

TravelCenters of America, Petro accused of violating spill prevention rules

By John Cox, Californian staff writer

Bakersfield Californian, Friday, May 14, 2010

The state Attorney General's Office filed a lawsuit this week accusing TravelCenters of America LLC and its affiliates, including Petro Stopping Centers, of violating fuel leak prevention laws at locations including those in Arvin and Lebec.

The suit, filed Wednesday in Alameda County Superior Court on behalf of the state Water Resources Control Board, also names as a defendant Lebec-based Tejon Ranch Co. and its industrial development arm, both of which are local partners of Ohio-based TA.

According to the suit, state regulators discovered numerous violations at six TA and Petro locations in Kern and Merced counties. It accuses the company of failing to report unauthorized fuel releases in a timely way, neglecting to install or maintain automatic leak detectors on underground fuel pipes, not testing its underground storage tank monitoring systems on an annual basis, failing to maintain or test secondary spill containment systems, and neglecting to train employees or maintain training records, among other alleged violations.

A Thursday news release by the state Environmental Protection Agency said the suit could result in penalties amounting to millions of dollars.

Representatives of TravelCenters of America could not be reached for comment Thursday.

Tejon Ranch's vice president of corporate communications, Barry Zoeller, said that although Tejon owns the land under some of the fueling stations, it is not involved with the centers' operations. Even so, he said, the company will work with TravelCenters of America to resolve the suit.

"We need to work with them but we obviously have not been involved in the operation of the facility. That's TA's responsibility," Zoeller said.

The state's news release says that Tehama County's District Attorney's Office reached a \$300,000 judgment against TA last year for operation and maintenance violations leading to a release of 900 gallons of diesel fuel into a tributary of the Sacramento River in Tehama County.

The release also says the San Bernardino County District Attorney's Office reached a \$980,000 judgment against TA last year for leak prevention violations.

EPA moves to regulate industrial greenhouse gases

By Matthew Daly, Associated Press Writer

In the Sacramento Bee, Merced Sun-Star and other papers, Friday, May 14, 2010

WASHINGTON -- The Environmental Protection Agency moved Thursday to more tightly control air pollution from large power plants, factories and oil refineries, a step to limit emissions widely blamed for global warming.

The EPA said it is completing a rule requiring large polluters to reduce the amounts of carbon dioxide and other greenhouse gases that they release into the air. Those emissions can boost many allergens and worsen smog, which can trigger asthma attacks and other respiratory ailments.

The rule would require companies to install better technology and improve energy efficiency whenever they build, or significantly modify, a plant.

EPA Administrator Lisa Jackson said the rule applies only to large polluters such as power plants, refineries and cement production facilities that collectively are responsible for 70 percent of greenhouse gas emissions from stationary sources in the United States.

Jackson said the rule sets commonsense standards that will clean the air and protect public health, while avoiding burdensome regulations that could harm farms and small and medium-sized businesses.

"There is no denying our responsibility to protect the planet for our children and grandchildren," she said in a statement. "It's long past time we unleashed our American ingenuity and started building the efficient, prosperous clean energy economy of the future."

The EPA announcement comes a day after an energy and climate bill was introduced in the Senate that seeks to accomplish many of the same goals. But EPA spokesman Brendan Gilfillan denied any connection, saying "rules are ready when they are ready."

The pollution rule will take effect in January, when industrial facilities that already obtain Clean Air Act permits for other pollutants will be required to obtain permits for greenhouse gases, if they increase those emissions by at least 75,000 tons per year.

Starting in July 2011, the rule would apply to any existing plant that emits at least 75,000 tons of greenhouse gases a year, or any new plant that emits 100,000 tons per year.

Emissions of 75,000 tons of carbon dioxide are equivalent to the annual emissions from 13,000 passenger vehicles, or the electricity use of about 8,200 homes per year, the EPA said.

The rule comes as Sens. John Kerry, D-Mass., and Joe Lieberman, I-Conn., made public a long-delayed bill aimed at curtailing greenhouse gas emissions. The bill introduced on Wednesday would set a first-ever price on carbon dioxide emissions produced by coal-fired power plants and other large polluters.

The legislation aims to cut emissions of carbon dioxide and other heat-trapping greenhouse gases by 17 percent by 2020 and by more than 80 percent by 2050. Both targets are measured against 2005 levels and are the same as those set by a House bill approved last year.

The Obama administration has long said it would prefer that Congress pass a bill to cut greenhouse gas emissions but has used the threat of EPA regulation to push lawmakers in states heavily dependent on fossil fuels to support the climate bill.

Many large utilities and other energy companies have said they want Congress to act, believing they would be in a better bargaining position with Congress than in regulations issued by the EPA.

Even so, the energy bill faces a steep hill in the Senate. No Republican has signed on as a co-sponsor. Sen. Lindsey Graham, R-S.C., who had been working with Kerry and Lieberman, withdrew his support last week, saying it is impossible to pass the legislation in the current political climate.

The rule announced Thursday substantially raises the threshold amount of pollution required before greenhouse gas permits are needed. A proposal announced last September would have required permits for facilities that emit 25,000 tons per year.

Gina McCarthy, an assistant EPA administrator, said the change was made in response to complaints that the earlier proposal would have affected many small and medium-sized businesses, and even large apartment buildings. Such limits "clearly were not appropriate," she said.

Environmentalists hailed the pollution rule but industry groups and some GOP lawmakers called it a job-killer.

"Just as pollution standards for cars have spurred the auto companies to make hybrids and other cleaner cars, these standards will start to move America away from dirty, inefficient and outdated coal plants toward more efficient, cleaner energy," said Emily Figdor, director of the global warming program at Environment America, an advocacy group.

A spokesman for Sen. Lisa Murkowski, R-Alaska, said the EPA was overreaching its authority. Murkowski has threatened to introduce legislation blocking the EPA from regulating greenhouse gases under the Clean Air Act.

"Sen. Murkowski remains convinced that the (EPA) tailoring rule won't stand up in court - that the agency can't change a law that was passed in Congress," said Robert Dillon, a spokesman for Murkowski. The senator remains committed to allowing all 100 senators a vote on whether they think EPA is the appropriate body to regulate greenhouse gas emissions, he said.