30 draft CASAC letter says.

PM-climate synergies are complicated and not entirely understood. For example, black carbon, one type of PM, has a warming effect when it lands on ice and snow and has been linked to causing a significant increment of Arctic melting. However, sulfates, another part of the complex chemical mixture of PM, has a net cooling effect. These contrasting properties of a uniformly regulated pollutant make the evaluation of PM climate effects difficult to quantify, EPA says.

"The effects on climate are generally discussed as direct and indirect effects, and aerosols can have direct effects on radiation and temperature, contributing to warming, which is mainly associated with black carbon or cooling, and overall the net effect is a global cooling. And indirect effects, which are naturally more difficult to calculate, may involve cloud feedbacks and influence precipitation formation and cloud lifetimes . . . [U]ltimately these direct and indirect effects may affect atmospheric and oceanic circulation bio-chemical cycles," EPA's Chris Novak said at the CASAC meeting, in reference to the ISA's chapter 9 that summarizes climate effects.

EPA's potentially increased effort to assess the synergies between climate change and PM could help heighten attention to the issue, which is also simmering at the international level. Some policymakers are urging reductions in traditional air pollutants as a way to at once cut warming in the short term as well as to entice developing countries to support a climate treaty, since countries like India and China are bearing serious public health burdens from the health effects of traditional air pollutants.

Others also urge the combination of air pollution and climate change policies in order to prevent potentially rapid warming, resulting from policies to cut sulfur dioxide, which creates cooling effects that are believed to be masking much of the warming that has already resulted from anthropogenic greenhouse gas emissions.

"I almost hesitate to raise the question, but when we talk about this causality framework and when we talk about effects on something like climate . . . is it appropriate to ask a question about beneficial effects?" CASAC's Rich Poirot asked EPA at the meeting.

EPA's Vandenberg responded that the agency is not using the word "beneficial . . . I think we're trying to lay out the evidence as it relates to the causal framework and not put value judgments on it."

Panel member David Grantz added that EPA is under-representing climate effects in the review. "I really thought the climate aspects were downplayed far more than the available data indicated they might be, and I wondered if that was because some of the conclusions were, if not beneficial, in the opposite direction," Grantz said.

EPA responded that it would like recommendations from the panel on how to better address climate effects in the review.

And panel member Ted Russel in individual written comments on chapter 9 says climate change could be central in whether EPA decides to revise the PM standard. "Looking at the question as to what might drive revision of the NAAQS, climate change should be part of that, if not play a central role. I am concerned that this chapter in its current form leads to a lack of consideration of climate impacts (both ways). This section needs to make the link between climate change and health impacts (which, I agree, are uncertain)," Russel's comments in the April 30 letter say.

Industry raised early concerns about EPA's causality framework for the PM NAAQS review, calling it biased toward studies that find negative health effects from PM exposure.

But several CASAC members expressed support for the method, calling it a welcome addition to the science review. "I think it really does set the stage for a more rigorous exoneration of the evidence," CASAC's Sverre Vedal said at the North Carolina meeting.

The April 30 draft CASAC letter on the ISA urges EPA to deal directly with the issue of publication bias raised by industry. "Publication bias is likely to be relevant in the assessment of causality, and perhaps even more so in the assessment of the evidence characterizing concentration-response relationships. Discussion is needed on the implications of publication bias; how it is detected; and how its consequences should be taken into account," the draft letter says. -- *Jenny Johnson*

U.S., China held secret meetings on emissions (*Greenwire*)

05/19/2009
A high-powered, bipartisan group led two missions to China in the final months of the Bush administration for secret negotiations aimed at forging a U.S.-Chinese deal on climate change.

The initiative produced a draft agreement in March, barely two months after Barack Obama assumed the presidency. The group included John Holdren, now the White House science adviser, and others who now hold positions in the administration.

The memorandum of understanding between the United States and China was not signed, but those involved said they believe it could be the foundation for a U.S.-Chinese accord to battle climate change, which could be accomplished as early as this autumn.

The secret missions suggest that Obama's advisers arrived at the White House firmly focused on developing an understanding between the two countries prior to the crucial United Nations climate change meeting in Copenhagen, Denmark, this December.

The meetings also challenge the conventional wisdom that President George W. Bush's decision to pull the United States out of the Kyoto Protocol had crippled the administration on global warming and that China was unwilling to consider emissions cuts at a time of rapid economic growth (Suzanne Goldenberg, London *Guardian*, May 18). **– TL**

House panel approves 'clean energy' bank (*Greenwire*)

Ben Geman, E&E senior reporter
05/19/2009
The House Energy and Commerce Committee approved a provision to its sweeping climate and energy bill that would create an autonomous Clean Energy Deployment Administration within the Energy Department and make reforms to DOE's loan guarantee program for low-emission projects.

The time spent debating the amendment was more than hour, suggesting the committee will face a slog through the 946-page measure. The amendment passed 51-6, with ranking member Joe Barton (R-Texas) among a handful of Republicans who opposed it.

Rep. John Dingell (D-Mich.), who offered the amendment with Democrats Jay Inslee of Washington and Bart Gordon of Tennessee, said the plan would aid deployment of new nuclear plants as well as renewable technologies. Changes to the loan guarantee program and creation of a "clean energy" bank within DOE are also part of a major energy bill before the Senate Energy and Natural Resources Committee, although the plans are not identical.

The Clean Energy Deployment Administration would be empowered to provide a suite of financing options, including direct loans, letters of credit, loan guarantees, insurance products and others.

The bank would fund "breakthrough" technologies and is aimed at bridging what is known as the "valley of death" that can prevent promising technologies from moving from the lab into commercial demonstrations and markets for lack of private-sector lending.

"If you are trying to generate new energy and new sources, you have to allow ... a mechanism to allow these new energy sources to get to market," Dingell said.

The bank could fund projects for energy production, transmission, storage and other areas that could reduce greenhouse gases, diversify energy supplies and save energy.

The bill does not lay out specific technologies, but supporters said advanced nuclear and renewable energy projects, as well as carbon capture and storage, would qualify. But they also said it should not list specific technologies in order to provide flexibility to back an array of advanced projects.

The amendment specifies that the Clean Energy Deployment Administration must adopt a "portfolio investment approach" and ensure no particular technology receives more than 30 percent of the total funding available.

"We don't want one technology to soak all the funding out of this fund," Dingell said.

Barton said he was amenable to the energy bank concept, but he raised several objections to the absence of specific authorized funding levels. "It is totally open-ended in terms of funding," Barton said. "I am not totally opposed to the concept. I just think it needs a little more structure."

Supporters said legislation commonly excludes specific funding levels -- something that could be addressed through White House budget proposals and congressional appropriations. They also noted money that would come in through loan repayments and fees.

"These people are not just going to reach into the till and grab money," Inslee said.

Barton also said there was not enough clarity on what "breakthrough" technologies could be supported by the new energy bank.

In addition to the energy bank, the amendment makes changes to the loan guarantee program that was first authorized in the Energy Policy Act of 2005, including subjecting nuclear-power projects that may receive guarantees to Davis-Bacon prevailing wage requirements, Dingell said.

EDITORIAL / COMMENTARY/OP-ED/LETTERS
==========

Car Compact (*Washington Post*)

May 20, 2009 Wednesday
Regional Edition
EDITORIAL COPY; Pg. A22
Maryland
Car Compact; President Obama announces a plan to settle a thorny dispute and make greener vehicles.
FORGET ABOUT the 2007 energy act that increased corporate average fuel economy (CAFE) standards -- to 35 miles per gallon by 2020 -- for the first time since 1975. President Obama announced a plan yesterday that speeds up that timetable and breaks new ground by regulating greenhouse gas emissions from motor vehicles. And he did it in the Rose Garden surrounded by smiling auto executives, environmental advocates and public officials. We note this because these three factions had been at war with each other in one form or another for years.

Think of all this as a three-ring circus. In the first ring is California, which in 2002 sought to implement a vehicle emissions standard much tougher than the federal government's. It was joined by the District of Columbia, Maryland and 12 other states. But the Golden State needed a waiver from the Environmental Protection Agency for its standard to go into effect. The Bush administration rejected the request. Mr. Obama ordered the EPA to review the decision by the end of June. In the second ring are the automakers. Complaining of the hardship of abiding by a patchwork of regulations, they have sued to block the California rules. And in the third are the EPA and the National Highway Traffic Safety Administration, which sets CAFE regulations, laboring under court orders and statutory deadlines to address emissions and fuel economy.

What Mr. Obama proposed is a national plan that would settle all fights. The White House called for a boost in CAFE standards for cars and light trucks to 35.5 mpg by 2016. The program would begin ramping up with the 2012 model year. In addition, there would be a vehicle emissions standard that, when harmonized with the new CAFE standard set by NHTSA, would make the new national standard on par with that sought by California. The state has mandated a 30 percent reduction in greenhouse gas emissions from cars and light trucks by 2016, starting with the 2009 model year. While the EPA still must decide whether to grant California the waiver, the state has agreed to defer to the national standard. And the automakers are expected to drop their remaining lawsuits. The last hurdle to implementation is the actual rulemaking process that has a deadline of March 2010.

The price of the average car is expected to rise by $1,300. But Mr. Obama said, "[O]ver the life of a vehicle, the typical driver would save about $2,800 by getting better gas mileage." Administration officials say this new plan will not limit consumers' choices but will give them more-efficient motor vehicles in all categories. It is a needed intervention

on the supply side. Now, if the administration and Congress would consider a boost in gas taxes, more consumers would want to buy more-efficient cars. Recalling the gas shortages of the 1970s, Mr. Obama noted, "Calls for action rise and fall with the price of a barrel of oil." There is an opportunity to put that cycle to rest.

The Earth Wins One (*New York Times*)

May 20, 2009 Wednesday
Late Edition - Final
Section A; Column 0; Editorial Desk; EDITORIAL; Pg. 28
The nationwide automobile mileage and emissions standards announced by President Obama on Tuesday represent a huge step forward in the effort to limit greenhouse gases and reduce America's dependence on foreign oil. They also represent a departure from the Bush administration's indifference on these issues and an important down payment on Mr. Obama's pledge to fashion an aggressive and imaginative energy policy.

The standards, forged after weeks of negotiations orchestrated by Carol Browner, the White House coordinator on energy and environmental matters, may also mark the end of decades of wearying, unproductive legal and political combat between the automobile industry and environmentalists.

Sharing the occasion with Mr. Obama were automobile executives and activists. Also in attendance were two governors on different sides of the issue -- Gov. Arnold Schwarzenegger of California, whose state had been fighting to impose its own, much stricter emissions standards on cars and trucks, and Gov. Jennifer Granholm of Michigan, who had worried that tough standards could kill an industry already on life support.

The agreement will raise fuel-efficiency standards to 35.5 miles per gallon by 2016 -- a 40 percent increase over today's 25 m.p.g. standard and a 30 percent increase over today's actual fleetwide mileage of almost 28 m.p.g. And for the first time, it will impose limits on tailpipe greenhouse gas emissions from cars and light trucks. The goal, roughly speaking, is to reduce greenhouse emissions from new cars and trucks by nearly one-third by 2016. Happily for Mr. Schwarzenegger, this will achieve, on a national basis, the reduction in greenhouse gas emissions from vehicles called for in California's landmark clean car program. California had repeatedly asked the Bush administration for the federal waiver it needed (and had never before been denied) to enforce its own rules, only to be rebuffed.

Odd as it may seem, California's triumph may also end up being a boon to the beleaguered automakers.

To survive, Detroit is clearly going to have to make more fuel-efficient cars. And since Mr. Obama would surely have granted California the waiver it needed, Detroit would have been confronted with two sets of emissions standards: tough ones in California and the states that opted into California's program; easier standards elsewhere. The new rule provides a single national efficiency standard as well as the regulatory certainty that the automakers need to plan their production schedules.

With this deal, America also wins back a bit of energy independence. But the biggest winner could be the atmosphere. Vehicles account for more than one-quarter of greenhouse gas emissions in this country.

The new standards are not a substitute for the kind of comprehensive economywide emissions cap now under consideration in the House. They are, though, an important and necessary start.

Hitting the gas (*Los Angeles Times*)

May 20, 2009 Wednesday
Home Edition
MAIN NEWS; Editorial pages Desk; Part A; Pg. 30
Hitting the gas
To listen to the global warming deniers, the Obama administration's announcement Tuesday that it plans to restrict greenhouse gas emissions from vehicles will hurt the economy, force consumers to buy cars they don't want and endanger the lives of motorists. The opposite is closer to the truth.

Until the banking crisis overtook the issue, the nation's top economic concern was high gasoline prices. The financial meltdown caused oil prices to plummet, but that will change when the economy recovers. Improving fuel efficiency will dramatically reduce U.S. demand, which accounts for a quarter of the world's oil demand. That will put far more downward pressure on prices, and do it more quickly, than opening more domestic lands to drilling possibly could.

Obama announced that the Department of Transportation and the **Environmental Protection Agency** will work together to improve the average fuel economy of vehicles sold in the U.S. to 35.5 miles per gallon by 2016. This should render moot a separate effort by California and 13 other states to regulate tailpipe emissions and assure a unified national standard for new vehicles. That will ultimately benefit automakers.

The safety argument is based on studies that have shown past regulation of fuel efficiency increased the number of deaths in auto accidents by encouraging smaller and lighter vehicles. That's mainly because people in lighter cars are in greater danger when they're in accidents involving heavier ones; if everybody drove smaller cars, we'd all be safer. Future cars will have more efficient engines, transmissions and tires, none of

which will affect size, and they probably will be built from lighter and stronger materials that will enhance safety. These elements will add to a new car's cost -- about $1,300 more per vehicle by 2016, according to the Obama administration -- but consumers will more than make up the difference in fuel savings.

The crackdown on vehicles comes as Congress is debating a groundbreaking bill :chairmen-waxman-and-markey-introduce-the-american-clean-energy-and-s ecurity-act&catid=155:statements&Itemid=55 to regulate greenhouse gases in nearly every sector of the U.S. economy, and Obama has put lawmakers and industry on notice: If they don't act, the administration is willing to do the job. The **EPA** is empowered to regulate these gases under the **Clean Air Act,** and the kind of command-and-control measures it would implement would probably be far more costly to polluters than the cap-and-trade scheme being negotiated in Congress. Cutting a deal that heads off such intervention is in everybody's interest.

