Embracing Diversity in Environmental Decision Making

(Examples Packet)

Presenter: Curt D. Gervich
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General Frames

The New York Times

Christie Pulls New Jersey From 10-State Climate Initiative

By MIREYA NAVARRO
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http://www.nytimes.com/2011/05/27/nyregion/christie-pulls-nj-from-greenhouse-gas-coalition.html

Gov. Chris Christie said Thursday that New Jersey would become the first state to withdraw from a 10-state trading system, the Regional Greenhouse Gas Initiative, declaring it an ineffective way to reduce carbon dioxide emissions.

Gov. Chris Christie of New Jersey said the regional climate initiative “does nothing more than tax electricity, tax our citizens, tax our businesses, with no discernible or measurable impact upon our environment.”

The decision delighted Republicans who have introduced bills in the New Jersey Legislature to repeal a law authorizing the state’s participation in the program. But it dismayed environmental advocates, who called it a serious blow to the state’s efforts to reduce emissions from power plants and foster a shift from fossil fuels to renewable energy.

Opponents were quick to ascribe political motives to the governor’s decision, given that Mr. Christie is seen as a possible Republican candidate in the 2012 presidential race and conservatives have vilified cap-and-trade programs, which set limits on emissions, as an unjust tax on business. (Mr. Christie insists he is not running.)

At a morning news conference, the governor asserted that New Jersey was succeeding in reducing its carbon dioxide emissions not because of the multistate program, known as RGGI (pronounced Reggie), but because it is relying more on natural gas and less on coal to fill its energy needs.

“RGGI does nothing more than tax electricity, tax our citizens, tax our businesses, with no discernible or measurable impact upon our environment,” Mr. Christie said.

Critics of cap-and-trade programs say they constitute a new form of taxation because they impose additional costs on electric utilities that are then passed on to customers.

Under RGGI, 10 Northeastern and mid-Atlantic states ranging from Maine to Maryland set a ceiling on carbon dioxide emissions and require power plants to purchase credits or allowances that allow them to emit specified amounts of carbon dioxide.

To encourage the utilities to reduce those greenhouse gas emissions, companies that cut their emissions below their designated caps are permitted to sell or trade their excess carbon allowances in online auctions held four times a year.

Mr. Christie called RGGI "a failure," citing a problem that has dogged the program: power suppliers have easily met their caps, and carbon allowances are trading at bottom-level prices because plants are taking advantage of cheap prices for natural gas, which is less polluting than fuels like coal.

But advocates of the system say there is a simple fix: lowering the caps to require further reductions in emissions. And carbon market experts point out that an economic recovery could cause emissions to soar again, increasing the price of carbon allowances.

"A lot of things can happen that can push emissions back up, so being in a system that caps emissions would ensure your emissions remain low," said Emilie Mazzacurati, a market analyst at Thomson Reuters Point Carbon.

Still, analysts predicted that the impact of New Jersey's exit would be limited, given the continuing participation of the nine other states.

Those states issued a joint statement affirming their commitment to the effort.

"With each state exercising its independent authority to achieve low-cost greenhouse gas emissions reductions, the RGGI market-based program has widespread support across the region and will continue," the statement said.

New York officials issued their own statement reiterating their support for RGGI, calling it "extremely successful" in reducing carbon dioxide emissions and financing clean energy projects.

"In New York, investment of RGGI auction proceeds in energy efficiency improvements is leading to savings for thousands of New York residents and businesses and to the creation of thousands of high-quality jobs," said Joe Martens, commissioner of the New York State Department of Environmental Conservation.

RGGI has generated more than $700 million for the participating states in less than three years, according to its office, with much of it used to invest in renewable energy sources like solar power and to expand consumer energy-efficiency programs.

A New Jersey state senator who opposes the RGGI program, Steve Oroho, a Republican, applauded the governor's move.

"Today's announcement is another step in the right direction and will continue to help make New Jersey an attractive place for businesses to locate, grow and create private sector jobs," Mr. Oroho said.

But Assemblyman John McKeon, a Democrat who is chairman of the Assembly's Environment and Solid Waste Committee, said he would take "whatever legislative steps that may be possible" to prevent New Jersey's exit from the program. It is unclear what action might be effective: New Jersey's departure from RGGI requires an administrative change in regulations but no approval by the State Legislature.

"Quite simply, this decision reeks of a governor desperate to boost his radical conservative credentials to distract from his failing policies," Mr. McKeon said.

Jeff Tittel, director of the New Jersey Sierra Club, said, "Pulling out of RGGI is an environmental disaster."

Ms. Mazzacurati, the market analyst, suggested that New Jersey's action could provide some ballast to opponents of cap-and-trade who want their states to withdraw, including some campaigners in Delaware and New Hampshire. "The question is, will other states follow?" she said.

Still, "in our view the direct impact is going to be minimal," Ms. Mazzacurati said. "The program doesn't depend on any given state to function."

For now, she said, the remaining states need to provide guidelines to deal with power plants that currently hold New Jersey emissions allowances.

Mr. Christie's decision was not entirely surprising. He took more than $65 million in the state's designated RGGI money to help offset a $10.7 billion budget deficit for fiscal year 2011. The state has so far received more than $100 million in proceeds from RGGI.

Last year the governor also expressed uncertainty about whether human activity was contributing to global warming, despite a consensus among scientists that it is a leading factor.

