

Sierra Club sues Placer over land approval for university

By Bob Walter

Sacramento Bee and Modesto Bee, Friday, Jan. 9, 2009

The Sierra Club filed suit Thursday seeking to overturn Placer County's approval last month of a plan to lure a university to 1,157 acres just west of Roseville.

The suit claims the Board of Supervisors violated state law when it approved the plan by developers to donate the land to Drexel University of Philadelphia.

The county's environmental impact report on the plan was inadequate, the suit alleges, and violated the California Environmental Quality Act.

County Counsel Anthony La Bouff said the county was confident that its approval would be upheld.

The plan would trigger urban sprawl, adding to traffic congestion and air pollution, said Terry Davis of the Mother Lode chapter of the Sierra Club. It also was approved without identifying an adequate water supply, said Davis and Marilyn Jasper of the club's Placer Group.

The plan, approved Dec. 9, allows developers led by the Angelo K. Tsakopoulos family to donate land south of Pleasant Grove Creek and north of Baseline Road.

About 600 acres would be used for the university campus, including faculty housing, sports facilities and open space.

Helena Chemical files suit against critics

The Associated Press

Contra Costa Times, Friday, Jan. 9, 2009

LAS CRUCES, N.M.—Helena Chemical Co. has filed a lawsuit in state district court accusing the executive director of the Mesquite Community Action Committee of libel and slander.

The lawsuit names Arturo Uribe, his wife and their attorney. The Urbes have been outspoken critics of Helena, which operates a fertilizer warehouse near the family's home.

The lawsuit claims that a number of false statements injured the company's reputation and good standing in the community.

Neither Helena nor Uribe would comment on the pending litigation.

In October, Mesquite-area residents sued Helena. Uribe said at the time that residents had tried to work with the company for years, but found their health, air quality and water quality becoming bad.

Toxic coal ash piling up in ponds in 32 states

By Dina Cappiello, Associated Press Writer

In the Contra Costa Times, O.C. Register and other papers, Friday, Jan. 9, 2009

WASHINGTON—Millions of tons of toxic coal ash is piling up in power plant ponds in 32 states, a practice the federal government has long recognized as a risk to human health and the environment but has left unregulated.

An Associated Press analysis of the most recent Energy Department data found that 156 coal-fired power plants store ash in surface ponds similar to the one that collapsed last month in Tennessee.

Records indicate that states storing the most coal ash in ponds are Indiana, Ohio, Kentucky, Georgia and Alabama.

The man-made lagoons hold a mixture of the noncombustible ingredients of coal and the ash trapped by equipment designed to reduce air pollution from the power plants.

Over the years, the volume of waste has grown as demand for electricity increased and the federal government clamped down on emissions from power plants.

The AP's analysis found that in 2005, the most recent year data is available, 721 power plants generating at least 100 megawatts of electricity produced 95.8 million tons of coal ash. About 20 percent—or nearly 20 million tons—ended up in surface ponds. The remainder ends up in landfills, or is sold for use in concrete, among other uses.

The Environmental Protection Agency eight years ago said it wanted to set a national standard for ponds or landfills used to dispose of wastes produced from burning coal.

The agency has yet to act.

As a result, coal ash ponds are subject to less regulation than landfills accepting household trash. The EPA estimates that about 300 ponds for coal ash exist nationwide. And the power industry estimates that the ponds contain tens of thousands of pounds of toxic heavy metals.

Without federal guidelines, regulations of the ash ponds vary by state. Most lack liners and have no monitors to ensure that ash and its contents don't seep into underground aquifers.

"There has been zero done by the EPA," said Rep. Nick Rahall, D-W. Va., chairman of the House Natural Resources Committee. Rahall pushed through legislation in 1980 directing the EPA to study how wastes generated at the nation's coal-fired power plants should be treated under federal law.

In both 1988 and 1993, the EPA decided that coal ash should not be regulated as a hazardous waste. The agency has declined to take other steps to control how it is stored or used.

Rahall plans to introduce legislation this Congress to compel the EPA to act. "Coal ash impoundments like the one in Tennessee have to be subject to federal regulations to ensure a basic level of safety for communities," Rahall said.

At a hearing held Thursday on the Tennessee spill, Senate Democrats called for stricter regulations.

"The federal government has the power to regulate these wastes, and inaction has allowed this enormous volume of toxic material to go largely unregulated," said Sen. Barbara Boxer, D-Calif., who chairs Senate committee that oversees the EPA.

The agency says it is working toward a national standard and that there has been no "conscious or clear slowdown" by Bush administration officials who have run the agency since 2001 and often sided with the energy industry on environmental controls.

"It has been an issue of resources and a range of pressing things we are working on," said Matthew Hale, who heads the agency's Office of Solid Waste.