Emissions deal nearly stalled at the finish (*Los Angeles Times*)

May 20, 2009 Wednesday
Home Edition
MAIN NEWS; National Desk; Part A; Pg. 1
BY: Jim Tankersley
WASHINGTON
It had taken weeks of hardball negotiations, but on Sunday afternoon, White House officials thought everything was falling into place. In less than 48 hours they would unveil a landmark deal with U.S. automakers to impose sharply higher fuel-efficiency standards on new cars and trucks.

Then at 3 p.m., the telephone rang.

A senior Ford executive said the company had run the numbers again and concluded it might not survive if it accepted the deal. If Ford pulled out, it would mean a major setback for two of President Obama's signature goals -- combating **global warming** and reducing the nation's appetite for foreign oil.

In the end, with more number-crunching and another application of White House pressure, Ford did not bolt. And when Obama stepped into the Rose Garden on Tuesday afternoon to announce the deal with the auto industry and the state of California, he hailed it as a road map for progress on other knotty issues.

Yet the near-collapse of the effort was a dramatic reminder of how hard it can be to break through years of stalemate and build a consensus for action on a problem that has pitted some of the country's most powerful interests against each other.

"Everybody at some point, from California to the companies, had a moment of going,

'Uh-oh, what am I thinking?' " said Carol Browner, director of the White House Office of Energy and **Climate Change** Policy.

The push to keep the automaker on board involved a key official on a cellphone who mapped strategy while huddled in the relative quiet of a bathroom at the Washington Nationals baseball stadium. Another broke away from a birthday party in New York.

What made the agreement possible was a combination of unyielding demands by the federal government on some points and a willingness to make major concessions on what it considered smaller ones, said officials involved who requested anonymity when discussing the negotiations. With the U.S. auto industry on the brink of collapse, its leaders came to see that they could no longer forestall action -- and would be better off with a single, strict national rule than a state-by-state patchwork.

"We were able to convince everybody to keep their eye on the ball -- a national standard -- and work on the way we get there," said Browner, who spearheaded the effort.

Obama basked in the success on Tuesday. "All the people who have gathered here today . . . they've created the template for more progress in the months and years to come," he said. "Everything is possible when we're working together, and we're off to a great start."

The agreement announced at the White House will lead to a 30% reduction in carbon dioxide and other emissions by 2016 from vehicles sold in the U.S.

To meet that standard, according to the White House, new vehicles sold in the U.S. seven years from now will have to average 35.5 mpg, up from 25 mpg today. The agreement, coupled with increased fuel-efficiency requirements Congress approved in 2007, would add $1,300 to the price of a new car in 2016, the administration estimated.

The plan does not spell out specific mileage requirements, but effectively would require them by capping the greenhouse gas emissions that scientists blame for **global warming.** The new limits are projected to reduce U.S. oil consumption by about 5% a year from 2011 to 2016. The nation currently uses about 7.1 billion barrels a year.

As the deal was being crafted, domestic and foreign carmakers trooped throughout the month of April to the Eisenhower Executive Office Building. Administration officials greeted them with a message: We're setting national limits on climate-altering emissions from cars and trucks. The limits aren't negotiable. Tell us what you need to meet them.

One by one, 10 automakers signed on -- after securing promises to make the limits more flexible. A Ford spokesman said the company had "worked closely with the administration to make sure we understood the agreement."

So did California, which since 2002 has sought to impose tougher emissions standards on its own. The Obama plan would achieve comparable cutbacks, but give automakers

more time to adapt. As a result, the automakers agreed to drop their legal challenges to California's standards.

The United Auto Workers union also agreed to the administration's plan, after being assured that the rules wouldn't push factory jobs overseas.

On Tuesday, Ford Chief Executive Alan Mulally stood by Obama's side. "The president is going to continue to work toward an integrated energy policy in the United States, and the consumer is going to be involved," Mulally told reporters at the White House. "We're all going to move forward, I believe, on this journey to energy independence, energy security and long-term stability."

The deal, which does not require congressional approval, will unify an array of **Environmental Protection Agency** and Department of Transportation regulations. To complete it, the administration will need to finalize several pending decisions, at which point automakers will drop their lawsuits against California's proposed emissions limits.

Many Republicans criticized the agreement, saying it would kill jobs, raise car prices and reduce consumer choices.

Rep. John Campbell (R-Irvine) said automakers only signed on "because they're owned by the government" -- a reference to Obama's recent moves to prop up troubled Chrysler and General Motors.

"These exact companies were fighting this . . . tooth and nail six months ago, and now suddenly they love it?" Campbell said. "No, they don't love it. This is what this administration is doing: This administration is autocratically forcing people to do whatever it wants."

California Gov. Arnold Schwarzenegger, a high-profile supporter of the agreement, suggested Tuesday that the federal financial assistance had given Obama's team leverage to force automakers to accept the emissions limits.

"All of a sudden, the car manufacturers needed . . . the taxpayers' money," he said. "So in order to get that help, I'm sure that President Obama said: 'OK . . . here's what you need to do.' "

jtankersley@latimes.com

Christi Parsons, Jim Puzzanghera and Richard Simon in the Washington bureau contributed to this report.

FUEL

==========

Wednesday, May 20, 2009

Obama says gas savings will cover efficiency upgrades (*Associated Press*)

Story also appeared: *Washington Times*

Steven R. Hurst ASSOCIATED PRESS
President Obama is asking consumers to put their money - up to $1,300 per new vehicle by 2016 - behind his plan for higher efficiency standards for cars and trucks and tougher rules on their greenhouse gas emissions.

In return, Mr. Obama said Tuesday in unveiling the plan, drivers would make up the higher cost of more-fuel-efficient, cleaner vehicles by buying less gas at the pump. It would take just three years to pay off the investment and would, over the life of a vehicle, save about $2,800 through better gas mileage, the president said.

While requiring that vehicle carbon-dioxide emissions be reduced by about one-third by the target date, the plan also calls for the auto industry to build vehicles that average 35.5 miles per gallon. Government regulations have never before linked emission and fuel standards.

"The fact is, everyone wins," Mr. Obama said during a Rose Garden ceremony attended by representatives of the auto industry and environmental groups as well as state and federal lawmakers.

The plan, to be proposed in the Federal Register of pending rules and regulations, must clear procedural hurdles at the Environmental Protection Agency and the Transportation Department.

Under the changes, the overall fleet average would have to be 35.5 mpg by 2016, with passenger cars reaching 39 mpg and light trucks getting 30 mpg under a system that develops standards for each vehicle class size. Manufacturers would also be required to hit individual mileage targets.

The plan would effectively end a feud between automakers and statehouses over emission standards. Fourteen states and the District of Columbia had urged the federal government to allow them to enact more stringent standards than the federal government's requirements.

The ceremony brought together longtime adversaries. California state Sen. Fran Pavley, a Democrat who wrote the 2002 law that required auto companies to reduce tailpipe emissions of greenhouse gases, sat next to Rep. Sander M. Levin, Michigan Democrat, a longtime champion of the auto industry.

Nearby, Michigan Gov. Jennifer M. Granholm, a Democrat who has defended General Motors and Chrysler as they struggle with government aid, sat next to California Gov. Arnold Schwarzenegger, a Republican who was once depicted in a Detroit billboard that read, "Arnold to Michigan: Drop Dead!"

Auto executives joined the event and later said they were pleased with the first steps.

MAY 20, 2009

U.S. Orders Stricter Fuel Goals for Autos (*Wall Street Journal*)

By STEPHEN POWER and CHRISTOPHER CONKEY
WASHINGTON -- The Obama administration plans to order auto makers to increase the fuel economy of automobiles sold in the U.S. to 35.5 miles per gallon by 2016, four years faster than current federal law requires, people familiar with the matter said.
Obama to Announce New Fuel Standards for Auto Industry
1:57
President Obama is scheduled to announce a series of new regulations for the auto industry, but as Fox's Doug Luzader reports, those new standards will come at a cost. Video courtesy of Fox News.

The move, part of a broader overhaul of fuel-economy rules aimed at cutting greenhouse-gas emissions, would accelerate the largest government-mandated transformation of vehicles on the American road since the late 1970s and early 1980s, when the first federal fuel-economy standards took effect.

A senior administration official said late Monday that the regulations would save 1.8 billion barrels of oil and reduce emissions of greenhouse gases by 900 million metric tons over the lifetime of the more efficient vehicles, equivalent to taking 177 million cars off the road or shutting down 194 coal-fired power plants.

By 2016, if the new rules take effect as planned, new passenger cars sold in the U.S. will have to meet an average mileage requirement of 39 mpg, up from 27.5 mpg currently. Light trucks would have to deliver an average of 30 mpg, compared with about 23 mpg today.

Plans to speed up tougher mileage requirements for autos sold in the U.S. should increase sales of gas-sipping cars, such as Toyota's Prius hybrid.

In practice, the new mileage rules would mean that seven years from now many more cars for sale in the U.S. would be gas-electric hybrids or subcompacts, such as the Honda Motor Co. Fit, outfitted with fuel-stingy engines. A truck capable of averaging 30 miles per gallon probably would be equipped with a gas-electric hybrid or a diesel

engine. Even trucks the size of today's Ford Motor Co. Escape do not deliver that fuel economy.

The technology required to make the cars and trucks able to meet the proposed standard could add $1,300 to the average cost of making a vehicle -- a significant share of the money Detroit's auto makers are trying to save by slashing their union retiree health care costs.

Disclosure of the agreement is expected Tuesday, with executives from several large auto companies, including General Motors Corp. Chief Executive Frederick "Fritz" Henderson, as well as United Auto Workers President Ron Gettelfinger, expected to participate, people familiar with the matter said.

Auto makers tentatively have agreed to drop litigation challenging the legality of state-level curbs on tailpipe greenhouse-gas emissions, people familiar with the matter said. They appear ready to support the more aggressive timetable in exchange for the certainty of a single national fuel-economy standard, instead of a jumble of federal and state standards. The state of California also will agree to accept the proposed federal standards.

But regulatory certainty by itself doesn't bring market acceptance or technology breakthroughs. Among the risks that auto makers and dealers face is the need to produce and maintain a highly efficient fleet of hybrids, electric cars and advanced gasoline engines at prices that customers can afford.

Auto makers on Monday said they were awaiting more information on how the new standards would be applied and what assistance they may receive to meet the tighter timeline. In the past, for instance, auto makers received credits toward meeting fuel-efficiency standards even when the average efficiency of their vehicles fell short.

"If gasoline is cheap, there's going to be a huge disconnect" between the vehicles available and what consumers will want, argues AutoNation Inc. Chief Executive Mike Jackson. He has long advocated a higher federal gasoline tax to ensure that gas prices stay above $4 a gallon, the level that drove demand for small cars last summer.

Currently, the federal gas tax is 18.4 cents a gallon for gasoline and 24.4 cents per gallon of diesel. President Barack Obama has said he isn't interested in raising fuel taxes, and the senior administration official said Monday that the administration is confident that auto makers will be able to continue to offer and sell a wide range of vehicle types without having to rely on government incentives such as tax credits.

The decline in gas prices from last summer's record highs has revived demand for large sport-utility vehicles. In April, such vehicles accounted for 4.4% of all vehicles sold in the U.S., compared with 3.8% in April 2008, when fuel prices were higher. Meanwhile, compact cars -- which accounted for 22% of all vehicles sold in the U.S. in May 2008 -- made up just 16.8% of new vehicles sold last month.

"With this type of volatility, you can't effectively plan your product lineup for the next several years and hope to make money as an auto maker," said Jesse Toprak, executive director of industry analysis for Edmunds.com, a Web site that tracks auto sales. "If the government wants to be realistic, it has to come up with incentives for people to buy fuel-efficient vehicles."

Complicating matters for the administration are the financial struggles of Chrysler LLC, which is now receiving government funding under bankruptcy-court protection, and GM, which has said it could file for Chapter 11 bankruptcy at the end of May.

The costs of meeting the new standard would be high. The Transportation Department last year estimated that requiring auto makers to achieve 31.6 mpg by 2015 would cost the industry $46.7 billion, among the most expensive rule makings in U.S. history.

Dave McCurdy, president of the Alliance of Automobile Manufacturers, said on Monday, "Unless there's a huge spike in the price of gasoline...there will have to be incentives from the government" to encourage consumers to buy advanced-technology vehicles at prices that will return a profit to manufacturers.

The Obama administration's action accelerates a drive to dramatically change the size, shape and fuel consumption of American cars and trucks that started gathering steam in the final year of the Bush administration. President George W. Bush signed an energy bill in December 2007 that called for the first significant increase in passenger-car fuel economy in more than two decades.

Under the plan being considered, the Environmental Protection Agency and the Department of Transportation would work together on the rules raising fuel-economy standards and reducing greenhouse-gas emissions. It is unclear how quickly the EPA and the National Highway Traffic Safety Administration will be able to make a formal proposal for curbing emissions and boosting fuel economy.

Write to Stephen Power at stephen.power@wsj.com and Christopher Conkey at christopher.conkey@wsj.com

May 20, 2009
NEWS ANALYSIS

As Political Winds Shift, Detroit Charts New Course (*New York Times*)

By JOHN M. BRODER and MICHELINE MAYNARD
WASHINGTON — Why, after decades of battling, complaining and maneuvering over fuel economy standards, did carmakers fall in line behind the tough new nationwide mileage standard President Obama announced Tuesday?

Because they had no choice. The auto industry is flat on its back, with Chrysler in bankruptcy, General Motors close to it, and both companies taking billions of dollars in federal money. Foreign automakers are getting help from their own governments. Climate change legislation is barreling down the track, and Congress showed last fall that it had no appetite to side with Detroit any more.

Simply put, Detroit and the other companies need Washington's help, and they are powerless to block the rules Washington dictates.

"They can feel the political winds changing," said David Doniger, a lawyer with the Natural Resources Defense Council who has faced the car companies in court many times. "They need government aid to stay in business. When you have your hand out for help, it's hard to use the same hand to thumb your nose at the federal government."

It is a clear victory for the president, who introduced fuel economy legislation as one of his first acts as a senator, and it is the latest blow in a four-year decline in Detroit's influence in Washington.

In 2005, car companies were able to stop fuel economy legislation. By 2007, with the country awakened to the realization that global warming was a threat, they were forced to go along with higher standards but managed to water them down.

This time, they arrived at the table so debilitated they could extract only the barest of concessions. The primary gift carmakers received from Mr. Obama in Tuesday's proposal was the certainty of one fuel economy standard from California to Maine, rather than the patchwork that would have resulted from two sets of regulations, one by the 18 states that wanted tighter standards, and another for everywhere else.

"We understood there had to be a different approach," said Dave McCurdy, the former Democratic congressman hired by the auto companies two years ago to be their chief voice in Washington. "We saw the election of Obama as a unique opportunity to bridge the differences between all the stakeholders and to provide certainty and clarity to the manufacturers."