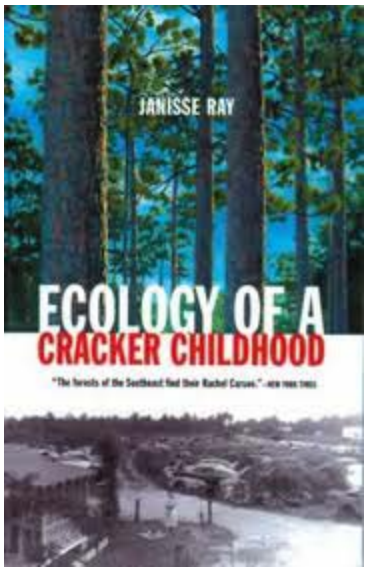
On Thursday, Mr. Christie stepped back from questioning the science, saying that he believed that climate change was real and was caused at least partly by human activity. He said that rather than relying on the RGGI program, he was committed to increasing the proportion of electricity generated by natural gas, the sun and the wind.

RGGI states said in their joint statement that they would evaluate how New Jersey's withdrawal might affect the state's carbon allowances that are currently in circulation.

The next auction is to proceed as scheduled on June 8.

A version of this article appeared in print on May 27, 2011, on page A20 of the New York edition with the headline: Christie Pulls New Jersey From 10-State Climate Initiative.

Whole Story Frames



Ecology of a Cracker Childhood (excerpts)
By Janisse Ray

Ray, Janisse. (2000). *Ecology of a Cracker Childhood (the world as home).* Milkweed Editions. 224p.

Chapter 2. Below the Fall Line

“My homeland is about as ugly as a place gets. There's nothing in south Georgia, people will tell you, except straight, lonely roads, one-horse towns, sprawling farms, and tracts of planted pines. It's flat, monotonous, used-up, hotter than hell in summer and cold enough in winter that orange trees won't grow. ...The coastal plain lacks the stark grace of the desert or the umber panache of the pampas. Unless you look close, there's little majesty.

“It wasn't always this way. Even now in places… you can see how south Georgia used to be, before all the old longleaf pine forests that were our sublimity and our majesty were cut….

“Longleaf pine is the tree that grows in the upland flatwoods of the coastal plains. Miles and miles of longleaf and wiregrass, the ground cover that coevolved with the pine, once covered the left hip of North America from Virginia to the Florida peninsula, west past the Mississippi River: long-leaf as far in any direction as you could see.

“Forest historians estimate that longleaf covered 85 of the 156 million acres in its southeastern range. By 1930, virtually all of the virgin longleaf pine had been felled. Now, at the end of the twentieth century, about two million acres of longleaf remain. Most is first and second growth, hard-hit by logging, turpentining, grazing, and the suppression of fire. There's none known in Virginia, none in Louisiana, none in Texas, none in South Carolina….

“Apocalyptic.

“This was not a loss I knew as a child. Longleaf was a word I never heard. But it is a loss that as an adult shadows every step I take. I am daily aghast at how much we have taken, since it does not belong to us, and how much as a people we have suffered in consequence.

Not long ago I dreamed of actually cradling a place, as if something so amorphous and vague as a region, existing mostly in imagination and idea, suddenly took form. I held its shrunken relief in my arms, a baby smelted from a plastic topography map, and when I gazed down into its face, as my father had gazed into mine, I saw the pine flatwoods of my homeland.”

Afterword. Promised Land

“When we consider what is happening to our forests… we must also think of ourselves. Culture springs from the actions of people in a landscape, and what we… are watching is a daily erosion of unique folkways as our native ecosystems and all their inhabitants disappear….

“In the midst of new uncertainties in the world, including global economics and a frenzy of technology, we look around and see that the landscape that defined us no longer exists or that its form is altered so dramatically we don’t recognize it as our own. ...To what then do we look for meaning and consolation and hope?

“We recognize that the loss of our forests—which is to say of health, of culture, of heritage, of beauty…—is a loss we all share. All of our names are written in the deed of rapacity. When we log and destroy and cut and pave and replace and kill, we steal from each other and from ourselves. We swipe from our past and degrade our future.”

Warren County PCB Landfill Fact Sheet

North Carolina Department of Environment and Natural Resources
Division of Waste Management
1646 Mail Service Center, Raleigh, NC 27699-1646 -
(919) 508-8400
http://wastenot.enr.state.nc.us/WarrenCo_Fact_Sheet.htm

* The Warren County PCB Landfill was constructed in 1982 to contain soil that was contaminated by the illegal spraying of oil containing PCBs from over 210 miles of highway shoulders. Over 30,000 gallons of contaminated oil were illegally sprayed along roadsides in 14 North Carolina counties.

* The landfill was located on a 142-acre tract of land on the east side of SR 1604, approximately 1.5 to 2.0 miles from the intersection of SR 1604 and US 401. The location is three miles south of Warrenton. The state owns approximately 19 acres of the tract and Warren County owns the remaining acreage surrounding the state's property. The containment area of the landfill cell occupied approximate 3.8 acres that was enclosed by a fence. The landfill surface dimension was approximately 300' x 550' with a depth of approximately 25' of contaminated soil at the center. The county property is undeveloped and the adjacent land is either undeveloped or used for agricultural purposes.

* EPA permitted the landfill under the Toxic Substances Control Act. The landfill contained approximately 40,000 cubic yards (equivalent to approximately 60,000 tons) of contaminated soil. The landfill was equipped with both PVC and clay caps and liners. It also had a dual leachate collection system. The material in the landfill was solely from the contaminated roadsides. The landfill was never operated as a commercial facility.

