

Group accuses administration of changing drilling rule

SUZANNE GAMBOA, Associated Press Writer

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WASHINGTON (AP) -- The Sierra Club alleges in a lawsuit that the Bush administration changed a rule so oil and gas producers could more easily drill under national parks from outside their boundaries.

The environmental group alleges in the suit filed Wednesday that the change affects 14 national parks that have privately owned minerals beneath them.

The suit asks the U.S. District Court in the District of Columbia for an immediate injunction to reverse the change it alleges, which it said was done without public input, and also to drop drilling.

The National Park Service denied the allegation.

"That is so untrue. There has been no change from the Bush administration, from the Clinton administration," said Carol McCoy, a Denver-based National Parks Service spokeswoman. "Nothing has been done outside the public process."

Oil and gas producers can drill at an angle to reach privately owned minerals from private land adjacent to a park.

Under a 1979 rule, the National Park Service must study such drilling plans and their possible impacts to the park or adjacent land. Also, the drilling company was required to submit environmental impact analyses.

But the Sierra Club alleges that since late 2001 the National Park Service has been allowing directional drilling without such impact analyses. The environmental studies required of drilling companies also have been reduced, the group says.

The Sierra Club says the drilling or its equipment could cause problems with air and water pollution or noise problems. It also says trucks traveling on roads near the park could be an issue. The group also is concerned about what damage any accidents, such as well blowouts, might cause.

Technology for plastic-to-diesel is new, untested

By Eiji Yamashita, staff writer

Hanford Sentinel, Wed., Nov. 18, 2004

HANFORD - Seven pounds of waste plastics for a gallon of ultra low-sulfur diesel. That's the concept Plastic Energy LLC touts with a plastic-to-diesel conversion plant it wants to build near Hanford.

A conversion technology called "catalytic cracking" is the key piece of the project, which makes diesel out of plastics theoretically through a no-burn thermal method.

Various literature indicates the technology is in use in Europe and Asia, but the company says what it plans in Hanford will be a step ahead of what already exists in the rest of the world.

But the fact that the technology is new and untested has opened up a controversy, eventually bringing the project to a halt.

With all the air district permits, including the right to construct, taken away in August, the company is trying to come up with a wholly new design and plans. George Larson, a partner for the company, says the data isn't there yet to prove the project's air emission safety but says he's hopeful to have it by spring.

Opposition groups, led by San Francisco-based Greenaction for Health and Environmental Justice, say they won't trust a company which tried to build the project without definitive air

emission data for the first time around.

Safety of the project, as well as an approval procedure, was a main focus of discussion at a public forum on the Plastic Energy project that was held locally on Monday.

What's "catalytic cracking"?

In its April 2004 draft report "Life Cycle and Market Impact Assessment of Waste Conversion Technologies," the California Integrated Waste Management Board explains the technology in reference to Plastic Energy's plan and discusses a market background.

Catalytic cracking is a process that thermally converts discarded plastics into liquid and gas fuels. Shredded plastic feed stock is melted and mixed with catalyst, and gas is condensed and distilled into diesel and gasoline. Gas and gasoline are combusted in a gas turbine to generate heat and electricity, which makes the plant self-sustainable.

It's a commercial technology developed by H.SMARTech Inc., which formed Plastic Energy. This method takes polyolefin, such as grocery bags and film plastics, and rejects PVC, chlorinated plastic that releases dioxin when incinerated.

H.SMARTech first commercialized the process in 1998 in Zabrze, Poland, which by far is the world's largest catalytic cracking plant. Australia-based Ozmotech also has similar plants in Europe and Asia.

Can toxins fall through the cracks?

Residents and green activists point out a potential for harmful emissions from the plant, and an absence of data adds to their frustration.

"We know that there's a potential from any facility that deals with thermal process dealing with plastics which are loaded with a variety of toxic materials to have pollution," said Bradley Angel, executive director for Greenaction.

There are many pollutants that could possibly be incurred by a project involving combustion like the Plastic Energy plant, most troubling of which, an expert says, is dioxin.

"There's a bunch of things you have to worry about, but the big thing you have to worry about is dioxin. Why? Because dioxin is more carcinogenic than plutonium," said Jane Williams, an executive director of California Communities Against Toxics, of Kern County.

Environmentalists often make a connection between dioxin and incinerated PVC.

When he spoke in August, Henry Dwyer, a manager of the company, repeatedly ruled out a possibility of dioxin emission from the plant and said all PVCs will be turned away.

PVC is No. 3 plastic, which is non-recyclable. It is highly combustible and contains chlorine, which poses pollution concerns when burned and released into the air.

George Larson, a company partner, acknowledged the plant may not be able to completely keep out PVC but said it will have a safeguard against it.

"The front end segregation will keep PVC out of our process, most of which are recognizable white pipes ...," Larson said. "Certainly as has been noted, some may get through. But on the distillation side of our process, we have a dechlorinizer that will remove all chlorine from any fuels that are produced."

It is in the company's interest to keep PVC out of the feed stock because diesel fuel contaminated

with chlorine cannot be sold.

Responding to a concern, the company also decided to burn gas from the Gas Company rather than using gasoline byproduct from the process, Larson said.

"Some concerned citizens said we don't have testing to confirm that gasoline which we'll use does not have any chlorine in it," Larson said. "We will submit a revised plan ... I do know for that section we'll use utility grade natural gas to power the electrical system until such time the necessary testing is done."

Is there emission at all?

Other potential pollutants incurred by the plastic treatment process are acid gases, metal additives and VOCs, or volatile organic compounds, Williams said.

In August, Dwyer said the project is a closed-loop system with "zero emission" during a conversion process.