Yet there is more to come. The troubled auto industry is at the front end of a wave of changes driven by President Obama's determination to put the United States on a fossil fuel diet. The administration is moving on multiple fronts, from the Environmental Protection Agency's proposed finding that heat-trapping gases are a threat to health and the environment to the sweeping cap-and-trade legislation moving through Congress.

Taken together, these measures may create markets for fuel-efficient cars, change how Americans heat and light their homes and, ultimately, decide what industries will rise and fall.

On Tuesday, Mr. Obama gathered the chief executives of 10 auto companies from around the world in the Rose Garden to announce his proposal for a single national fuel-efficiency standard of 35.5 miles per gallon by 2016, a nearly 40 percent increase from today's level. Also in attendance were environmental advocates, officials from California and Michigan and cabinet members who worked on the plan.

Mr. Obama praised the car companies' willingness to cooperate in the effort, saying it marked a sharp reversal. "You know, in the past, an agreement such as this would have been considered impossible," he said.

James C. Lentz, the president of Toyota Motor Sales USA, now the country's second-biggest seller behind Ford, said he could not recall a similar occasion when executives

from American and foreign companies, environmental groups and state officials had gathered at the White House in agreement.
Mr. Lentz said consumers' swift reaction to record gasoline prices last summer was an important factor in the industry's embrace of higher fuel standards. "The industry woke up to the fact last year that when gas hit $4.50 a gallon, consumers were going to demand better fuel economy," he said.
At the same time, the auto companies found themselves on the losing end of a string of environmental lawsuits, including the big one, Massachusetts v. E.P.A., in which the Supreme Court gave the Environmental Protection Agency the authority to regulate vehicle emissions of heat-trapping gases like carbon dioxide.
The industry also suffered from the diminished power of its staunchest ally in Washington, Representative John D. Dingell, the Michigan Democrat who has served in Congress for 54 years.
In November, Representative Henry A. Waxman, Democrat of California, wrested the chairmanship of the Energy and Commerce Committee from Mr. Dingell in a hard-fought battle. Mr. Dingell had used his perch there to protect the automakers from repeated efforts by lawmakers and agency officials to strengthen automotive environmental, safety and mileage standards.
Representative Edward J. Markey, Democrat of Massachusetts, was a co-author of the 2007 mileage standards and, with Mr. Waxman, of the climate change bill before Congress. Mr. Markey said the fuel-efficiency law, looming E.P.A. regulation of emissions and the election of Mr. Obama had put the carmakers in a vise.
"With the full political force of Congress and a new administration pushing the automakers, and the business folly of an overreliance on gas guzzlers on full display to the American consumer," Mr. Markey said, "the auto industry was simply unable to continue their strategy of delaying action, denying they could meet higher standards and litigating to prevent them in the first place."
Jason S. Grumet, president of the Bipartisan Policy Center in Washington, said the auto manufacturers were seeing this agreement as a lifeline and a way to end 30 years of conflict.
"It represents one place that was important to their future where they could seize a measure of control of their own destiny," said Mr. Grumet, who is close to many of the administration's energy and environment policy makers.
"I also think this was a classic example of an entrenched disagreement that had outlived its useful life," Mr. Grumet said. "The fight had exhausted itself. People on all sides of the issue were ready to reach a principled compromise and move forward."
John M. Broder reported from Washington, and Micheline Maynard from Detroit.

Emissions deal nearly stalled at the finish (*Los Angeles Times*)

May 20, 2009 Wednesday
Home Edition
MAIN NEWS; National Desk; Part A; Pg. 1
BY: Jim Tankersley

WASHINGTON
It had taken weeks of hardball negotiations, but on Sunday afternoon, White House officials thought everything was falling into place. In less than 48 hours they would unveil a landmark deal with U.S. automakers to impose sharply higher fuel-efficiency standards on new cars and trucks.

Then at 3 p.m., the telephone rang.

A senior Ford executive said the company had run the numbers again and concluded it might not survive if it accepted the deal. If Ford pulled out, it would mean a major setback for two of President Obama's signature goals -- combating **global warming** and reducing the nation's appetite for foreign oil.

In the end, with more number-crunching and another application of White House pressure, Ford did not bolt. And when Obama stepped into the Rose Garden on Tuesday afternoon to announce the deal with the auto industry and the state of California, he hailed it as a road map for progress on other knotty issues.

Yet the near-collapse of the effort was a dramatic reminder of how hard it can be to break through years of stalemate and build a consensus for action on a problem that has pitted some of the country's most powerful interests against each other.

"Everybody at some point, from California to the companies, had a moment of going, 'Uh-oh, what am I thinking?' " said Carol Browner, director of the White House Office of Energy and **Climate Change** Policy.

The push to keep the automaker on board involved a key official on a cellphone who mapped strategy while huddled in the relative quiet of a bathroom at the Washington Nationals baseball stadium. Another broke away from a birthday party in New York.

What made the agreement possible was a combination of unyielding demands by the federal government on some points and a willingness to make major concessions on what it considered smaller ones, said officials involved who requested anonymity when discussing the negotiations. With the U.S. auto industry on the brink of collapse, its leaders came to see that they could no longer forestall action -- and would be better off with a single, strict national rule than a state-by-state patchwork.

"We were able to convince everybody to keep their eye on the ball -- a national standard -- and work on the way we get there," said Browner, who spearheaded the effort.

Obama basked in the success on Tuesday. "All the people who have gathered here today . . . they've created the template for more progress in the months and years to come," he said. "Everything is possible when we're working together, and we're off to a great start."

The agreement announced at the White House will lead to a 30% reduction in carbon

dioxide and other emissions by 2016 from vehicles sold in the U.S.

To meet that standard, according to the White House, new vehicles sold in the U.S. seven years from now will have to average 35.5 mpg, up from 25 mpg today. The agreement, coupled with increased fuel-efficiency requirements Congress approved in 2007, would add $1,300 to the price of a new car in 2016, the administration estimated.

The plan does not spell out specific mileage requirements, but effectively would require them by capping the greenhouse gas emissions that scientists blame for **global warming.** The new limits are projected to reduce U.S. oil consumption by about 5% a year from 2011 to 2016. The nation currently uses about 7.1 billion barrels a year.

As the deal was being crafted, domestic and foreign carmakers trooped throughout the month of April to the Eisenhower Executive Office Building. Administration officials greeted them with a message: We're setting national limits on climate-altering emissions from cars and trucks. The limits aren't negotiable. Tell us what you need to meet them.

One by one, 10 automakers signed on -- after securing promises to make the limits more flexible. A Ford spokesman said the company had "worked closely with the administration to make sure we understood the agreement."

So did California, which since 2002 has sought to impose tougher emissions standards on its own. The Obama plan would achieve comparable cutbacks, but give automakers more time to adapt. As a result, the automakers agreed to drop their legal challenges to California's standards.

The United Auto Workers union also agreed to the administration's plan, after being assured that the rules wouldn't push factory jobs overseas.

On Tuesday, Ford Chief Executive Alan Mulally stood by Obama's side. "The president is going to continue to work toward an integrated energy policy in the United States, and the consumer is going to be involved," Mulally told reporters at the White House. "We're all going to move forward, I believe, on this journey to energy independence, energy security and long-term stability."

The deal, which does not require congressional approval, will unify an array of **Environmental Protection Agency** and Department of Transportation regulations. To complete it, the administration will need to finalize several pending decisions, at which point automakers will drop their lawsuits against California's proposed emissions limits.

Many Republicans criticized the agreement, saying it would kill jobs, raise car prices and reduce consumer choices.

Rep. John Campbell (R-Irvine) said automakers only signed on "because they're owned by the government" -- a reference to Obama's recent moves to prop up troubled Chrysler and General Motors.

"These exact companies were fighting this . . . tooth and nail six months ago, and now suddenly they love it?" Campbell said. "No, they don't love it. This is what this administration is doing: This administration is autocratically forcing people to do whatever it wants."

California Gov. Arnold Schwarzenegger, a high-profile supporter of the agreement, suggested Tuesday that the federal financial assistance had given Obama's team leverage to force automakers to accept the emissions limits.

"All of a sudden, the car manufacturers needed . . . the taxpayers' money," he said. "So in order to get that help, I'm sure that President Obama said: 'OK . . . here's what you need to do.' "

jtankersley@latimes.com

Christi Parsons, Jim Puzzanghera and Richard Simon in the Washington bureau contributed to this report.

The mysterious death of the chicken-fat car (*Washington Examiner*)

By: Timothy P. Carney
Examiner Columnist
05/19/09 8:21 PM EDT
As President Barack Obama unfurls his fuel-economy standards and Congress takes up global warming regulations, it’s useful to remember that what emerges from environmental policymaking is not necessarily what’s best for the planet, but instead what’s best for special interests.

Consider the epic and somewhat bizarre struggle over clean fuels that ended last week. As usual, special interests were central to the drama. But the antagonists seemed right out of a Monty Python sendup of Washington politics: An oil company, hoping to profit from making trucks run on chicken fat, was thwarted by the soap industry’s lobby.

The chicken-fat story is a cautionary tale about how environmental policy actually gets made.

It began in 2005, when President George W. Bush signed an energy bill including a $1-per-gallon tax credit for “renewable diesel” fuel created through “thermal depolymerization.” Writer Rina Palta reported in the liberal American Prospect that Rep. Roy Blunt, R-Mo., wrote the measure “to benefit a floundering company in his home district that produces boiler fuel from turkey offal, which did not qualify chemically as ‘biodiesel.’ ”

At the time, Congress was eagerly providing subsidies to turn plants and animals into fuel, so it didn't seem farfetched to boost the cause of fowl entrails. But unintended consequences soon arrived, proving once again that the biggest companies usually find a way to profit from government intervention.

In April 2007, the Internal Revenue Service ruled that Blunt's tax credit had broader applications. Within two weeks, ConocoPhillips and Tyson Foods saw that the IRS had opened the door for a joint venture to melt chicken, cow, and pig fat into diesel fuel. Conoco Chief Executive Officer James Mulva was honest about his unusual undertaking: "It's not profitable without the $1 per gallon tax credit," he said at a news conference.

But this renewable fuel had enemies. First, Democrats didn't like any subsidy that helped an oil company like Conoco. (Blunt, for his part, said he never wanted to help oil companies, and that the law should be changed.)

Second, business lobbyists were also working to kill the subsidy for chicken fat. The obvious opponents were chicken fat's competitors — the companies that turn vegetables into diesel fuel. The National Biodiesel Board, which spends nearly $1 million a year on lobbying, pushed hard to ensure the $1-per-gallon subsidy for clean diesel didn't also apply to the Conoco-Tyson operation.

But the issue of "renewable biodiesel" also turned up on the lobbying filings of the Dial Corporation and the Soap and Detergent Association. Just as ethanol subsidies have driven up the price of food, it turned out that fat-to-fuel subsidies boosted the cost of manufacturing soap, which is also made of animal fat. So Dial and the Soap and Detergent Association, displeased that Tyson now had somewhere else to peddle its fat, also lobbied to kill the chicken-fat diesel subsidy.

While their own interests were obvious, the soap and biodiesel lobbies argued that chicken-fat diesel was not good for the environment. But the Environmental Protection Agency ruled this month that "biodiesel or renewable diesel made from animal fat or used cooking oil results in an 80 percent reduction from carbon emissions versus petroleum diesel," according to Darling International, a company that deals in animal-fat diesel. Darling added in its first-quarter 2009 report, "That is the highest level of carbon reduction available from any commercially ready fuel."

Both sides claimed to be aiding the environment. Both had profits at stake. The soap side just had better lobbyists than the chicken side. When Congress rushed the massive Wall Street bailout to passage last fall, it extended many special-interest tax breaks, but it specifically killed the $1-per-gallon break for animal-product diesel, leaving chicken-fat diesel with a subsidy of only 50 cents per gallon. Big soap and big biodiesel had defeated big oil and big chicken.

Last week, Conoco and Tyson announced they were axing their joint venture, at least until the $1-per-gallon credit returns.

Maybe Congress can take a lesson from the chicken-fat story: Stopping the oceans' rise or cleaning the air are lofty concepts, but behind closed doors, environmental policy is often driven by less ambitious motivations.

MAY 19, 2009, 3:15 P.M. ET

Obama Says New Car-Fuel Rules Give Industry 'Certainty' (*Wall Street Journal*)

By HENRY J. PULIZZI
WASHINGTON-- President Barack Obama said new government rules designed to boost fuel efficiency and slash greenhouse-gas emissions will give auto makers "clear certainty" at a time when their business is enduring a "historic crisis."
"In the past, an agreement such as this would have been considered impossible," Mr. Obama said in a speech in the Rose Garden, where he was joined by auto executives, state governors and car-union officials.
"At a time of historic crisis in our auto industry... this rule provides the clear certainty that will allow these companies to plan for a future in which they are building the cars of the 21st century," the president said.

The rules would require new passenger cars sold in the U.S. to meet an average mileage requirement of 39 miles per gallon by 2016. Light trucks would have to deliver an average of 30 mpg. That's a dramatic rise from current averages--27.5 mpg for cars, 23 mpg for trucks--and would bring the overall average of cars and light trucks to 35.5 mpg by 2016, four years earlier than current federal law requires.

"Right now the rules governing fuel economy in this country are inadequate, uncertain and in flux," Mr. Obama said.

The new standards also resolve a dispute between the auto industry and California, which is seeking a waiver from the federal government to set its own rules on greenhouse-gas emissions from vehicles. California officials have agreed to defer to the national standard if they win the waiver.

Green groups applauded the administration announcement as a significant step toward addressing global warming and achieving energy independence. The Union of Concerned Scientists said it expects the plan to slash the U.S.'s dependence on oil by about 1.4 million barrels a day by 2020, almost as much as daily imports from Saudi Arabia. A UCS analysis also suggests that carbon-dioxide emissions would be cut by 230 million metric tons by 2020, and net savings to consumers would reach $30 billion by 2020, based on a gas price of $2.25 a gallon.

But the rules also will raise the cost of manufacturing new vehicles at a time when the auto industry is struggling, and Chrysler LLC is in bankruptcy, where it may soon be

joined by General Motors Corp. Still, car makers have signaled support for the new standards, which would likely bring an end to long-running court battles with states over emissions and bring the regulatory certainty of a single national fuel-economy regulation.

Ford Motor Co. CEO Alan Mulally called the new rules a "crucial milestone."