Over the years, the government has found increasing evidence that coal ash ponds and landfills taint the environment and pose risks to humans and wildlife. In 2000, when the EPA first floated the idea of a national standard, the agency knew of 11 cases of water pollution linked to ash ponds or landfills. In 2007, that list grew to 24 cases in 13 states with another 43 cases where coal ash was the likely cause of pollution.

The leaks and spills are blamed for abnormalities in tadpoles. The heads and fins of certain fish species were deformed after exposure to the chemicals. In 2006, the EPA concluded that disposal of coal waste in ponds elevates cancer risk when metals leach into drinking water sources.

Among the facilities listed by the EPA as potentially causing environmental damage were three run by the Tennessee Valley Authority, the same utility that operates the pond in Tennessee that failed last month.

Hale said the national standard would require monitoring for leaks at older, unlined sites and require the company to respond when they occur.

The industry already runs a voluntary program encouraging energy companies to install groundwater monitors. Industry officials argue that a federal regulation will do little to prevent pollution at older dump sites.

"Having federal regulations isn't going to solve those problems," said Jim Roewer, executive director of the Utility Solid Waste Activity Group, a consortium of electricity producers based in Washington. "What you have to look at is what the current state regulatory programs are. The state programs continue to evolve."

Despite improvements in state programs, many states have little regulation other than requiring permits for discharging into waterways—as required by the federal Clean Water Act.

In North Carolina, where 14 power plants disposed of 1.3 million tons in ponds in 2005, state officials do not require operators to line their ponds or monitor groundwater, safety measures that help protect water supplies from contamination.

Similar safety measures are not required in Kentucky, Alabama, and Indiana.

And while other states like Ohio have regulations to protect groundwater, those often don't apply to many of the older dumps built before the state rules were imposed.

Government enforcement has been spotty, leaving citizens who suffered from the contamination to file lawsuits against power companies.

In May, the owners of a Montana power plant—storing more ash in ponds than any other facility in the country—agreed to pay \$25 million to settle a lawsuit filed by 57 plant workers and nearby residents. The plant's ponds were blamed for contaminating water supplies in subdivisions and a trailer park.

Many of the ponds at the Colstrip, Mont., plant were in place before regulation. State environmental officials say the operator, PPL Montana, is working to fix leaks.

Just last week, a judge in Baltimore approved a \$54 million lawsuit settlement against a subsidiary of Constellation Energy. The company was accused of tainting water supplies with coal ash it dumped into a sand and gravel quarry.

Neither of these made the EPA's 2007 list of 67 cases of known or possible contamination stemming from power plant landfills or holding ponds.

"The solution is readily available to the EPA," said Lisa Evans, an attorney for Earthjustice, an environmental advocacy group. "We wouldn't like it, but they could say that municipal solid waste rules apply to coal ash. They could have done that, but instead they chose to do absolutely nothing."

TVA waste pond ruptures in Ala.; spill contained

By Bill Poovey, The Associated Press
Washington Post, Friday, Jan. 9, 2009

STEVENSON, Ala. -- A waste pond at a coal-burning power plant in northeast Alabama ruptured Friday, but the spill was quickly contained, utility officials said. It was the second breach at a Tennessee Valley Authority facility in less than a month.

The leak was discovered at about 6 a.m. Friday at the plant near Stevenson, said TVA spokesman John Moulton. Most of the material from the leak flowed into a settling pond at the plant site, but some spilled into nearby Widows Creek, he said.

The leak had stopped by late morning and TVA was conducting temporary repairs on the pond, Moulton said. State emergency management officials are trying to determine if any drinking water systems might be affected by the spill into the creek, which flows into the Tennessee River, said Scott Hughes, a spokesman for Alabama Department of Environmental Management.

The spill, about 30 miles southwest of Chattanooga, Tenn., comes just after a dike burst at a plant near Kingston, Tenn. on Dec. 22, releasing more than 1 billion gallons of toxic-laden ash into a neighborhood. The spill has renewed a debate about whether states or federal regulators should oversee the materials, and whether stricter regulations are needed to govern them.

The federal utility said the pond that leaked Friday contained gypsum, a material that is captured in air pollution control devices at the plant and is different than the type of sludge that spilled in Tennessee. Gypsum is a naturally occurring mineral that contains calcium sulfate, which is used to make wall board, cement and fertilizer.

TVA didn't immediately have an estimate on how much material spilled and the cause of the failure is under investigation. In 2005, the utility reported depositing 445,200 tons of gypsum in ponds at the Widows Creek plant.

Two plants remained in operation and two smokestacks that tower over the plant were still putting out a plume of emissions in the hours after the accident.

Victor Manning, the emergency management agency director in Jackson County, where the plant is located, said he didn't learn about the leak until several hours later. He said there are no homes nearby that might be endangered by the spill.