* The site is located in the Shocco Township of the county. The population is approximately 1,300. Sixty-nine percent of the township residents are nonwhite and 20 percent of the residents have incomes below the federal poverty level. Warren County is an economically-depressed community and has been designated as a Tier I county for economic development.

* Residents of Warren County and civil rights leaders vehemently protested the location of the landfill in Warren County. These protests are considered the "watershed event" which brought "environmental justice" to the national level.

* Environmental justice recognizes the concern that minority populations and/or low-income populations have borne a disproportionate amount of potential adverse health and environmental effects. EJ calls for the "fair treatment for people of all races, cultures, and incomes, regarding the development of environmental laws, regulations, and policies."

* In 1982 during the construction of the landfill, then-Governor Jim Hunt made a commitment to the people of

Warren County. He stated that if appropriate and feasible technology became available, the state would explore detoxification of the landfill.

* In 1994, a Working Group, consisting of members of the community and representatives from the state, began an in-depth assessment of the landfill and a study of the feasibility of detoxification. Tests using landfill soil and several treatment technologies were conducted. In 1998, the working group selected base catalyzed decomposition (BCD) as the most appropriate technology. Approximately $1.6 million in state funds had been spent by this time. In 1999, the Working Group fulfilled its mission and was re-formed into a community advisory board.

*In the BCD process, PCBs are separated from the soil using thermal desorption. Once separated, the PCBs are collected as a liquid for treatment by the BCD process. BCD is a non-incineration, chemical dechlorination process that transforms PCBs, dioxins and furans into non-toxic compounds. In the process, chlorine atoms are chemically removed from the PCB and dioxin/furan molecules and replaced with hydrogen atoms. This converts the compounds to biphenyls, which are non-hazardous. Treated soil is returned to the landfill and the organics from the BCD process are recycled as a fuel or disposed off site as non-hazardous waste.

* A cleanup goal of 200 parts per billion (ppb) was established by the working group for the landfill site and was made a statutory requirement by the N.C. General Assembly. EPA cleanup levels for high occupancy usage is 1 part per million (ppm). EPA's examples of high occupancy areas include residences, schools and day care centers. The statutory requirement is five times lower than the EPA requirement. The removal of PCBs from the soil will eliminate further regulation of the site and permit unrestricted future use.

* In 1999 the General Assembly appropriated $1 million and reserved an additional $7 million to be released if matching federal funds could be found. The EPA pledged in-kind services, which were considered a "match." This enabled the project to move forward. * Earth Tech, an environmental engineering firm, was hired in November of 2000 to serve as an oversight contractor.

* A public bid opening was held on December 22, 2000 for the site detoxification contract. The IT Group, with a bid of $13.5 million, was the low bidder. Existing funds were sufficient to fund Phase I. A contract was entered into with The IT Group and a notice to proceed was issued on March 12, 2001.

* Site preparation work was completed in December 2001. Work included the construction of concrete pads and a steel shelter for the processing area, the extension of county water, an upgrade of electrical utilities and the establishment of sediment and erosion control measures.

* The Shaw Group purchased the IT Group in May 2002. IT personnel involved with the project became Shaw Environmental and Infrastructure employees.

* Fabrication and modification equipment continued to arrive through April of 2002. The treatment equipment was delivered in May 2002. An open house was held onsite the next month so community members could view the site and equipment before startup. Initial tests with contaminated soil started at the end of August 2002. The EPA demonstration test was performed in January of 2003. An interim operations permit was granted in March based on the demonstration test results.

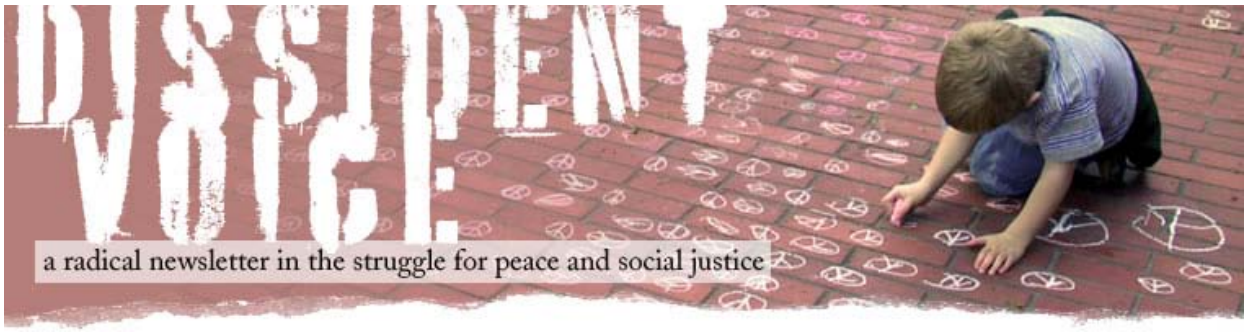
* Soil treatment was completed in October of 2003. A total of 81,600 tons of material was treated from the landfill site. The treated materials included the original contaminated roadside soil and soil adjacent to the roadside

material in the landfill that had been cross-contaminated.