"The framework of the national program will give us greater clarity, certainty and flexibility to achieve the nation's goals," Mr. Mulally said in a statement. "We will continue to work with the federal agencies to finalize the standards that we are committed to meeting."

An administration official said Monday that the cost of making a new vehicle will increase by $600, a cost the White House believes will be offset later by savings at the pump.

Mr. Obama said Tuesday that consumers who invest in the vehicles will pay off their investment in three years.

Unlike under existing rules, auto makers won't be able to boost the fuel efficiency of some models while leaving others untouched. That's because standards will be set for each vehicle size and manufacturer.

Questions remain over how the government can persuade car buyers to purchase the greener and more expensive vehicles, particularly if gas prices remain relatively low.

"U.S. consumers, despite their responses to surveys saying they would like their vehicles to achieve better fuel economy, truly do not have the same inclination for small cars as their European or Asian counterparts, given that the tax and cost structures of vehicle usage in the United States are completely different," IHS Global Insight automotive analyst Aaron Bragman wrote in a report.

"Thus, the government is going to have to come up with a way to entice people to buy the next generation of fuel-efficient cars, either through taxation changes or incentivisation of purchases," Mr. Bragman wrote.

--Josh Mitchell contributed to this report.

Write to Henry J. Pulizzi at henry.pulizzi@dowjones.com

New Auto Standards vs. Old U.S. Preferences (*Washington Post*)

May 20, 2009 Wednesday
Met 2 Edition
A-SECTION; Pg. A14
Maryland
New Auto Standards vs. Old U.S. Preferences;
Mileage Rules To Add to Price, Shrink Engines
By Steven Mufson; Washington Post Staff Writer
The cars of the near future will be lighter, more expensive and maybe smaller. Big engines will shrink. And more and more cars will be hybrids or diesel-powered vehicles like those common in Europe.

Those aren't qualities that American consumers have rushed to embrace in the past. But the new fuel-efficiency and tailpipe-emissions standards unveiled yesterday at the White House will push automakers and motorists in a direction aimed at reducing U.S. oil dependence and the emissions of greenhouse gases, just part of the administration's program for remaking the ailing American car industry.

Many analysts worry that without boosting gasoline taxes to make fuel efficiency a priority for consumers, the administration may be setting a standard for new cars that won't match motorists' tastes.

"There's a general rule of thumb: The way to achieve higher fuel efficiency is to make cars lighter and put in smaller engines," said Jeremy Anwyl, chief executive of Edmunds.com, an automotive information firm. "In some ways, it's formulaic. Unfortunately, those tend to be the cars people don't want to buy."

But automobile manufacturers, two of which are already relying on U.S. government aid to avert bankruptcy, said yesterday that they welcomed the new "harmonized" national standards for fuel efficiency and tailpipe emissions. While meeting the targets for 2016 might be challenging, they said it would be easier than dealing with a "patchwork" of regulations that differed from California to the Transportation Department to the **Environmental Protection Agency.**

"What was so important for us was we had so many different regulations, testing procedures and classes of what we sell," said Susan M. Cischke, group vice president for sustainability, environment and safety engineering at Ford. "It was a huge amount of work just to certify the vehicles. The national standard gives us the certainty and flexibility we need to meet these tough targets."

Carmakers and administration officials said that the technology for building more fuel-efficient vehicles already exists, but they acknowledge that it will cost money.

James Lentz, president of U.S. sales for Toyota, said that eventually consumers would take fuel efficiency for granted the way they now expect cars to have air bags or

stabilizers or anti-lock brakes, innovations once considered expensive.

"It's just a question of time and money," he said. A senior administration official said on Monday that the new standards would add $600 to the price of the average car, on top of the $700 of added costs that would have resulted from more modestly increased targets permitted under the 2007 energy bill.

"Yes, it costs money to develop these vehicles," President Obama said yesterday in a Rose Garden ceremony that included governors, members of Congress, auto executives and the head of the United Auto Workers. "But even as the price to build these cars and trucks goes up, the cost of driving these vehicles will go down as drivers save money at the pump."

The president asserted that the typical driver would save about $2,800 by getting better gas mileage and that higher purchase costs would be paid off within three years. But payback periods will vary widely depending on the type of vehicle and the price of gasoline, industry experts said, and some highly efficient vehicles might never pay off.

Hardly any cars on the road in the United States today meet the new standard -- 39 miles a gallon for passenger cars and about 30 for light trucks -- and virtually all are hybrids. Several small cars are within striking distance, and by averaging hybrids and traditional combustion engines, automakers could meet overall targets even if certain models fall short.

Lentz said that Toyota passenger cars already average just three miles a gallon less than the target the Obama administration set yesterday for new 2016 cars. "I'm fairly comfortable on the passenger-car side," he said. "The challenge for us will be light trucks. Their average now is 24 miles per gallon, and the number to get to is going to be 30. So there is a lot of work to be done on the light trucks."

Like other automakers, Toyota is already trying to close the gap. The new Toyota Tundra has a 4.6-liter V-8 engine and a six-speed transmission; the previous model had a 4.7-liter V-8 engine and a five-speed. The new model gets 15 miles a gallon in the city and 20 on the highway, while the earlier model got 14 miles per gallon in the city and 17 on the highway.

Ford, whose Hybrid Escape is one of a handful of vehicles on the road today that already meet the 2016 standards, yesterday announced that it had started production of new EcoBoost engines at a Cleveland plant that had been idled in 2007 and that Ford spent $55 million retooling. The new engines combine turbo-charging with direct gasoline injection to deliver up to 20 percent improved fuel economy and 15 percent less carbon dioxide emissions while preserving the performance of larger engines, Ford said. The company said it would deliver "the power of a V-8 with the fuel economy of a V-6."

The new 3.5-liter engines would debut this summer in the 2010 Lincoln MKS, Lincoln

MKT, Ford Taurus SHO and Ford Flex, Ford said. A V-6 EcoBoost engine will be available for the F-150 pickup truck in 2010, the company said.

The fuel-efficiency standards will be applied to different classes of vehicles based on size but will still include broader fleet targets. Every category and size will be required to make improvements. Different manufacturers will end up with different targets, and some high-efficiency vehicles, such as hybrids and electric vehicles, could ease the pressure on other models. But the system is designed to make it harder for automakers to sidestep requirements as they did a decade ago by making more light trucks, which have lower standards than passenger cars.

Ford's Cischke said that companies can also get credit by cutting leaks of greenhouse gases from air conditioners, but the offset against mileage requirements would be less than 1 mile per gallon.

Edmunds.com's Anwyl was skeptical about whether motorists would be happy with the new world of automobiles. "Consumers' natural preference is to buy bigger, more comfortable vehicles," he said. But he added that carmakers know how to reach the new standards. "There's no magic to this," he said. "It basically boils down to physics."

May 19, 2009

Only 11 of today's cars reach Obama's 35.5 mpg fleet average, EPA figures show (*USA TODAY*)

10:42 AM
Sure, the Obama administration's expected announcement that automakers must reach a fleet average 35.5 miles per gallon by 2016 is guaranteed to win the hearts of environmentalists. But in the real world, it's stunning how few vehicles reach that level today.
Just a handful, a review of EPA fuel listings reveal. Nothing larger than a midsize sedan, even when you include hybrids. Poring over the list of 2009, here's the only ones we found that get 36 mpg or better on the highway. And that's if you count average highway driving mpg, not the generally lower city driving figure. Not all versions of the same model may make the grade. Here's the list:

Brand/Model	Highway MPG
Toyota Prius	45
Honda Civic Hybrid	45
Smart car	41
Volkswagen Jetta Diesel	41
Mini Cooper	37
Mini Clubman	37
Pontiac G5 XFE	37
Chevy Cobalt XFE	37

Ford Fusion Hybrid	36
Honda Civic CNG	36
Toyota Yaris	36

That's it. That's all Open Road could find out of the scores of cars and trucks on the market. Just missing the list are cars like the Hyundai Accent, Ford Focus and Toyota Corolla, with 35 mpg on the highway.

Chevrolet Cobalt XFE by General Motors

May 19, 2009 3:10 pm US/Eastern

Obama Heralds New Fuel, Emission Standards (*KDKA News*)

President Announces National 35.5 MPG Efficiency Standard, Pollution Reduction Plan; Vehicles Will Cost $1,300 More
Stating that "the status quo is no longer acceptable," President Barack Obama on Tuesday announced a new fuel and emission standard that he says will, at last, put the United States on the road to a cleaner environment and better fuel efficiency.

The plan creates the first-ever national emissions limits for vehicles and sets the overall or industry average fuel efficiency standard at 35.5 miles per gallon, an increase of more than 8 miles per gallon per vehicle. It is aimed at saving billions of barrels of oil, although it also is expected to cost consumers an additional $1,300 per vehicle by 2016.

"We will save 1.8 billion barrels of oil over the lifetime of the vehicles sold in the next five years," the president said. "Just to give you a sense of magnitude, that's more oil than we imported last year from Saudi Arabia, Venezuela, Libya, and Nigeria combined."

Mr. Obama argued that "everyone wins" with the plan, which has been heralded both by automakers and environmentalists, despite the increase cost per vehicle. He said consumers benefit because "the cost of driving these vehicles will go down as drivers save money at the pump."

"In fact, over the life of a vehicle, the typical driver would save about $2,800 by getting better gas mileage," he said.

The plan also would effectively end a feud between automakers and statehouses over emission standards - with the states coming out on top but the automakers getting the single national standard they've been seeking and more time to make the changes.

"This is truly historic," Carol Browner, Mr. Obama's top aide on energy and climate matters, told CBS' The Early Show Tuesday.

Obama's proposed change in rules would for the first time combine pollution reduction from vehicle tailpipes with increased efficiency on the road. It would be the equivalent of "taking 58 million cars off the road for an entire year," the president said.

New vehicles would be 30 percent cleaner and more fuel-efficient by the end of the program.

The plan, to be proposed in the Federal Register of pending rules and regulations, must still clear procedural hurdles at the Environmental Protection Agency and the Transportation Department. Automakers expressed their support for the plan. "We're all agreeing to work together on a national program," said Dave McCurdy, president and CEO of the Alliance of Automobile Manufacturers.

Administration officials said consumers were going to pay an extra $700, anyway, for mileage standards that had already been approved. The Obama plan adds another $600 to the price of a vehicle, a senior administration official said, bringing the total cost to $1,300 by 2016.

Under the changes, the overall fleet average would have to be 35.5 mpg by 2016, with passenger cars reaching 39 mpg and light trucks hitting 30 mpg under a system that develops standards for each vehicle class size. Manufacturers would also be required to hit individual mileage targets.

Browner, who headed the EPA during the Clinton administration, said the industry told the administration "they wanted to make cleaner cars and what they needed was the government to give them predictability and certainty so that they could make the investments toward cleaner cars."

In a battle over emission standards, California, 13 other states and the District of Columbia have urged the federal government to let them enact more stringent standards than the federal government's requirements. The states' regulations would cut greenhouse gas emissions by 30 percent in new cars and trucks by 2016 - the benchmark Obama planned to unveil for vehicles built in model years 2012 and beyond.

The Obama plan gives the states essentially what they sought and more, although the buildup is slower than the states sought. In exchange, though, cash-strapped states such as California would not have to develop their own standards and enforcement plan. Instead, they can rely on federal tax dollars to monitor the environment.

The auto industry will be required to ramp up production of more fuel-efficient vehicles on a much tighter timeline than originally envisioned. It will be costly; the Transportation Department last year estimated that requiring the industry to meet 31.6 mpg by 2015 would cost nearly $47 billion.

But industry officials - many of whom are running companies on emergency taxpayer dollars - said Obama's plan would help them because they would not face multiple

emissions requirements and would have more certainty as they develop their vehicles for the next decade.

Auto executives, including General Motors Corp. CEO Fritz Henderson, and executives from Ford Motor Co., Toyota Motor Corp., Honda Motor Co., Daimler AG and others planned to attend the White House event along with United Auto Workers President Ron Gettelfinger, Michigan Gov. Jennifer Granholm and California Gov. Arnold Schwarzenegger.

"Ending our dependence on oil, indeed, ending our dependence on fossil fuels, represents perhaps the most difficult challenge that we have ever faced, not as a party, not as a set of separate interests, but as a people," the president said in announcing the plan.

Obama wants increased fuel efficiency, less smog (*Associated Press*)

Story also appeared: *Monterey County Herald*

By KEN THOMAS and PHILIP ELLIOTT Associated Press Writers
Updated: 05/19/2009 10:17:50 AM PDT
WASHINGTON—President Barack Obama outlined Tuesday the nation's first comprehensive effort to curb vehicle emissions while cutting dependence on imported oil, calling the plan an historic turning point toward a "clean-energy economy."

Joined in the White House Rose Garden by leaders of the auto industry, labor, government officials and key national and state political leaders, Obama said the agreement that once would have been "considered impossible" was what he termed a "harbinger of a change in the way business is done in Washington."

The two-pronged approach to problems that compound threats to the global environment marks the latest in a series of shifts by the Obama administration away from the policies of his conservative predecessor, former President George W. Bush.

"As a result of this agreement," Obama said, "we will save 1.8 billion barrels of oil over the lifetime of the vehicles sold in the next five years. And at a time of historic crisis in our auto industry, this rule provides the clear certainty that will allow these companies to plan for a future in which they are building the cars of the 21st century."

He said the new rules amounted to removing 177 million cars from the roads over the next 6 1/2 years.

In that period, the savings in oil burned to fuel American cars, trucks and buses would amount to last year's combined U.S. imports from Saudi Arabia, Venezuela, Libya and Nigeria.

While the new fuel and emission standards for cars and trucks will save billions of barrels of oil, they are expected to cost consumers an extra $1,300 per vehicle by the time the plan is complete in 2016. Obama said the fuel cost savings would offset the higher price of vehicles in three years.

While requiring that vehicle carbon dioxide emissions be reduced by about one-third by the target date, the plan requires the auto industry to be building vehicles that average 35.5 miles per gallon.

The plan also would effectively end a feud between automakers and statehouses over emission standards—with the states coming out on top but the automakers getting the single national standard they've been seeking and more time to make the changes.

The plan, to be proposed in the Federal Register of pending rules and regulations, must still clear procedural hurdles at the Environmental Protection Agency and the Transportation Department. Automakers expressed their support for the plan. "We're all agreeing to work together on a national program," said Dave McCurdy, president and CEO of the Alliance of Automobile Manufacturers.

Administration officials said consumers were going to pay an extra $700, anyway, for mileage standards that had already been approved. The Obama plan adds another $600 to the price of a vehicle, a senior administration official said, bringing the total cost to $1,300 by 2016.