But the draft assessment report by the California Integrated Waste Management Board says the technology creates emissions at various stages of the process.

"In addition to the diesel and electricity products, the process will have combustion emissions (criteria pollutants and toxics), VOC emissions from organic storage and drying operations ..." the report says, while noting that these emissions will be well below limits.

What the study concluded

The study evaluated the operation of three conversion technologies, including catalytic cracking, in terms of energy saving and air pollution.

Among the findings:

- Catalytic cracking would end up in significant offset of sulfur oxide because of its production of ultra low-sulfur fuel. But the report also noted that "there is a higher level of uncertainty regarding air pollution control requirements for [conversion technologies]."
- Data is insufficient to assess the technologies' potentials for emissions of dioxins and furans and other hazardous pollutants. When it comes to catalytic cracking, the report found no test data on emission factors for dioxins and furans, lead, cadmium, mercury and hydrochloric acid.
- Conversion technologies seem to do better in controlling greenhouse gas than landfills.
- They will reduce the amount of needed landfill space and increase diversion rates.
- These technologies will "likely result in greater local environmental burdens and a potential reduction in regional or global burdens."

Question of being "incidental"

Kings County Planning Agency Director Bill Zumwalt approved a one-year extension of a site plan review for the Plastic Energy project last month.

Concerned residents do not like the fact that this project gets excused from a much closer scrutiny involving an environmental impact report and a public hearing.

Zumwalt says site plan approved projects are exempt from such a review because they satisfy

the general plan and zoning ordinances that already meet the state environmental requirement.

[Fresno Bee editorial, Thurs., Nov. 18, 2004:](#)

Our deadly air

New study suggests summer smog is a bigger danger than we thought.

The deadly evidence continues to pile up: Air pollution kills people. The latest bad news is that even small and temporary increases in smog during the summer can cause several thousand premature deaths across the country.

That's especially bad news for the San Joaquin Valley, where we yield to no one in the depth and danger of our air quality problems.

The most recent study was conducted by Yale and Johns Hopkins universities, and published this week in the prestigious Journal of the American Medical Association. It analyzed data gathered between 1987 and 2000 in some 95 cities across the United States.

Ozone is the main culprit in smog. It forms from chemicals in emissions from various sources — mostly vehicles. It can trigger asthma attacks and other problems.

Earlier studies have clearly drawn that connection between ground-level ozone and respiratory illnesses. This new study is the first to provide evidence that smog also causes premature deaths. Nationwide, air quality is improving. But that simple statement conceals a number of other daunting problems.

For one, air quality around here isn't getting appreciably better. The Valley faces special conditions of geography and climate that make our air pollution an even more intractable problem.

Another problem is that the more we study air pollution, the more it becomes clear that we didn't really know how bad its effects can be. This latest study is a good example of that. It's also hard to gain ground on the problem when so many more people keep moving here, and adding their own measure to the pollution we all cause.

The newest report also found the average amount of ozone in the air above the cities studied was far below the federal standard for violations — and the Valley recorded 109 such violations last year.

Add to that mix the Bush administration's single-minded determination to dismiss scientific evidence and gut existing clean air laws, and the struggle becomes decidedly more difficult.

But it's a struggle we must undertake. We've made a useful start on reducing pollution from off-road sources. Now it's time to target the main offenders: the vehicles we drive. We can't go on blowing huge amounts of deadly toxins into the air we breathe and expect that things will ever get much better.

[Letters to the Fresno Bee, Thurs., Nov. 18, 2004:](#)

'Not settled'

The Bee adheres to a familiar policy of "bad news is good news" in offering reports on global warming without scientific dialogue. That the Arctic has lost ice the past 30 years (story Nov. 9) is certainly newsworthy, but the Associated Press doesn't explore the reasons fully. Though alarmists attribute it to human activity, other scientists remind us of the greater influence of sunspots, cosmic rays and the incidence of warming trends before the current level of human industry.

Global warming is not necessarily a bad thing. Carbon dioxide is not a pollutant, and Earth has enjoyed greater greening. Kyoto Treaty proponents doggedly push its passage despite its emission standards favoring poorer countries and penalizing others. Competitors wouldn't mind Kyoto's hobbling America's vibrant economy. The Bush administration is right to seek more research.

Predictions of the sea level rising 3 inches, 3 feet or more by 2100 are premature. As scholars such as Thomas S. Derr caution, "The science is not settled. The case for anthropogenic warming probably won't hold up. The Earth is behaving as it has for millennia, with natural climate swings that have little to do with human activity.

W. Edward Chynoweth

Sanger

'Have to do more'

The American Lung Association finds it odd that Joel Schwartz of the Reason Foundation claims the number of days with high ozone levels in the San Joaquin Valley is overstated [story Nov. 3].

This report underscores the serious health threat that air pollution poses to people throughout the Valley. The region's 104 days in violation of the federal eight-hour ozone standard continue to indicate a serious air quality and health problem that affects everyone, especially people with asthma, emphysema or bronchitis.

Ozone in our Valley moves from one area to another. We are all breathing the same air and will all suffer the short- and long-term health effects.

This air quality report shows, again, how vulnerable San Joaquin Valley residents are to smog. We have to do more to clean up our air.

Here are some reasonable solutions: The San Joaquin Valley Air Pollution Control District must pass the additional \$2 vehicle registration fee. The money can be used to reduce emissions from diesel pumps and school buses. Local government leaders must practice smart growth principles. Car companies must listen to consumers and produce enough electric, natural gas and hybrid-electric vehicles to keep up with the demand. All of our lungs depend on healthy decisions.

Michael Peterson, M.D.

Board vice chair American Lung Association of Central California