* The original plan specified using the BCD process to destroy the PCBs after thermal desorption separated them from the soil. With only limited data available to estimate the quantity of liquid PCBs that would be collected, conservative estimates were used to design the BCD reactor. In practice, the quantity of PCBs recovered as liquid was much less than anticipated. The BCD reactor tanks were too large to be used for the three-run demonstration test required under TSCA to approve the BCD process. As an alternative, one tank load of liquid containing PCBs was shipped to an EPA permitted facility for destruction by incineration.

* Most of the equipment was decontaminated and demobilized from the site by the end of 2003. Site restoration will be complete in the spring once vegetation is established. The total cost of the project, from the establishment of the Working Group in 1994 to completion, was $17.1 million.

* A final open house will be held on the site in the spring of 2004.



25th Anniversary of the Warren County PCB Landfill Protests: Communities of Color Still on Frontline of Toxic Assaults

by Robert D. Bullard
May 29th, 2007
http://dissidentvoice.org/2007/05/25th-anniversary-of-the-warren-county-pcb-landfill-protests/

It has now been twenty-five years since the 1982 protests against a controversial toxic waste dump in Warren County, North Carolina gave birth to the national environmental justice movement. The Warren County protests also gave a human face to environmental injustice and put environmental racism on the map. The landfill was constructed to contain 40,000 cubic yards (or 60,000 tons) of highly PCB-contaminated soil that was scraped up from 210 miles of roadside shoulders in North Carolina. The PCBs originated from the Raleigh-based Ward Transfer Company. The controversial PCB landfill was owned by the North Carolina Department of Environment and Natural Resources (DENR) and was located about 60 miles northeast of Raleigh off North Carolina SR 1604 and U.S Highway 401.

Political Science, Not Rocket Science

Selecting a landfill site is not rocket science. The Warren County PCB landfill site was not scientifically the most suitable because the water table at the landfill is very shallow, only 5-10 feet below the surface and where the residents of the community get all of their drinking water from local wells. Even William Sanjour, head of the EPA's hazardous waste implementation branch, questioned the siting decision. The decision made more political sense than environmental sense. In the end, the siting decision was less about the science of toxicology or hydrology and more about political science.

In 1982, Warren County was vulnerable to a quadruple whammy of being mostly black, poor, rural, and politically powerless. It is still vulnerable. The toxic-waste dump was forced on the tiny Afton community, more than 84 percent of the community was black in 1982, helping trigger the national environmental justice movement. The PCB landfill later became the most recognized symbol in the county. Despite the stigma, Warren County became a symbol of the environmental justice movement. Local county residents organized themselves into a fighting force that was later joined by national civil rights leaders, church leaders, black elected officials,

environmental activists, labor leaders, and youth. The state began hauling more than 6,000 truckloads of the PCB-contaminated soil to the landfill in mid-September of 1982. Just two weeks later, 414 protesters had been arrested. In the end, more than 500 protesters were arrested.

Although the protests did not stop the trucks from rolling in and dumping their toxic loads, the marches, demonstrations, and jailings focused the national media spotlight on Warren County. The protests prompted the Congressional Black Caucus in 1983 to request the U.S. General Accounting Office (GAO) to investigate hazardous waste landfill siting and the racial composition of the host communities. The Warren County struggle was also the impetus behind the United Church of Christ Commission for Racial Justice landmark 1987 Toxic Wastes and Race report.

After waiting two decades, victory finally came to the residents of the predominately black county when detoxification work began on the 142-acre toxic waste dump in June 2001 and the last clean-up work ended the latter part of 2003. State and federal sources spent $18 million to detoxify or neutralize contaminated soil stored at the Warren County PCB landfill. In October 2006, the Warren County government began plans for the "Justice Park" on the site of the old landfill.

Surviving Environmental "Sacrifice Zones" in America

Over the past twenty-five years, too many African American and people of color communities have become environmental "sacrifice zones" where polluting industries expose residents who live on the fenceline to dangerous emissions and releases into the air, water, and ground. African Americans are 79 percent more likely than whites to live in neighborhoods where industrial pollution is suspected of posing the greatest health danger. In 2007, as documented in United Church of Christ Toxic Wastes and Race at Twenty report, African Americans and other people of color are more concentrated near hazardous wastes facilities today than two decades ago. People of color now make up 56 percent of the residents living in neighborhoods within two miles of the nation's commercial hazardous waste facilities; they comprise a whopping 69 percent in neighborhoods with clustered waste facilities.

Residents in Anniston, Alabama (Sweet Valley/Cobbtown and Henderson Hills neighborhoods) were forever changed by PCB-contamination from a nearby chemical manufacturing plant. From the 1930s to the 1970s, the chemical-giant Monsanto Co. discharged contaminated wastewater into streams, ditches, and landfills in the mostly black west end of town. Pollution from the plant and decades of government inaction turned the black homeowners' American Dream into a toxic nightmare.

Many black communities are still on the frontline of industrial accidents. And because of their close proximity to industrial corridors and transportation routes, they are exposed to elevated health risks from accidents, leaks, spills, explosions, and derailments. In 2004, more than half of the nation's 60,000 pressurized rail tank cars did not meet industry standards, and they raised questions about the safety of the rest of the fleet as well. Every day, deadly "time bombs" haul their toxic loads through populated areas exposing millions of Americans to potential threats, both accidental and deliberate.

The January 2005 train wreck in Graniteville, South Carolina highlights the risks to communities through which the railroad passes. When accidents and derailments occur, it is no surprise who is most often left behind or who is the last to be evacuated in natural and man-made disasters. Black families still must wait longer for protection. They must wait longer for protection even when the government causes the contamination problem, as in Warren County twenty-five years ago.