TVA inspected all its retaining ponds, including the ones at the Widows Creek Fossil Plant, after the rupture in Tennessee. Moulton said on Dec. 31 that the ponds were "all in good shape."

TVA initially speculated that bitterly cold temperatures and flooding could have been a factor in the Tennessee failure. But the cause of the Tennessee accident is still under investigation, and TVA officials said this week the flood may have destroyed much of the evidence that could help determine why the dike broke.

[Note: The following clip in Spanish discusses San Jose goes electric. The Green Vision project will build electric charging stations throughout the city of San Jose. For more information on this and other Spanish clips, contact Claudia Encinas at \(559\) 230-5851.](#)

En San José--ELECTRIZANTE COMIENZO

Por Rosario Vital

El Observador, Friday, Jan. 09, 2009

Comienza hacerse realidad las instalaciones de recarga para autos eléctricos en la ciudad de San José. Un estación de carga eléctrica frente al Municipio de esta ciudad y otra en la calle Cuarta fueron los primeros pasos como parte del proyecto de Green Vision (Visión Verde) que tiene como objetivo implementar la Alcaldía.

"Los vehículos eléctricos son un componente clave del proyecto Green Vision, una de nuestras metas es ser el líder mundial de innovación en tecnologías limpias y reducir nuestra emisiones de gases y nuestra dependencia del petróleo extranjero", dijo Chuck Reed, Alcalde de la Ciudad de San José.

"Estamos contentos de asociarnos con Coulomb Technologies para ofrecer esta demostración y ayudar a crear la infraestructura necesaria para transformar nuestra ciudad", agrega Reed.

Por su parte Richard Lowenthal, CEO de Coulomb Technologies dijo que el 2009 es el año en el se incrementará la infraestructura de estaciones para vehículos de recarga eléctrica. "Vamos a tener más puntos de carga en la ciudad de San José. Esto va en aumento", indicó Lowenthal.

Recargas con suscripción

El "ChargePoint Network" (Red de punto de carga) ha sido desarrollado para ser el más fácil del mundo y al mismo tiempo cuenta con la más avanzada infraestructura de vehículos de carga. Esta red está diseñada para proporcionar a los conductores de los vehículos híbridos un proceso de fácil acceso a los centros de recargas en la vía pública. Suscriptores pueden registrarse y ver las opciones para adaptarse a un moderno estilo de vida incluyendo una oferta de tiempo limitado "Acceso Básico" plan de suscripción, que incluye libre de carga hasta el 2009.

"Este es el primero pero de seguro contaremos con más en la medida que la industria automotriz de este tipo de vehículos vaya incrementando. Deseamos que más se unan al uso de este tipo de vehículos", dijo Reed luego de comprobar a través de una simple tarjeta el uso de recarga de estos vehículos.

Las personas que cuenten con vehículos eléctricos pueden visitar el sitio web

www.mychargepoint.net.

Note: The following clip in Spanish discusses Governor Schwarzenegger appoints officer for California Air Resources Board. Supervisor Ken Yeager from Santa Clara County is the newest member to be appointed by the governor.

Nombra Schwarzenegger funcionario para la Oficina de Recursos del Aire de California

Manuel Ocaño

Noticiero Latino

Radio Bilingüe, Thursday, Jan. 8, 2008

El gobernador, Arnold Schwarzenegger nombró al supervisor del condado de Santa Clara como nuevo miembro de la Oficina de Recursos del Aire de California, la mayor autoridad estatal contra la contaminación.

El nuevo integrante, Ken Yeager colabora en la Oficina Distrital de Administración de Calidad del Aire en la Bahía de San Francisco y estuvo antes a cargo de la Comisión de Transporte Metropolitano en la ciudad de San José.

El nombramiento de Yeager completa el personal de la Oficina estatal, que se forma proporcionalmente con funcionarios experimentados en la lucha contra la contaminación y con representantes empresariales y comunitarios.

[Note: The following clip in Spanish discusses Governor Schwarzenegger supports President Elect Obama's economic plan with alternative energy projects.](#)

Respalda Schwarzenegger plan económico de Obama con proyectos de energía alternativa

Manuel Ocaño

Noticiero Latino

Radio Bilingüe, Wednesday, Jan. 7, 2008

El gobernador de California, Arnold Schwarzenegger informó anoche en carta al presidente electo, Barack Obama que su estado tiene planes de inversión en mejoramiento de infraestructura y generación de energía alternativa, que coinciden con el paquete de recuperación económica presidencial.

Schwarzenegger detalló que California planea invertir hasta 44 mil millones de dólares en programas que coinciden con el proyecto de recuperación del presidente entrante. En total la inversión crearía 800 mil empleos, estimó el gobernador

Schwarzenegger dijo además que de ese total, su estado invertirá por lo menos tres mil 200 millones de dólares en proyectos de eficiencia energética y sustitución de motores y camiones de carga contaminantes, entre otros planes.