Under the changes, the overall fleet average would have to be 35.5 mpg by 2016, with passenger cars reaching 39 mpg and light trucks hitting 30 mpg under a system that develops standards for each vehicle class size. Manufacturers would also be required to hit individual mileage targets.

In a battle over emission standards, California, 13 other states and the District of Columbia have urged the federal government to let them enact more stringent standards than the federal government's requirements. The states' regulations would cut greenhouse gas emissions by 30 percent in new cars and trucks by 2016—the benchmark Obama planned to unveil for vehicles built in model years 2012 and beyond.

The Obama plan gives the states essentially what they sought and more, although the buildup is slower than the states sought. In exchange, though, cash-strapped states such as California would not have to develop their own standards and enforcement plan. Instead, they can rely on federal tax dollars to monitor the environment.

The auto industry will be required to ramp up production of more fuel-efficient vehicles on a much tighter timeline than originally envisioned. It will be costly; the Transportation Department last year estimated that requiring the industry to meet 31.6 mpg by 2015 would cost nearly $47 billion.

But industry officials—many of whom are running companies on emergency taxpayer dollars—said Obama's plan would help them because they would not face multiple emissions requirements and would have more certainty as they develop their vehicles for the next decade.

Associated Press writers Ben Feller, Ken Thomas and Dina Cappiello contributed to this report.

Ind. plant settles with EPA over air emissions (*Associated Press*)

This story also appeared: *Chicago Tribune*

Associated Press
10:52 AM CDT, May 19, 2009
MONTPELIER, Ind.
Federal regulators have reached a settlement with a northern Indiana automotive parts plant accused of clean air violations.

The U.S. Environmental Protection Agency says BRC Rubber and Plastics Inc. will pay about $18,000 in penalties and spend $82,000 to upgrade its auto parts factory and coating plant.

The company has agreed to retrofit two of its coating lines in Montpelier about 35 miles south of Fort Wayne and operate the equipment for at least five years.

The EPA says the agreement resolves allegations that the BRC plant violated federal clean-air regulations and its state permit. BRC was accused of releasing excessive levels of air pollution that contributes to smog formation and can cause respiratory problems in some people.

May 19, 2009

EPA: BRC agrees to fine, upgrade in pollution response (*Bluffton News-Banner*)

By Dave Schultz
A deal announced this morning by the U.S. Environmental Protection Agency knocks down a proposed fine to the owners of a Montpelier manufacturing facility. The agreement, however, requires the company — BRC Rubber and Plastics Inc. — to make improvements at the plant that will reduce air pollution.

In January, the EPA's Region 5 office in Chicago announced it would seek $109,784 in fines for air pollution violations at the BRC plant at 623 Monroe St. in Montpelier. The

EPA alleged BRC emitted excessive amounts of hazardous air pollutants in violation of federal regulations and its state operating permit.

CBS's Smith: 'How Overdue' Are Fuel Emissions Standards? (*NewsBusters*)

By Kyle Drennen (Bio | Archive)
May 19, 2009 - 12:03 ET
While reporting on the Obama administration's plan to impose higher fuel standards on cars and trucks on Tuesday's CBS Early Show, co-host Harry Smith asked Obama environmental advisor Carol Browner: "As a former long-time administrator of the EPA, how overdue is this?" Browner replied: "It is long overdue. You know, Congress stood in the way of tougher fuel economy standards for a long time. That finally was fixed."

Smith did question the higher price of cars for consumers that would result from the tougher standards: "With the added price tag cost to these average vehicles, and much higher -- higher gas mileage and fewer emissions, what is my incentive, what is my dollar incent – incentive to buy a car like this?" Browner argued that consumers would save money in the long-run due to better gas mileage: "...whether you want to buy a bigger car or a smaller car, they will all be more efficient, and cleaner. So we're preserving the consumer choice, but giving every consumer the opportunity to save money at the pump." Smith replied: **"Will SUVs and pickup trucks go the way of the dinosaur, though?"**

Despite Browner's assurances, Smith fretted that low gas prices would be a disincentive for consumers to want to spend more money on cars themselves: "But we're seeing now with the price of gas going down that people are -- are less apt to buy these lower fuel vehicles -- lower fuel-burning vehicles?" At the end of the interview he asked about a possible solution to that problem: **"And do you anticipate a higher national gas tax?"** Browner dodged the issue: "What we think the consumer wants are cleaner cars and that's what the President is announcing today."

Prior to Smith's interview with Browner, correspondent Bill Plante reported on the proposed fuel standards: "These are dramatically higher emissions standards. They are designed to satisfy the auto industry, give them uniform goals, and at the same time, satisfy states like California, which want tougher pollution limits." A clip of David Weiss from the left-wing Center for American Progress offered glowing support of the plan: "This is a win-win-win. We're going to cut pollution, reduce oil use, and build cleaner cars for the world's market."

Plante did acknowledge some criticism: "But critics say there's no evidence that new standards will clean up the environment. And they charge the White House is pushing the move on struggling automakers who can't afford to fight the plan." The toughest "critic" Plante could find was Cliff Winston from the left-leaning Brookings Institution, who simply explained the weak position of American auto companies: "If they were to resist now, that would probably lead to a public outcry, and you know, be the end of any help for subsidies and bailouts that they're going to get."

Plante concluded his report with talking points similar to those of Browner: "Now, the administration says that the new standards will save nearly 2 billion barrels of oil. But they come at a cost, of about $1,300 a car by 2016. Of course, you make some of that up in using less fuel."

Here is the full transcript of the segment:

7:00AM TEASE:

JULIE CHEN: President Obama gets tough with automakers today as he gets set to announce strict new emissions standards for cars and trucks. But will going green lead to sticker shock? We'll head to the White House to find out.

7:05AM SEGMENT:

JULIE CHEN: Later today, President Obama is expected to announce sweeping new plans for the first-ever government control on car and truck emissions. CBS News senior White House correspondent Bill Plante joins us with the story. Good morning, Bill.

BILL PLANTE: Good morning, Julie. These are dramatically higher emissions standards. They are designed to satisfy the auto industry, give them uniform goals, and at the same time, satisfy states like California, which want tougher pollution limits. The new national standards combine gas mileage and tail pipe greenhouse gas emissions. By 2016 cars will have to average 42 miles per gallon, light trucks 27, for a fleet average of 35 miles per gallon. A big jump from the current 25 miles a gallon.

DANIEL WEISS [CENTER FOR AMERICAN PROGRESS]: This is a win-win-win. We're going to cut pollution, reduce oil use, and build cleaner cars for the world's market.

PLANTE: Joining the President today, the governors of Michigan and California, along with many auto executives. But critics say there's no evidence that new standards will clean up the environment. And they charge the White House is pushing the move on struggling automakers who can't afford to fight the plan.

CLIFF WINSTON [BROOKINGS INSTITUTION]: If they were to resist now, that would probably lead to a public outcry, and you know, be the end of any help for subsidies and bailouts that they're going to get.

PLANTE: Now, the administration says that the new standards will save nearly 2 billion barrels of oil. But they come at a cost, of about $1,300 a car by 2016. Of course, you make some of that up in using less fuel. Harry.

HARRY SMITH: Bill Plante at the White House this morning. Thank you. Joining us now from Washington, Carol Browner, the President's top adviser on energy and climate matters. Good morning.

CAROL BROWNER: Good morning.

SMITH: You have the cooperation of the auto companies on this, which is maybe some surprise to some folks. But these are huge, significant changes. Are you confident these companies can do it in this short time frame?

BROWNER: We are. We worked very, very closely with all of the car companies, with California, with the environmental groups, to achieve this agreement, and to propose these national standards. This is truly historic. We will give the American people cleaner, more fuel efficient cars, and give the companies the certainty and predictability they need to make those cars.

SMITH: As a former long-time administrator of the EPA, how overdue is this?

BROWNER: It is long overdue. You know, Congress stood in the way of tougher fuel economy standards for a long time. That finally was fixed. But what we've done here today is we've taken both the EPA and the DOT authority. We've recognized California's request for cleaner cars. We've woven it together to give people what they want.

SMITH: Help us understand incentive, though, for buyers. Because right now, the price -- average price of a gallon of gas is about $2.50 around the country. With the added

price tag cost to these average vehicles, and much higher -- higher gas mileage and fewer emissions, what is my incentive, what is my dollar incent – incentive to buy a car like this? Why wouldn't I just hang onto my old, heavy pickup truck?

BROWNER: Well, you save money every time you go to the pump. Your car will go further on a gallon of gas-

SMITH: But we're seeing now with the price of gas going down that people are -- are less apt to buy these lower fuel vehicles -- lower fuel-burning vehicles?

BROWNER: Well, historically, the program was a fleet average. And so you off set your bigger cars by making smaller cars. What we're doing here is proposing standards for every category of car. So whether you want to buy a bigger car or a smaller car, they will all be more efficient, and cleaner. So we're preserving the consumer choice, but giving every consumer the opportunity to save money at the pump.

SMITH: Will SUVs and pickup trucks go the way of the dinosaur, though? Will they look anything the way they look now?

BROWNER: What we've done here is set standards for them so they will be cleaner. But for those consumers who want to continue to buy those vehicles, they can do so, they'll just be cleaner and that's better for the environment and better for the consumer.

SMITH: And do you anticipate a higher national gas tax?

BROWNER: What we think the consumer wants are cleaner cars and that's what the President is announcing today.

SMITH: Okay. Alright, thanks so much, Carol Browner, do appreciate it.

BROWNER: Thanks.

—Kyle Drennen is a news analyst at the Media Research Center.

Obama to reveal car pollution rules (Associated Press)

President Barack Obama is to announce plans for the US's first ever national pollution standards for cars and tough new targets on fuel efficiency.

Under the plans, vehicles sold will have to conform with rules that will see a cut of around one third in carbon dioxide output by 2016 and a 30% improvements in fuel economy.

The move marks a further shift away from the environmental policies of Mr Obama's predecessor, President George W Bush.

A senior White House official said that the new rules would equate to taking 177 million cars off the road or shutting down 194 coal plants.

Under the proposals, car makers will have to conform to rules that will see vehicles run at an average 35.5 miles per gallon (mpg), up from the current average of 25 mpg. For cars the target will be 39 mpg, while for trucks the goal will be 30 mpg.

The programme is due to begin in 2012, with the plan taking full effect four years later in 2016. The announcement will mark the latest move by Mr Obama to distance the US from Bush era policy.

In January he opened the way for states to impose stricter pollution laws by ordering the Environment Protection Agency to review its decision to reject a Californian request to set it's own exhaust pipe standards.

The proposed national standards have been welcomed by the US's auto industry.

Dave McCurdy, president and chief executive of the Alliance of Automobile Manufacturers, said: "For seven long years, there has been a debate over whether states or the federal government should regulate autos. President Obama's announcement ends that old debate by starting a federal rulemaking to set a national programme."

He added: "Automakers are committed to working with the President to develop a national programme administered by the federal government. What's significant about the announcement is it launches a new beginning, an era of cooperation. The President has succeeded in bringing three regulatory bodies, 15 states, a dozen automakers and many environmental groups to the table."

ABC's Diane Sawyer Pleads for European-style Gas Tax (*NewsBusters*)

By Scott Whitlock (Bio | Archive)
May 19, 2009 - 11:01 ET

"Good Morning America" co-host Diane Sawyer on Tuesday aggressively lobbied for the Obama administration to install a European-style gas tax on the United States. Talking to Carol Browner, Assistant to the President for Energy and Climate Change, about Obama's plans for increased fuel standards, she began, "Why not just go to a gas tax, for instance, which would accomplish a reduction in the use of gasoline, dependence on foreign oil right away?" Sawyer would proceed to ask variations on this question six times.

Citing calls for a gas tax by New York Times columnist Tom Friedman, she pressed, "**If you really want to change the fuel patterns of this country, and if you want to reduce dependence on foreign oil, not by 2015 or 2016, but right now, there is one way to do it. It's the way Europe has been doing it. And that is a gasoline tax**." Browner mostly dodged the question and focused on new fuel and environmental standards. Sawyer, however, would not be deterred. She fretted, "Do you think the gas tax approach is right or wrong? Or just politically unacceptable?" Not liking the non-answers, the ABC host argued, "So, no gas tax ever, as far as you're concerned?"

It soon became clear this would be the focus of almost the entire interview. Sawyer grilled, "**I have a feeling we're in a standoff on this question here. It's that politically explosive?**" After asking one question on another topic, the anchor returned to her quest for higher taxes. She queried, "I'm asking one more time here. If a gas tax reduces dependence on foreign oil and changes the foreign political dependency immediately, why not be for it right now?"

Now, at no time did Sawyer speculate or consider the consequences of raising taxes in a recession. She didn't wonder what effect higher taxes has had on Europe. Instead, she repeatedly pushed the Obama administration to the left, practically begging for higher taxes.

A transcript of the segment, which aired at 7:04am on May 19, follows:

DIANE SAWYER: Other questions arising this morning. **Why not just go to a gas tax, for instance, which would accomplish a reduction in the use of gasoline, dependence on foreign oil right away?** One of the questions we posed just a few minutes ago when we talked to Carol Browner, who is the Assistant to the President for Energy and Climate Change. Ms. Browner, so good to have you with us this morning. Good morning.

CAROL BROWNER (Assistant to the President for Energy and Climate Change): Thank you.

SAWYER: First, let me just ask this one. It's counterintuitive- the time when the car companies seem to be teetering so badly, to be saying to them, okay, retool for some $40 billion or more?

BROWNER: Well, Diane, we worked with all of the car companies and ten of the CEOs will be joining the President here today at the White House. And what they told us over and over again is they wanted to make more fuel-efficient. They wanted to make more cleaner cars. And what they needed was the government to give them the predictability and certainty so that they could make the investments towards cleaner cars. And that's what the President announces today.

SAWYER: Again, I guess they want the government to ensure that everybody is going to be doing this at once. But let me ask you about what Tom Friedman, the columnist from the New York Times, and others have been saying. **If you really want to change the fuel patterns of this country, and if you want to reduce dependence on foreign oil, not by 2015 or 2016, but right now, there is one way to do it. It's the way Europe has been doing it. And that is a gasoline tax**. And he said you can phase it in over two years, 10 cents a month. It will not be that onerous. And Americans stand ready.

BROWNER: Well, what we're doing is we're using the laws on the books today, which allow us to set fuel efficiency standards and we're setting the first ever greenhouse gas pollution standards. And what this means is, we're going to be able to reduce our dependence on oil by 1.8 billion barrels over the life of the program.