The Holt family wells and drinking water in Dickson, Tennessee were poisoned with trichloroethylene or TCE from a county-owned landfill. A battery of governments tests were performed on duck ponds and wells where dogs were waiting to be euthanized. However, a black family's well that lies just 54 feet from the leaky Dickson County Landfill was not tested for nine years, 1992-2001. It appears that government officials cared more about ducks and dogs than protecting the health and safety of law-abiding black homeowners and tax payers.

The Roberson family wells in DeBerry, Texas were poisoned with arsenic, benzene, lead, and mercury from a deep injection well for saltwater wastes from drilling operations in the East Texas oilfields. Both the Holts and Robersons learned the hard way that waiting for the government can be dangerous to their health and the health of their community.

Even when the government has the facts about contamination and health impacts there is no guarantee that it will act. For example, a 1999 U.S. Agency for Toxic Substances and Disease Registry (ATSDR) study found dioxin in the Mossville, Louisiana residents to be two to three times the average. Mossville is an unincorporated community, founded by African Americans in the 1800′s on the outskirts of Lake Charles, Louisiana, home to four vinyl production facilities. Vinyl chloride was documented to be present in the local air at levels 120 times higher than the ambient air standard.

Wrong Complexion for Protection

Over the past several decades, childhood lead poisoning has declined dramatically in the United States due to bans on lead in gasoline, paint, food cans, and other consumer products. Childhood lead poisoning is a preventable disease. Yet, it is still an important health problem, affecting an estimated 310,000 (1.6 percent) children ages 1-5, according to analysis of data from the National Health and Nutrition Examination Surveys (NHANES), released by the Centers for Disease Control and Prevention. As the numbers of lead-poisoned children have declined, the disparities of the disease have become more pronounced, falling disproportionately on low-income families and families of color living in older, poorly maintained housing. For example, African-American children are at two times greater risk than whites, according to the most recent data available on the disparities of the disease.

In the real world, some people and some neighborhoods have the wrong complexion for protection. Government officials are even willing to leave lead, arsenic, and other toxic contamination in the ground in some New Orleans neighborhoods after the devastation of Hurricane Katrina, at the same time giving the city a "clean bill of health," while pledging to monitor a handful of toxic "hot spots." The Federal EPA concluded that Katrina did not cause any appreciable contamination that was not already there.

Although government tests confirmed widespread lead in the soil — a pre-storm problem in 40 percent of New Orleans — government officials dismissed residents' calls to address this problem as outside of the EPA's mission. Nevertheless, residents are urged to "keep children from playing in bare dirt." Homeowners are also instructed to "cover bare dirt with grass, bushes, or 4-6 inches of lead-free wood chips, mulch, soil, or sand."

On the other hand, Church Hill Downs, Inc., the owners of New Orleans' Fair Grounds, felt the tainted soil was not safe for their expensive thoroughbred horses to race on. The race track owners cleaned up and hauled off soil tainted by Hurricane Katrina's floodwaters and replaced it with clean soil. Certainly, if tainted soil is not safe for horses, surely it not safe for people, especially children who play and dig in the dirt. Some black New Orleans residents are not waiting for the government to respond. They are taking action and cleaning up contaminations block by block using their own voluntary grassroots Safeway Back Home program.

Black neighborhoods have even become the dumping grounds where dangerous military VX waste is burned. The current incineration of the caustic nerve agent VX wastewater in Port Arthur, Texas typifies the environmental justice challenges facing African Americans. About 60 percent of Port Arthur is African American. An Illinois-based company won a $49 million contract from the U.S. Army to incinerate 1.8 million gallons of caustic VX hydrolysate waste water near Port Arthur's Carver Terrace housing project where residents already breathe contaminated air from nearby refineries and chemical plants. Army and city officials did not announce the project until the deal was sealed. Residents in New Jersey and Ohio fought off plans to incinerate the waste there. It is ironic that the first batch of VX hydrolysate was incinerated in Port Arthur on April 22, 2007 — Earth Day.

Finally, in commemorating the twenty-fifth anniversary of the Warren County protests, it is clear that we cannot celebrate too long because the "NIMBY" (not in my backyard) practice continues to be replaced with the "PIBBY" (place in blacks' backyards) principle. The effect is a society divided, literally and psychologically, by freeways, railroad tracks, landfills, and hazardous-waste dumps. Failure to act effectively and fairly to address these glaring racial disparities leaves gaping holes in homeland security. Our homeland will not be secure until all Americans, including people of color who now top some 100 million or just under one third of the U.S. population, enjoy equal protection and equal enforcement of all of our laws and regulations. No community, rich or poor, black, white, yellow, red or brown, should be forced to become a "throw away" community.

Robert D. Bullard is director of the Environmental Justice Resource Center (EJRC) at Clark Atlanta University and author of *Race, Place, and Environmental Justice After Hurricane Katrina: Struggles to Reclaim, Rebuild, and Revitalize New Orleans and the Gulf Coast* (Westview 2009). He can be reached at: rbullard4ej@worldnet.att.net. Read other articles by Robert D., or visit Robert D.'s website.

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Issue Frames

The New York Times

Nuclear Power Loses Support in New Poll

By MICHAEL COOPER and DALIA SUSSMAN
Published: March 22, 2011
http://www.nytimes.com/2011/03/23/us/23poll.html

What had been growing acceptance of nuclear power in the United States has eroded sharply in the wake of the nuclear crisis in Japan, with support for building nuclear power plants dropping slightly lower than it was immediately after the accident at the Three Mile Island plant in 1979, according to a CBS News poll released on Tuesday evening.

Only 43 percent of those polled after the failure of the Fukushima Daiichi plant in Japan said they would approve building such new facilities in the United States to generate electricity. That is a steep decline from the 57 percent who said in 2008 that they approved of new plants. That poll was taken at a time of soaring gas prices and mounting concerns about global warming that led to calls for a new national energy policy and that drove popular support for nuclear power to its highest level in three decades.

Support for nuclear power has waxed and waned over the decades, going up as the power-hungry nation looked for ways to meet demand and driven down by nuclear accidents at home and abroad. Support for more nuclear power plants was 69 percent in 1977, the highest level ever recorded in a poll by The New York Times or CBS News. But two years later, it plummeted to 46 percent after the Three Mile Island accident near Harrisburg, Pa. After the Chernobyl disaster in Ukraine, then part of the Soviet Union, in 1986, support dropped to 34 percent in a CBS News poll.

The new poll found that nearly 7 in 10 Americans think that nuclear power plants in the United States are generally safe. But nearly two-thirds of those polled said they were concerned that a major nuclear accident might occur in this country — including 3 in 10 who said they were “very concerned” by such a possibility. Fifty-eight percent of those polled said they did not think the federal government was adequately prepared to deal with a major nuclear accident.

Still, 47 percent of those polled said that, over all, the benefits of nuclear power outweighed the risks; 38 percent said they did not.

The nationwide telephone poll was conducted March 18-21 among 1,022 adults, and it has a margin of sampling error of plus or minus three percentage points.

The unfolding crisis in Japan occurred just as many Americans believed that nuclear power was poised to make a comeback in the United States, more than three decades after the Three Mile Island accident.

President Obama has spoken in his past two State of the Union addresses of the need to build more nuclear plants, and he has called for billions of dollars in federal loan guarantees for construction. Some environmental groups, and many members of Congress in both parties, have also increasingly come to consider nuclear power as a steady energy source that, since it does not emit carbon, could play an important role as the nation seeks to address concerns about climate change.

But even before the Japan crisis, there were tremendous financial challenges for any new construction, and the number of plants that was expected to be built in the near future was small.

Finding places to build new plants could also prove difficult: more than 6 in 10 of those polled said they would not approve of a nuclear plant in their community. Support was highest in the South, where plans are under way for new plants in South Carolina and Georgia, and in the Midwest.

Attitudes toward nuclear power varied along partisan and gender lines, the poll found.

A slim majority of Republicans said they approved of building more nuclear plants, while majorities of Democrats and independents disapproved. Republicans were also more likely to see the existing nuclear power plants as safe, and were more likely to say that the federal government was prepared to handle an accident, though most still said the government was not ready for such an emergency.

And Republicans were less likely to disapprove of new nuclear plants in their areas: 50 percent of them said they did not want new nuclear plants nearby, compared with 69 percent of Democrats and 65 percent of independents.

There was also a gender divide: while a majority of men said they approved of new nuclear plants, most women disapproved. Women were also significantly less likely than men to say that the benefits of nuclear power outweighed the risks, more likely to say that they were “very” concerned about a major accident and more likely to say that the events in Japan made them more afraid that a nuclear accident could occur in the United States.

Mr. Obama received high marks for his handling of the crisis from all political groups. Nearly half of those polled said they were concerned that radiation from Japan could harm people in the United States, with the results similar across all regions. But their concern did not run very deep: only 17 percent said they were “very concerned” about the possibility, including just 13 percent of those who live in the West.

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Burlington Free Press
www.burlingtonfreepress.com

Editorial: Vermont Yankee no longer an asset

By: unknown
8:18 AM, Feb. 21, 2010 |
http://www.burlingtonfreepress.com/article/20100221/OPINION01/2210301/1006/RSS06

Close Vermont Yankee. The time has come for the state to find a new source of energy. The Senate can move Vermont forward by voting to deny Vermont Yankee a 20-year license extension.

Plant owner Entergy sees no future in holding on to Vermont Yankee. Entergy is eager to spin off Vermont Yankee into a separate company, going so far as to say it would close the nuclear power plant if the deal fails to go through.

If the current owner is so eager to get rid of Vermont Yankee, how can Vermont possibly see this plant as a keeper?

Events such as a radioactive leak unresolved more than six weeks after it was first revealed to the public and misinformation provided by Entergy officials under oath raise serious questions about whether Vermont Yankee serves Vermont's long-term interests. These issues make for a strong argument against allowing Vermont Yankee operate beyond 2012.

Denying Vermont Yankee a license extension is no judgment on nuclear power, which seems destined to continue playing a critical role in the nation's energy future. A license denial should be seen largely as a judgment on plant owner Entergy's credibility.

Closing Vermont Yankee comes at a cost, beginning with the loss or more than 600 jobs at the plant and the contributions Entergy makes to the surrounding community. Lawmakers must be ready to address the hardship.

Closing the nuclear power plant means Vermont will increase its carbon foot print, a loss both in efforts to limit greenhouse gas emissions and the state's ability to market its green image. The loss must be short term.

Closing Vermont Yankee will mean big users of electricity will be more concerned than ever about finding reasonably priced energy. The state's leaders must quickly develop a plan to alleviate this concern.