SAWYER: **Do you think the gas tax approach is right or wrong? Or just politically unacceptable?**

BROWNER: I think what we're doing today is right. I think putting these standards, proposing these standard, moving forward, working with car companies, working in partnership is what we need to be doing.

SAWYER: **So, no gas tax ever, as far as you're concerned?**

BROWNER: We're doing what we think the right today, which is setting fuel efficiency, greenhouse standards.

SAWYER: **I have a feeling we're in a standoff on this question here. It's that politically explosive?**

BROWNER: Well, we work, obviously, within the laws on the books. And what we're using is the President's executive authority to propose these standards. And it is the first-ever time that EPA And DOT Have taken their existing individual authorities and woven them together so that we can give the American public and the car companies what they want.

SAWYER: Let me just ask one more question here. As we know for cars, you're talking about reduction from 27.5 miles a gallon, up to 39 miles per gallon. Also, light trucks. 23 up to 30. But what about Hummers, which are getting about eight to ten miles a gallon? What are you going to do about them?

BROWNER: Well, all cars and light-duty trucks are included. So, Hummers would be included. And in every, single category they have to improve their fuel efficiency. This isn't simply about looking across the fleet, and so, therefore, if you make a big car, you have to make smaller cars. This is about every, single category of vehicles becoming more fuel-efficient and reducing their greenhouse gas pollution.

SAWYER: **I'm asking one more time here. If a gas tax reduces dependence on foreign oil and changes the foreign political dependency immediately, why not be for it right now**?

BROWNER: Well, what the President is announcing today, these proposed national standards will achieve the greatest reduction in oil use that we've seen in a very, very long time. 1.8 billion barrels of oil will be reduced over the life of the program.

SAWYER: Again, we thank you so much, Ms. Browner. As we said, it's a big day at the White House, a big announcement. And we're grateful to you for joining us.

BROWNER: Thank you.

—Scott Whitlock is a news analyst for the Media Research Center.

Big Hoquiam biodiesel plant idled (*Associated Press*)

This story also appeared: Mi*d Columbia Tri City Herald*

The Associated Press
Tuesday, May. 19, 2009
SEATTLE The $88 million biodiesel plant that opened to the applause of politicians in 2007 at Hoquiam now sits idle.

Imperium Renewables founder and CEO John Plaza says the biodiesel market slumped when petroleum prices fell.

He told The Seattle Times he hopes to restart the plant next year, depending on new Environmental Protection Agency rules on biofuels. Some scientists say biodiesel made from canola and soybeans doesn't do enough to reduce greenhouse gases.

When it began operations, Imperium's 100 million-gallon-a-year plant was one of the largest in the United States. It employed 120 people. Since then the Seattle-based company has laid off about 75 percent of its workers.

Obama unveils dual standard for fuel economy, emissions (*Greenwire*)

Josh Voorhees and Robin Bravender, E&E reporters
05/19/2009
President Obama today unveiled new national auto standards that will accelerate increases in auto fuel economy and impose the first-ever national greenhouse gas emissions standard on cars and trucks.

"In the past, an agreement such as this would have been considered impossible," the president said in a Rose Garden speech. "That is why this announcement is so important, for it represents not only a change in policy in Washington, but the harbinger of a change in the way business is done in Washington."

The proposal would blend legal authority the Supreme Court granted U.S. EPA to regulate greenhouse gas emissions in its 2007 *Massachusetts v. EPA* decision with the Transportation Department's right to regulate fuel economy under the corporate average fuel economy, or CAFE, program, while still preserving California's right to regulate air pollution under the Clean Air Act.

Joining the president at the White House event were top executives from 10 major automakers, including Fritz Henderson, who became president of General Motors Corp. in March after Obama ousted Rick Wagoner as head of the company.

"At a time of historic crisis in our auto industry, this rule provides the clear certainty that will allow these companies to plan for a future in which they are building the cars of the 21st century," Obama said.

Also on stage with Obama were Transportation Secretary Ray LaHood, who currently oversees the CAFE program, EPA Administrator Lisa Jackson and White House energy and climate adviser Carol Browner.

The proposed rulemaking will be a joint effort between EPA and DOT and will mandate a 5 percent annual increase in fuel economy for model years 2012 through 2016. It would push CAFE standards to a fleetwide average of 35.5 miles per gallon by 2016, four years ahead of the schedule Congress laid out in a 2007 energy law.

The announcement will not specifically grant California the waiver it needs to enforce its standards, but it would appear to make EPA's forthcoming decision on the issue moot. The White House said that if EPA does ultimately grant the waiver later, California has agreed to defer to the national standard through 2016 -- and that if the waiver request is rejected, the proposal will move forward regardless.

In addition, the rulemaking would limit the amount of greenhouse gas emissions from passenger cars and light trucks, the first-ever such standard for the vehicles. A draft of the rule has not yet been released, but a White House spokesperson said the limit would be set at 250 grams per mile per vehicle in 2016.

Endangerment finding

The proposal has spurred concerns that the Obama administration has prejudged the outcome of its proposed "endangerment" finding, which is still undergoing a public comment period.

"A commitment to regulate greenhouse gases for cars brings with it a final endangerment determination, so the decision to regulate greenhouse gases from cars indicates that they plan to finalize the endangerment determination," said Roger Martella, who was EPA general counsel under President George W. Bush.

In April, EPA released a proposed finding that greenhouse gases threaten public health and welfare. The agency also proposed to find that emissions of carbon dioxide and other greenhouse gases from new motor vehicles are contributing to this mix of greenhouse gases in the atmosphere and therefore also threaten public health and welfare. Such a finding would require the agency to regulate tailpipe emissions under the Clean Air Act.

EPA will hold the second of two public hearings on the finding on Thursday. The public comment period ends June 23.

It comes as no surprise that EPA plans to finalize the endangerment finding, Martella said, but he said the sequencing was troubling. "It is important in a public comment process to consider all the views that are submitted and to respond to the views before finalizing a decision," he said.

Jeff Holmstead, an attorney at Bracewell & Giuliani and former EPA air chief under Bush, said, "They'll have a real legal problem if it looks like they've prejudged the endangerment finding."

But Dan Becker, director of the Safe Climate Campaign, said today's proposal was consistent with the Supreme Court's *Massachusetts v. EPA* ruling, which affirmed EPA's authority to regulate greenhouse gas emissions.

"I don't think that there's any doubt that global warming poses a threat to health and welfare, and I think the final formal finding will be forthcoming," Becker said. He added that the administration did not issue any formal regulations today; it merely laid out plans for the future.

Industry praise, but 'still more to talk about'

Automakers have a long history of opposing increased federal regulation, but their fears that the waiver would be granted spurred their embrace of new CAFE standards crafted by DOT. Today, auto industry officials applauded the president's effort to bring together a wide range of stakeholders to hammer out what one trade group described as "broad outlines of an agreement."

"What's significant about the announcement is it launches a new beginning, an era of cooperation," said Dave McCurdy, president of the Alliance of Automobile Manufacturers, a trade group representing Detroit's Big Three, Toyota Motor Co. and other carmakers. "The president has succeeded in bringing three regulatory bodies, 15 states, a dozen automakers and many environmental groups to the table. We're all agreeing to work together on a national program."

Still, while McCurdy and many of the alliance lauded the move towards a national program -- something the industry has increasingly called for in the face of California and other states' efforts to regulate emissions -- McCurdy made it clear that the proposed rulemaking was still a work in progress.

"The debate over who sets CO2 and fuel economy standards for autos has been decided, but there is still more to talk about," he said in a statement. "We have the broad outlines of an agreement, but we will need to work closely with NHTSA, EPA and California in the rulemaking process to resolve multiple issues, trying to fit all the elements together into one program. There is a strong commitment from everyone to move past any hurdles that may arise as we work through differences in the way these two federal agencies set standards."

Obama's announcement, likewise, was billed as an important first step by the Association of International Automobile Manufacturers, which represents Nissan Motor Co., Honda Motor Co. and a dozen other international carmakers.

"Today's actions begin the process of aligning EPA, DOT and California requirements, an action that AIAM has been urging for the past several years," said Michael Stanton, the group's president. "We will work diligently with all interested parties to ensure the adoption of the best program possible."

HAZARDOUS WASTES

==========

Tri-Party Agreement stands 20 years later (*Mid Columbia Tri City Herald*)

By Annette Cary, Herald staff writer
Tuesday, May. 19, 2009
Twenty years ago this month the Tri-Party Agreement was signed, laying out a plan to clean up the massive radioactive and hazardous waste contamination at Hanford within 30 years.

The Department of Energy and its two new regulators signed the document, though they did not really know how contaminated the 586 square miles of the nuclear reservation were and the technology did not exist to do the work.

Nuclear cleanup on such a massive scale had never been attempted.

Randy Smith, now retired, led negotiations for the Environmental Protection Agency. After working 13 months on the document, regulators were proud of the plan, but a round of public meetings drew criticism.

He remembers one man pointing a finger at him and demanding, "Can you guarantee me this site will be completely clean in 30 years?"

"I said, 'No. But I can tell you it will be a lot cleaner than it is toda,' " he remembered.

And it is, he said. "It's a lot cleaner and a lot further along. But is it far enough? No."

That seems to be the story of the Tri-Party Agreement.

There's no hope Hanford will be cleaned up in 30 years. DOE estimates radioactive waste treatment at the vitrification plant will be done in 2047.

Washington state has sued DOE over missed Tri-Party Agreement deadlines, but the state still sees the agreement as an essential tool, said Jay Manning, director of the Washington State Department of Ecology. "We are demonstrating to the whole world we can clean up a site like Hanford," he said.

And large parts of the site will be clean in 30 years.

DOE is working to shrink the contaminated area of the site to 75 square miles at its center by 2015. That means the security zone around the site -- now the Hanford Reach National Monument -- and 210 square miles in the production portion of the site along the Columbia River should be mostly clean.

"We've turned a corner where we can see where completing cleanup along the river is really tangible," said Dennis Faulk, program manager for EPA's Hanford Project Office.

To understand how much has changed, you need to look back to a few years before the Tri-Party Agreement was signed, said Manning, who worked on the agreement as a state assistant attorney general.

Hanford was still producing plutonium for nuclear weapons and was shrouded in secrecy. DOE had an attitude of "we know best," Manning said, and resented oversight.

But the times were changing. National media were writing investigative stories about DOE sites and their lack of oversight, Manning said.

The Natural Resources Defense Council won a lawsuit making clear that states had authority to oversee the hazardous waste component of mixed radioactive materials. Congress also amended the Superfund law to include sites such as Hanford.

The Tri-Party Agreement avoided a lawsuit over DOE failing to meet new cleanup standards by laying out a framework for cleanup and setting deadlines.

To date, 1,264 enforceable deadlines, or milestones, have been set in the agreement, according to DOE. Of those, 1,030 have been completed. Among those that have come due, 41 have been missed.

But the document is constantly changing, with some deadlines modified as new wastes are found. In other cases, DOE has been fined for missing deadlines.

Manning had doubts when the agreement was signed that some of the work could be done, such as emptying 53 million gallons of waste stored in underground tanks and moving wastes from older tanks to sturdier double-shell tanks.

"I knew it needed to happen," he said. "But would it really happen? I was not so sure."

By emptying seven tanks so far, Hanford workers have shown it can be done, he said.

The agreement forces DOE to invent the technologies needed for cleanup, he said. That ranges from ways to get high-level radioactive waste out of enclosed underground tanks to building the vitrification plant that will treat radioactive wastes of a complexity and on a scale never attempted before.

"It's surprising it's been this expensive and taken this long," Manning said, adding what is being done at Hanford is "historic and incredibly significant."

The state believes the Tri-Party Agreement will continue to drive cleanup at Hanford, although it is seeking a consent decree enforceable by the court to speed tank waste treatment.

The agreement says the tanks are to be emptied by 2018 -- a year before the vitrification plant is expected to be ready. The waste also is supposed to be treated by 2028, but DOE could miss that by almost two decades.

There also have been successes under the agreement, starting with an end to the practice of discharging contaminated liquids into drain fields at Hanford. EPA also points out as a success the methods developed to treat contaminated ground water and to clean chemicals from soil.

An ongoing success has been driving the congressional appropriation for cleanup by laying out work plans, Manning said. The work requires about $2 billion annually in federal money.

Although DOE has been fined for missed deadlines, it considers the Tri-Party Agreement "extremely valuable," said Dave Brockman, manager of the DOE Hanford Richland Operations Office.

"When we get down to tough decisions, the framework is in the TPA," he said. "It will be relevant until we're done."

TOXICS

==========

Wednesday, May. 20, 2009

EPA: Sulfur, acids found in drywall (*Bradenton Herald*)

By DUANE MARSTELLER - dmarsteller@bradenton.com

MANATEE — Federal scientists have found several distinct differences in Chinese and U.S. drywall samples they analyzed, but they say more testing is needed to determine what the differences mean.

The Chinese samples contained sulfur and two forms of an acid commonly found in acrylic paint while the U.S. samples did not, the U.S. Environmental Protection Agency said in a report released Tuesday. The Chinese samples also had higher levels of strontium — a metallic element — than their U.S. counterparts, the EPA said.

But the agency cautioned that it needs to do more testing to determine if the Chinese drywall's physical characteristics are causing foul odors, corroded metal and health ailments, as homeowners in Florida and a dozen other states allege. That testing should include indoor-air sampling for potential health risks, it said.

"The analysis was conducted to identify the elemental material contained in the drywall samples and is not itself intended to establish a definitive link between the drywall and the conditions being observed in houses," the report said.

Sens. Bill Nelson, D-Fla., and Mary Landrieu, D-La., who pushed for the EPA testing, plan to ask Congress again today to set aside $2 million in emergency funding for more in-depth testing and a public-awareness campaign.

"We now know there are three things in there that aren't in other drywall samples," Nelson said. "We've got the 'what' and now we need the 'why' and how do we fix it. In the end, I think all this stuff is going to have to be ripped out."

The EPA's initial results mirror those previously reported by Florida health officials, who said limited testing by an independent laboratory found higher levels of sulfuric and organic compounds in Chinese drywall.

A Centers for Disease Control and Prevention laboratory in Edison, N.J. tested two samples of Chinese drywall pulled from Florida homes and four domestic samples purchased at nearby stores for the EPA.

Both Chinese samples contained sulfur and propanoic acid, also called propionic acid. A National Oceanographic and Atmospheric Administration chemical database called the latter a "colorless liquid with a sharp rancid odor" that "produces irritating vapor."

The scientists also said the foreign drywall contained strontium at levels two to 10 times greater than the domestic ones. Strontium is a soft metal often used in fireworks and flares, according to the U.S. Department of Energy.