Closing the plant will force this state to find new sources of clean energy. It's time to move forward beyond Vermont Yankee.

The advantages of hosting Vermont Yankee are waning. Vermont Yankee currently supplies about a third of the state's electricity at a rate that has allowed utilities to offer some of the lowest rates in the region. The long-term deal offered by Entergy would supply only about 11 percent of the state's current needs, and guarantees no significant price advantage over other sources.

The continued operation of Vermont Yankee also threatens Vermont's image. A nuclear power plant that is leaking radioactive waste into our ground and water hurts the state's essential brand of environmental integrity.

Vermont is in the unfortunate position of having a major source of electricity in the hands of a partner facing serious questions about its trustworthiness. Given that the power source is a nuclear, Vermonters must have absolute faith that those in charge of the plant can be relied upon, without reservations, to operate the plant with the safety of Vermonters foremost in their minds.

Vermont Yankee has lost that trustworthiness.

The Senate should deny Vermont Yankee its license extension.

Social Control Frames

TIME

Washington's Revolving Door: How Oil Oversight Failed

By Mark Thompson
Wednesday, June 09, 2010
http://www.time.com/time/nation/article/0,8599,1995137,00.html

Oil is a lubricant — just what you need to keep a revolving door spinning freely for decades. That, in a single image, sums up the Minerals Management Service (MMS), a pip-squeak unit of the Interior Department created by then Secretary James Watt in 1982 that has found itself at the center of the worst environmental disaster in U.S. history. Charged with regulating and promoting oil drilling off America's coasts, MMS has not always made it easy to distinguish the regulators from the regulated, and no wonder. The agency is the nation's second largest source of revenue (after the IRS), pouring $13 billion annually into the U.S. Treasury from royalties on oil and other sources. When there's so much money sloshing around, sloppiness and coziness can be tolerated, until some of that crude begins washing up in Louisiana marshes.

Prior to the spill, MMS flared into the news only when its misbehavior — sex and drugs shared by MMS staffers and energy-company officials — lit up a 2008 report by Interior inspector general Earl Devaney, who blasted the agency's "culture of substance abuse and promiscuity" along with its "culture of ethical failure." But sex, drugs and other assorted bribes are mere symptoms of a deeper rot built on collusion between those doing the drilling and those charged with monitoring it. (See the world's top 10 environmental disasters.)

Corner-cutting has been common practice at MMS for years: in the days leading up to the explosion of the Deepwater Horizon rig on April 20, which caused the ongoing spill, MMS officials scaled back tests on the well's blowout preventer and delayed when those tests would be run at all. Under MMS rules, backups for blowout preventers have been encouraged but not required ("Regulation by suggestion," as Democratic Senator Sheldon Whitehouse of Rhode Island put it). Efforts to stiffen such casual rulemaking have always foundered because the work of MMS has been arcane, profitable and largely overseen by pro-petroleum lawmakers unwilling to rock the rig.

And that worked for a while — but only until the risks and complexity of drilling operations got too far ahead of the loose regs that the government did put in place. Twenty-five years ago, only 6% of the oil tapped from the Gulf — about 21 million bbl. per year — came from wells drilled more than 1,000 ft. underwater, where the immense pressure makes everything more difficult. Last year, those wells provided 456 million bbl. — 80% of the Gulf's total, and a quarter of U.S. oil production. The Deepwater Horizon rig was drilling 5,000 ft. down — close to a mile below the wave tops. The further rigs strayed from shore, the looser regulations got — at least relative

to the risks — with proliferating exemptions and loopholes allowing operations that otherwise would not be permitted. "The pace of technology has definitely outrun the regulations," Coast Guard rig inspector Lieut. Commander Michael Odom told a panel investigating the Gulf disaster last month. (See pictures of the Gulf oil spill.)

Interior Secretary Ken Salazar, the Cabinet officer ultimately responsible for MMS, defends the agency. There are "pockets" of problems, he says, but most of its 1,700 employees do good work. There's some truth in that: MMS had overseen the drilling of 36,000 wells in the Gulf of Mexico before the Deepwater Horizon began hemorrhaging crude. But when an accident like the current one has the power to shut down hundreds of miles of coastline and imperil state economies, your safety record really needs to be 36,001.

The Obama Administration, which hardly created the MMS mess, has been ham-fisted in fixing it. In the past, critics were keen to note that there were too many oil-industry executives rotating within the agency, so last year President Obama appointed Elizabeth Birnbaum, a longtime environmentalist and congressional aide, to run it. Associates say she maintained a low profile while carrying out some changes, ensuring that miscreants were disciplined or dismissed. But the pace wasn't fast enough — at least in the post-spill hunt for a guilty party. While Obama stepped up to take the blame — "In case you're wondering who's responsible, I take responsibility," he said on May 27 — it was Birnbaum who took the fall. She, along with several prior MMS executives, declined interview requests.

The rush to play dodgeball with blame spattered some. "The oil industry's cozy and sometimes corrupt relationship with government regulators meant little or no regulation at all," Obama also said on May 27 — a claim denounced by Salazar when made by others on Capitol Hill. But the Interior Secretary's defense was sometimes contradictory. When a lawmaker pressed him on whether such spills could be prevented in the future, he insisted, "We are taking action within the Executive Branch to make sure that this problem never occurs again." But when a second lawmaker challenged his ability to offer such a guarantee, he acknowledged that "nothing in life is risk-free." That's true enough, but some risks, as the current disaster shows, are too big to take. (See pictures of the oil spill victims.)