Also, the report said that scientists found "no evidence of fly ash in the Chinese drywall samples." That is counter to several lawsuits that contend Chinese drywall manufacturers added the ash, a byproduct of coal-fired power plants, to their product.

The report was released two days before a Senate subcommittee holds the first congressional hearing on the issue. Officials from several state and federal agencies investigating Chinese drywall, as well as a Cape Coral homeowner who has it in his home, are expected to testify.

Also Tuesday, Norfolk, Va., became the first U.S. city to ban the use of Chinese drywall. Contractors must certify they are not using the product or they will not get a building permit, the Virginian-Pilot newspaper reported on its Web site.

EPA: Analysis finds suspect materials in drywall (*Associated Press*)

By CAIN BURDEAU – 8 hours ago

NEW ORLEANS (AP) — The Environmental Protection Agency has found suspect materials in Chinese-made drywall, adding weight to fears that the house-building staple may be causing corrosion in homes and possibly sickening people in several states.

A report released Tuesday says the EPA tested Chinese-made wallboard in two Florida homes and discovered sulfur and two organic compounds associated with acrylic paint.

The report says those chemicals were not found in four samples of American-made drywall.

Several federal and state agencies are investigating complaints that Chinese-made drywall is corroding copper pipes, blackening jewelry and silverware and causing health problems.

Chinese drywall differs, EPA says (*Times-Picayune*)

(New Orleans)
May 20, 2009 Wednesday
MONEY; Pg. 1
Chinese drywall differs, EPA says; It has substances not in U.S. drywall
By Kate Moran, Business writer
An analysis by the U.S. Environmental Protection Agency shows that drywall from China, suspected of emitting noxious odors, contains substances not found in drywall produced in the United States.

The analysis was conducted on only six drywall samples, and the **EPA** cautioned that the results did not establish a definitive link between the substances in the Chinese drywall and the problems reported by residents of Louisiana, Florida and other states, who claim the fumes damage copper wires and household appliances.

All the same, the tests showed two samples of Chinese drywall contained sulfur that was not found in the domestic drywall. It also had much higher concentrations of strontium and two organic compounds associated with acrylic paint, which the domestic drywall did not contain.

The **EPA** tested four samples of domestic drywall purchased in Edison, N.J., and two samples of Chinese drywall culled from households in Florida that had reported problems with the material. The agency acknowledged that the sample size was "very small" and not necessarily "representative of all drywall products."

The Florida Department of Health has also conducted tests of the allegedly tainted drywall, and an **EPA** chemist noted in a letter that the state had not yet determined whether health problems reported by Florida residents are directly linked to the imported drywall.

"To date, a relatively low number of samples have been analyzed, and the emission levels detected from samples tested in the laboratory are far lower than those typically associated with such symptoms," Raj Singhvi, the **EPA** chemist, wrote to the U.S. Department of Homeland Security.

U.S. Sen. Mary Landrieu, D-La., released the results of the **EPA** analysis Tuesday. She plans to host a news conference today with Sen. Bill Nelson, D-Florida, to request that Congress allocate $2 million in emergency money to help the U.S. Consumer Product Safety Commission expedite an investigation of the imported drywall.

Landrieu also will testify Thursday on the matter before a subcommittee of the Senate Committee on Commerce, Science and Transportation. The senator said she would question federal witnesses and otherwise try to bolster federal response to the issue.

The Commerce Committee has jurisdiction over the Consumer Product Safety Commission, an agency that Landrieu and Nelson believe has been too slow to respond to complaints about the drywall, which homeowners say emits odors akin to the smell of rotten eggs.

Kate Moran can be reached at kmoran@timespicayune.com or 504.826.3491.

Soil near Hegeler site will be tested for toxic metals (*Urbana/Champaign News-Gazette*)

By Tracy Moss
Tuesday May 19, 2009
Illinois
HEGELER - Another round of testing for toxic metals will be done this summer and fall at more than 100 properties south of Danville near the former Hegeler Zinc smelter that's a U.S. Environmental Protection Agency superfund site.

EPA officials will be taking about 10 soil samples from each property to test for the presence of lead, arsenic and other potentially toxic metals that may be leaching from the nearby smelter site, a 100-acre area about three miles south of Danville.

From 1906 to 1955, a smelter operation there produced zinc products and sulfuric acid for industrial uses. Large amounts of slag waste, a by-product in the production process, was stored on-site in piles or spread on the ground throughout the facility. A significant amount of the slag within the facility is stored in a waste pile that occupies about 5.7 acres and rises 52 feet above ground.

Federal officials have already started notifying property owners whose soil will be sampled this year. U.S. and state EPA officials and local health officials are making

themselves available to the public on May 28 to answer questions and make a formal presentation on the testing and site cleanup process.

In 2005, EPA added the Hegeler site to the national priorities list of the nation's most hazardous waste sites eligible for cleanup under the Superfund program.

An in-depth study of the site in 2007 determined that significant contamination does exist, making it eligible for federal cleanup, which has not yet begun. But a round of testing of 107 nearby properties, some residences some just land, was also done in 2007, and those samples did not identify any immediate threat to nearby residents. Only five properties tested positive for slightly elevated levels of lead, but the testing could not determine whether the increased levels were caused by the former smelter site.

Lead can affect children the most, according to EPA officials, so anyone concerned can have their child screened for lead poisoning at the Vermilion County Health Department in Danville. The screening is $30 and the health department accepts Medicaid.

Kolby Riggle, environmental health inspector at the health department, said screenings are done on children ages 6 months to 6 years, and all children entering preschool or elementary school are required to be tested for lead.

In 2002, the Hegeler site was fenced, Riggle said, to keep people out of it and keep people from tracking it around or becoming exposed to it.

This second round of sampling, which will not cost property owners, will focus on whether arsenic is present but also will test for other metals, according to Colleen Moynihan, EPA remedial project manager.

She said the goal is to sample the same properties as were sampled in 2007, and most are just east of the Hegeler Zinc site. But the total number of properties sampled will depend on how many access agreements the agency gets, she said. The agency has sent access agreements to more than 100 affected property owners.

Cleanup at the site will not begin for some time as EPA officials are still working to determine the parties responsible for the cleanup and then devise detailed cleanup plans. EPA officials estimate that cleanup plans won't be finalized until 2011.

EPA officials said that long-term cleanup has been complicated, because one of the partly responsible parties, Millenium Petrochemicals, has declared bankruptcy. Ownership of the site has changed several times since the original contamination.

Project meetings

The Environmental Protection Agency and other state and local officials will be available on May 28 at Westville High School, 918 N. State St., Westville, to answer questions and take comments on the Hegeler Zinc cleanup process and soil sample testing.

From 9 a.m. to 4:30 p.m., officials will hold an informal open house in the Westville school district board room at the high school to meet one-on-one with environmental and health officials.

From 6 p.m. to 8 p.m., EPA officials will give a formal presentation in the high school cafeteria.

Information, official documents and contact information can be found at www.epa.gov/region5/sites/hegelerzinc

US: Analysis finds suspect materials in drywall (*Associated Press*)

Story also appeared: *Forbes*

By CAIN BURDEAU , 05.19.09, 08:03 PM EDT
The Environmental Protection Agency has found suspect materials in Chinese-made drywall, adding weight to fears that the house-building staple may be causing corrosion in homes and possibly sickening people in several states.

A report released Tuesday says the EPA tested Chinese-made wallboard in two Florida homes and discovered sulfur and two organic compounds associated with acrylic paint.

The report says those chemicals were not found in four samples of American-made drywall.

Several federal and state agencies are investigating complaints that Chinese-made drywall is corroding copper pipes, blackening jewelry and silverware and causing health problems.

WATER
==========

Bad water in Black Falls Navajo EPA hears complaints from elderly who must drink contaminated water (*Gallup Independent*)

May 19, 2009
By Kathy Helms
Diné Bureau
WINDOW ROCK — For some elderly Black Falls, Ariz., residents, last week's Navajo Environmental Protection Agency conference was their first opportunity to have a voice in Window Rock — a chance some didn't want to miss.

The community located in the former Bennett Freeze area has struggled for years to find a source of safe drinking water, with residents often traveling 50 miles to Flagstaff on unpaved roads to haul water.

In February, U.S. Environmental Protection Agency and Indian Health Service extended a waterline and constructed a safe water-hauling point in the priority area to serve residents near four unregulated wells contaminated with uranium.

Indian Health Service distributed 14 new water-hauling tanks to members of the community and is developing plans to install cisterns for up to nine homes within the immediate vicinity of the contaminated wells. In the interim, EPA has been providing bottled water to two families living in a very remote area who previously relied on uranium-contaminated wells.

During the May 13 EPA conference presentation of “Assisting the Water Haulers: Using Grassroots Driven Development to Secure Environmental Justice,” Don Yellowman, president of The Forgotten People, talked about how this group of Bennett Freeze area residents came together to help themselves.

“In Diné way, these people have extended families here and cannot just pick up and move to some other location so they remain and when necessary subject themselves to drinking contaminated water,” Yellowman said.

“I can only imagine how Rolanda (Tohannie) must feel speaking publicly about how she knows she is drinking contaminated water but does so because she has no other choice, and how Elsie Tohannie and other Black Falls residents feel as mothers, grandmothers and relatives of these families.

“It is imperative the new Black Falls Church watering point open, be maintained, and in the interim, all chapter houses must serve everyone in need without discrimination to ensure access to safe drinking water,” he said.

Florabell Paddock of Black Falls said she migrated during times of drought and drank from contaminated wells all her life. “These were the only sources of water we knew about and our sheep live off these water sources.

“Since last fall, we have been getting bottled water delivered to us from Superfund of U.S. Environmental Protection Agency because we live in a remote area and have no other option to safe drinking water. Now I am hard of hearing and wear a hearing aid. I wish these water issues were addressed when I was able to hear. The conditions we face are urgent,” Paddock said.

Faye Willie lives by Dry Spring, which is contaminated, and has been diagnosed with cancer. “I spent a lot of time in Phoenix and my doctors told me I only have a short time to live, but now I made it back home to my community in Black Falls.”

Having Navajo EPA recognize her community with an award lifted her spirits. “I am able to get around and am happy I got to live to see and experience this day of recognition of addressing safe reliable drinking water needs in Black Falls,” she said.

Rolanda Tohannie’s family drinks the contaminated water from Box Springs, she said. “We know it is contaminated but we have no choice because we do not have a vehicle to haul water over great distances. I have thyroid cancer and am suffering without access to safe drinking water.

“It makes me feel helpless as a thinking human being to tell you I am drinking contaminated water even though I have been educated at meetings of Forgotten People about the dangers of drinking contaminated water. I am telling you this because I am concerned (about) the consequences of subjecting my family and all the families still drinking contaminated water because we have no other choice,” she said.

George Kee, a Vietnam Veteran, from Black Falls, said he is concerned about complex political issues that have denied them access to safe drinking water. “We are five-fingered human beings that require water to survive. I served my country and my homeland to return home and find my people thirsty, still drinking uranium-contaminated water.

“I believe water development should be a top priority after so many years of neglect during the Bennett Freeze that caused U.S. governmental policies to allow the Bureau of Indian Affairs to cap off all the water wells in our region and deny people access to safe drinking water and dissect our communities by erecting miles of barbed wire fence.”

Carol Colorado of Gray Mountain area said she and others in her area dread this time of year with summer coming because they do not yet know the extent of drought and where they will get water. “We have to think ahead to survive.

Neighboring water points that were constructed in the Gray Mountain area do not work because minor repairs were never made.”

Myrtle Yellowhorse of Bodaway/Gap told the group, “I waited all my life for this moment to speak here in Window Rock.”

Her parents died when she was a young girl, she said, but she still remembers the lessons they instilled in her.

“They stressed to me from here forward in my adult life I must think about the necessities in life and what it takes for me to survive,” she said. Because of this, she goes out of her way to attend The Forgotten People’s meetings. “That is how strong I feel about pursuing the idea of not only thinking of my well being and survival but how I can contribute to these meetings, no matter how far I must travel.”

Yellowhorse lives without running water or electricity in a shack on Hopi Partitioned Land, according to Yellowman.

“Her health problems are obvious. We used to see her walk and she now uses a walker. It is obvious to me she is on a mission and is determined. And by speaking at the Navajo Nation Environmental Protection Agency conference, perhaps for a day or so she will feel no pain,” Yellowman said.

Elsie Tohannie of Black Falls told the group, “It is hard to constantly keep vehicles running and going long distances to get water. A water-hauling truck would help us to ensure we have safe water to drink.”

The Navajo Department of Water Resources is applying to U.S. EPA for funding of five water trucks as part of a pilot project, according to EPA Region 9’s Clancy Tenley.

“If EPA funds this, which we hope to do so, it would be next fall. We would pay for the full cost of the trucks for three years for this pilot project so they can gather cost data and see how this would work. We’re excited. We think it’s an opportunity to get water to people who don’t have piped water right now,” Tenley said.

State Gets EPA Award (*Jackson Free Press*)

May 19, 2009
The U.S. Environmental Protection Agency announced today that the Mississippi Department of Environmental Quality will receive $356,700 to improve water quality and create green jobs through the American Recovery and Reinvestment Act. Nationally, the agency will award a total of $39 million.

“The Recovery Act investments are meeting urgent needs for economic growth and protecting human health and the environment,” said EPA Administrator Lisa P. Jackson in a release. “Communities across the nation can count on green jobs to help pull them out of this downturn and ensure the long-term strength of our economy and our environment.”

”With this Recovery Act funding, Mississippi will pursue additional water quality planning activities that will lead to increased economic activity and new water quality protection efforts in the state,” said Stan Meiburg, EPA Acting Regional Administrator in Atlanta in the release. “This funding will benefit Mississippi residents by promoting improved water quality while strengthening the economy through green jobs.”

Health department begins testing swimming sites this week (N*ews-Leader*)

May 19, 2009
With the first summer holiday approaching with Memorial Day, the Springfield-Greene County Health Department will start testing swimming sites this week.

Tests will be for coliform bacteria, an indicator of fecal water contamination.

The department uses the Environmental Protection Agency's water quality criteria for monitoring bacteria.

The standard specifies that no single water sample should have an E. coli count that exceeds 235 colony forming units per 100 milliliters of water. Water is generally considered suitable for swimming if the E. coli test results are 77 colony forming units or less.

Testing sites will include Crighton Access on the James River; Wilson Creek at Farm Road 123 and Farm Road 146; Little Sac River at Farm Road 125 south of Highway O; Galloway Creek at Highway 65 and Highway 60 and Lake Springfield below the dam.

Natural bodies of water can contain harmful bacteria and parasites from human or animal waste and wastewater runoff.

A person who swallows contaminated water or gets it in his mouth may develop a recreational water illness that can cause a wide variety of symptoms, including gastrointestinal, skin, ear, respiratory, eye, neurologic and wound infections. The most commonly reported recreational water illness is diarrhea. The health department has recently seen an increase in shigellosis, which can be spread by hands, objects, surfaces, food or water contaminated by feces.

Weekly stream testing will be done through Labor Day. Results are posted by Friday each week on the health department's Web site at www.springfieldmo.gov/health.

Health department staff also inspect local public swimming pools as well as pools and spas at Springfield hotels and motels. Staff look for water quality, water clarity, safety equipment and environmental and safety concerns.

Georgia-Pacific agrees to Kalamazoo River cleanup (*Associated Press*)

This story also appeared: *Chicago Tribune*, Atlanta Journal Constitution

Associated Press
10:47 AM CDT, May 19, 2009
KALAMAZOO, Mich.

Federal officials say Georgia-Pacific Corp. has agreed to perform a $13 million cleanup project at the Kalamazoo River Superfund site in Allegan and Kalamazoo counties.

The settlement was filed Tuesday in U.S. District Court and announced by the Justice Department and the Environmental Protection Agency.

They say Atlanta-based Georgia-Pacific will design and build a landfill cap at a portion of the polluted site. Altogether, the site consists of an 80-mile stretch of river, a three-mile creek segment, several closed paper mill properties and four landfills.

Georgia-Pacific will consolidate PCB-contaminated material, design and install a permanent landfill cap across 32 acres, design and install a groundwater monitoring system and build long-term erosion control measures.

It also will restore wetlands and shoreline habitat.

Emory River at 'tipping point' (*Chattanooga Times Free Press*)

Tuesday, May 19, 2009
By: Pam Sohn (Contact)
Tennessee
An independent report on water, sediment and fish samples collected after the Dec. 22 Kingston Fossil Plant ash spill shows high toxin levels and a fish population at the toxic "tipping point" of losing reproductive ability.

The report estimates the ash sludge contains 3,380 tons of the 10 most toxic elements in fly ash.

"Overall, these test results indicate much more severe impacts to water, sediment and fish than has been previously reported by TVA, which tells us they haven't been sampling in the right places," said Watauga Riverkeeper Donna Lisenby of Appalachian Voices, an environmental organization based in Boone, N.C.

Scientists with Appalachian State University, Wake Forest University, the Tennessee Aquarium and Appalachian Voices released the study Monday online and in a telephone conference call.

Tennessee Valley Authority spokesman Gil Francis said agency officials are reviewing the report.

"Early on we got data from some of these folks and we said, 'Show us where you are collecting this so we can go back and make sure we haven't missed anything,'" he said.

Mr. Francis said the agency has “numerous studies in progress to make sure we understand all the issues.”

“We’ll put that information out there as soon as we get it available,” he said.

The TVA’s 60-foot-high ash landfill in Kingston broke open three days before Christmas 2008 and dumped 1.1 billion gallons of coal ash sludge into the Emory River and over 300 acres of residential farm land.

The U.S. Environmental Protection Agency announced last week it is assuming regulatory oversight of the cleanup but did not respond Monday to requests for comment on the independent study results.

TVA officials have said the ash is nonhazardous and that the agency is cleaning up the spilled material.

FISH REPRODUCTION

University scientists said they expect the toxicity levels — particularly of selenium — to rise, especially with the dredging the agency recently began. The study states additional intake of selenium severely could affect fish reproduction.

Fish reproductive systems soon likely could be so damaged from the toxic levels of selenium that their eggs and young will die, and their population eventually will be eliminated, said Dr. Dennis Lemly, adjunct professor of biology at Wake Forest University.

The report states selenium concentrations in fish species in the Emory River are “at toxic thresholds.”

“This means that the river ecosystem cannot tolerate further assimilation of selenium from the ash spill,” the report states. “There is no margin of safety.”

Dr. Lemly said findings of such high levels indicate the landfill had been leaking before the December breach.

“If we started with a clean ecosystem and started to put selenium in and let it bioaccumulate into fish tissues, we’d expect it to take 30 days for that to happen,” Dr. Lemly said. “What we saw in the fish in the Emory River is that those fish were already contaminated by selenium to toxic threshold concentrations at only 18 days following the spill.”

He said there is an implication “for public health as well,” because selenium bioaccumulates up the food chain. The professor noted fish consumption warnings already exist on the river because of PCB and mercury levels.

arsenic concerns

The study also found lead oxides and high arsenic levels on 10 percent of the site's samples of cenospheres — particles of filmy silica seen floating on the surface of water when released from the ash. TVA officials have said the cenospheres were inert.

Dr. Shea Tuberty, associate professor of biology at Appalachian State, said the cenospheres were coated with iron oxides, which collect and bind to arsenic and other toxins. Arsenic was not present on the cenospheres that were not coated with iron oxides, he said.

"It is likely that arsenic is not the only heavy metal that adheres to the iron oxide coating on the ash particle, but further study is necessary to confirm this," the report states.

Ms. Lisenby and Dr. Tuberty said the research group has taken new and more intense water and fish samplings for a study it expects to release in June.

In those samplings they took water and sediment samples from three levels in the water, as well as a bank-to-bank sampling.

Fish at toxic 'tipping point' after Tenn. coal ash spill -- report (*Greenwire*)

05/19/2009
An independent report on water, sediment and fish samples collected after a Dec. 22, 2008, coal ash spill in Kingston, Tenn., shows that high toxin levels are pushing fish in the Emory River close to a "tipping point" of losing reproductive ability.

The report released yesterday by Appalachian State University, Wake Forest University, the Tennessee Aquarium and the environmental group Appalachian Voices estimates the ash sludge from Tennessee Valley Authority's Kingston Fossil Plant contained 3,380 tons of the 10 most toxic elements in fly ash.

"Overall, these test results indicate much more severe impacts to water, sediment and fish than has been previously reported by TVA, which tells us they haven't been sampling in the right places," said Watauga Riverkeeper Donna Lisenby of Appalachian Voices, based in Boone, N.C.

TVA spokesman Gil Francis said the agency is reviewing the report and has "numerous studies in progress to make sure we understand all the issues."

TVA's 60-foot-high landfill released 1.1 billion gallons of coal ash sludge into the Emory River and over 300 acres of residential farm land. U.S. EPA announced last week it is

taking over regulatory oversight of the cleanup, but did not comment on the report's findings (Pam Sohn, Chattanooga *Times Free Press*, May 19). **– PT**

EPA group looks at total coliform, aircraft-water rules (*Water Tech Online*)

5/19/2009 1:48:47 PM
DENVER — The US Environmental Protection Agency's (EPA) National Drinking Water Advisory Council is scheduled to review agency updates on revising the Total Coliform Rule this month in Seattle, the American Water Works Association (AWWA) reported May 15.

According to AWWA, "AWWA and other stakeholders recently struck a rulemaking agreement for the revised TCR, and EPA has asked its Science Advisory Board to review technical analyses to support the revision. The SAB Drinking Water Committee is set to meet May 20 by teleconference to plan a June 9-10 face-to-face meeting in Washington, DC, on the requested review."

Also during the May 27-28 meeting, the advisory council will review efforts to help the water sector deal with potential effects of climate change.

At the two-day meeting, the council is slated to finalize the Aircraft Drinking Water Rule, as the Federal Register reported May 13.

One hour of the meeting on May 28 is reserved for comments from the public, and EPA is asking that comments not exceed five minutes. Individuals or organizations interested in presenting an oral statement should notify Veronica Blette by telephone at (202) 564-4094 no later than May 22. Additional information about the council is available at http://www.epa.gov/safewater/ndwac.

Water projects rejected (*Martinsville Bulletin*)

For federal stimulus funds
Wednesday, May 20, 2009
By DEBBIE HALL - Bulletin Staff Writer
Henry County and Martinsville probably will not receive any of the estimated $20.7 million in federal stimulus funding earmarked for water projects in Virginia, according to a draft list of approved projects released by the Virginia Department of Health.

“I am very disappointed again that we were not included,” said Debra Buchanan, chairman of the Henry County Board of Supervisors.
According to the department’s Web site, the Environmental Protection Agency will award and administer the funding, which comes through the State Revolving Fund Capitalization Grants program.
After learning that the county is not included in the draft list for water projects, County Administrator Benny Summerlin asked, “How many different ways can I say I’m disappointed?”
“We were hopeful of getting the water projects funded, but we didn’t,” he said, adding the county was not told why the projects were not funded.
Barbara Reese, deputy director of policy for Gov. Tim Kaine, said 240 projects were submitted for funding consideration, and only the top 20 made the draft list.
Numerous criteria were evaluated to rank the projects, Reese said. Top priority was given to proposals that dealt with acute health priorities, or situations in which clean drinking water is not available.
The top two projects on the list, which are in Scott and Russell counties, involved acute health issues, Reese said. They would be awarded a combined $3,534,317 if the draft list is finalized.
Projects that deal with chronic health priorities were given the next highest rankings. Those problems “are not acute, but it’s a chronic drinking water issue that needs to be resolved,” Reese said.
Other projects were evaluated as to their public health impact, she said. That requirement could include “a whole host of things,” Reese said. Factors that are evaluated include whether the project is ready to proceed, whether other funds are available, whether the proposal involves a region (as opposed to a single locality) and affordability.
The last item includes factors such as a community’s median household income, Reese said. She did not know if unemployment rates are considered.
Independent engineers with the department of health evaluate the proposals and rank each project, Reese said. The maximum number of points a project may receive is 150. Reese said a project proposed by Henry County received a ranking in the 20s, while a project Martinsville submitted was ranked in the 30s. She could not be more specific Tuesday evening.
Last month, three sewer projects proposed by the county were not included in a list of initial projects to receive federal stimulus funds.
Del. Ward Armstrong, D-Collinsville, researched the issue and suggested to Gov. Tim Kaine that the unemployment rate and economic stress in Martinsville and Henry County should be included as criteria.
Kaine worked to add unemployment to the funding criteria, and the county later was notified it would receive about $700,000 in stimulus funds for one of the sewer projects.
Armstrong said he is researching to determine the criteria for water projects.
“Certainly, my job is to try to get resources” to his district, Armstrong said. The area has received stimulus funds for education, law enforcement and sewer, and “I will look into this,” he said.
The county applied for three projects from the Virginia Drinking Water State Revolving Fund, including $1.8 million to construct 6-8-inch water lines and extend water service

into the U.S. 58 corridor and several side roads, according to Tim Pace, director of engineering.
A second project would have improved water service to Monta Vista residents by extending a water line from the Bank Services Building to Reed Creek Drive and then to Monta Vista, Pace said.
That project called for building about 9,000 feet of 6- and 8-inch lines at a cost of $780,000, he said.
A third project requested $1.4 million to buy nine stand-by generators for the county's pump stations and two stand-by generators for the county's filtration plant at Philpott Lake to use in cases of power failures, Pace said.
All of the projects are necessary and were suggested because they met the criteria in the American Recovery and Reinvestment Act, Pace said. The proposals also could be completed within the time constraints in the federal initiative.
Martinsville Director of Water Resources John Dyches said the city also submitted three projects.
The first was to replace/upgrade a sodium hydroxide tank at the water plant. Dyches said that project will cost about $210,000.
The city also hoped to get $50,000 to replace a pump at the water plant, as well as $143,000 to renovate a water storage tank, Dyches said.
There were inquiries for more information on those projects, but Dyches said the city has not heard if it will receive funding.
However, Martinsville is not among the top 20 projects on the list.
The draft list specifies partial or total funding for the projects, including a $4.8 million waterline replacement in Portsmouth, $3.3 million to Boones Mill for a water system upgrade and $2.3 million for a road tank project in the city of Radford.
The public comment period for the proposed draft list will end June 8. If new information becomes available during the comment period that affects the rankings, the list could change, Reese said.
All localities that submitted proposals can talk to health department staff about their projects during the 30-day comment period, she said.
Reese said she expects the list to be finalized, and the projects ready to move forward, by July 1.
All projects that do not receive stimulus funding will be considered for the next round of clean water funding, Reese said. She said consideraton is given as funds become available.

May 20, 2009

Let's wait for new definition on wetlands (*Port Huron Times Herald*)

Gov. Jennifer Granholm's record is so strongly pro-environment that it could be painted in a hundred hues of green.

Yet, she finds herself on the defensive as environmentalists attack her recommendation to return control of wetlands protection to the federal government.

Twenty-five years ago, Michigan became the first state to wrest control of its wetlands away from the U.S. Army Corps of Engineers. There was an expectation that state regulators would be more vigilant and efficient.

The effort has seen its ups and downs. A dozen years ago, the Michigan Environmental Council called on the federal government to take over, arguing the Army Corps would do a better job than Gov. John Engler's administration.

Today, those same environmental groups are battling to keep the job with the state.

"If the governor truly believes the Great Lakes are so important to our economic future, it is very hard to understand why she wants Michigan to stop protecting wetlands," said Mark Richardson of the Clinton River Public Advisory Council.

A key issue involves definitions. As far as the state is concerned, it has authority over any wetlands larger than five acres, even if it's a collection of puddles in your backyard. By contrast, the federal government usually concerns itself only with wetlands directly connected to a navigable waterway or lake.

The U.S. Supreme Court has issued conflicting opinions on what constitutes a wetland. In light of this waffling, the court has ordered the Environmental Protection Agency to come up with a specific definition.

Until that happens, a gray area exists in federal law.

The governor's position is a pragmatic one. The state is spending $2 million a year on wetlands protection. Steve Chester, the director of the Department of Environmental Quality, says his agency needs $4 million to do the job properly.

The governor prefers to eliminate spending rather than to double it. She notes 48 other states -- New Jersey is the exception -- rely on the Army Corps.

Sen. Patty Birkholz, R-Saugatuck Township, the influential chairwoman of the Senate Natural Resources and Environmental Affairs Committee, has expressed reservations about the governor's recommendation. Her committee is having a series of public hearings on the issue.

We don't believe this governor would deliberately damage the state's natural blessings, and certainly not to save a relatively paltry $2 million from an $8.9 billion general fund.

However, we'd also like to read the EPA's new definition of wetlands before relinquishing state control. We urge the governor and the Legislature to postpone a decision until this most basic of issues is clarified.

****

E-Clips contain copyrighted materials and are made available to designated recipients. Neither the E-Clips nor any individual article within may be further distributed.

****