The DNA of MMS may be where its biggest problems are. Much of MMS's leadership over the years has come from Wyoming, which is no accident. Watt, who created the agency unilaterally, was a Wyoming native, and the Cowboy State's clout surged during the tenure of Vice President Dick Cheney, a former Wyoming Congressman and ex-CEO of Halliburton — which was the company working on the failed cement plug on the Deepwater Horizon rig. As with other arcane areas, Washington's ability to regulate offshore drilling is vested in a relatively small community of experts who routinely move back and forth between industry and government, and in this case it was the Wyoming fraternity that did the job.

Such geographical coziness encouraged other kinds of cronyism. George W. Bush's final MMS director, Randall Luthi, now heads the National Oceans Industries Association, a trade group that focuses on "a favorable regulatory and economic environment for the companies that develop the nation's valuable offshore energy resources."

Further evidence of bipartisan culpability is Sylvia Baca, who oversaw MMS in the Clinton era, then spent nearly a decade at BP in senior positions overseeing environmental and safety issues, before returning to Interior under Obama last June as Deputy Assistant Secretary for Land and Minerals Management. The greatest scandal, perhaps, is not that these apparent conflicts of interest have been allowed to go on for so long but that for all this time, they've been an entirely open secret.

"Obviously, we're all oil industry," a recent inspector-general report quoted an MMS official as saying. "We're all from the same part of the country. Almost all of our inspectors have worked for oil companies out on these same platforms. They grew up in the same towns. Some of these people they've been friends with all their life. They've been with these people since they were kids." It may be time, at last, to break up the old gang.

The Washington Post

Document Says Oil Chiefs Met With Cheney Task Force

By Dana Milbank and Justin Blum
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A White House document shows that executives from big oil companies met with Vice President Cheney's energy task force in 2001 -- something long suspected by environmentalists but denied as recently as last week by industry officials testifying before Congress.

The document, obtained this week by The Washington Post, shows that officials from Exxon Mobil Corp., Conoco (before its merger with Phillips), Shell Oil Co. and BP America Inc. met in the White House complex with the Cheney aides who were developing a national energy policy, parts of which became law and parts of which are still being debated.

In a joint hearing last week of the Senate Energy and Commerce committees, the chief executives of Exxon Mobil Corp., Chevron Corp. and ConocoPhillips said their firms did not participate in the 2001 task force. The president of Shell Oil said his company did not participate "to my knowledge," and the chief of BP America Inc. said he did not know.

Chevron was not named in the White House document, but the Government Accountability Office has found that Chevron was one of several companies that "gave detailed energy policy recommendations" to the task force. In addition, Cheney had a separate meeting with John Browne, BP's chief executive, according to a person familiar with the task force's work; that meeting is not noted in the document.

The task force's activities attracted complaints from environmentalists, who said they were shut out of the task force discussions while corporate interests were present. The meetings were held in secret and the White House refused to release a list of participants. The task force was made up primarily of Cabinet-level officials. Judicial Watch and the Sierra Club unsuccessfully sued to obtain the records.

Sen. Frank Lautenberg (D-N.J.), who posed the question about the task force, said he will ask the Justice Department today to investigate. "The White House went to great lengths to keep these meetings secret, and now oil executives may be lying to Congress about their role in the Cheney task force," Lautenberg said.

Lea Anne McBride, a spokeswoman for Cheney, declined to comment on the document. She said that the courts have upheld "the constitutional right of the president and vice president to obtain information in confidentiality."

The executives were not under oath when they testified, so they are not vulnerable to charges of perjury; committee Democrats had protested the decision by Commerce Chairman Ted Stevens (R-Alaska) not to swear in the executives. But a person can be fined or imprisoned for up to five years for making "any materially false, fictitious or fraudulent statement or representation" to Congress.

Alan Huffman, who was a Conoco manager until the 2002 merger with Phillips, confirmed meeting with the task force staff. "We met in the Executive Office Building, if I remember correctly," he said.

A spokesman for ConocoPhillips said the chief executive, James J. Mulva, had been unaware that Conoco officials met with task force staff when he testified at the hearing. The spokesman said that Mulva was chief executive of Phillips in 2001 before the merger and that nobody from Phillips met with the task force.

Exxon spokesman Russ Roberts said the company stood by chief executive Lee R. Raymond's statement in the hearing. In a brief phone interview, former Exxon vice president James Rouse, the official named in the White House document, denied the meeting took place. "That must be inaccurate and I don't have any comment beyond that," said Rouse, now retired.

Ronnie Chappell, a spokesman for BP, declined to comment on the task force meetings. Darci Sinclair, a spokeswoman for Shell, said she did not know whether Shell officials met with the task force, but they often meet members of the administration. Chevron said its executives did not meet with the task force but confirmed that it sent President Bush recommendations in a letter.

The person familiar with the task force's work, who requested anonymity out of concern about retribution, said the document was based on records kept by the Secret Service of people admitted to the White House complex. This person said most meetings were with Andrew Lundquist, the task force's executive director, and Cheney aide Karen Y. Knutson.

According to the White House document, Rouse met with task force staff members on Feb. 14, 2001. On March 21, they met with Archie Dunham, who was chairman of Conoco. On April 12, according to the document, task force staff members met with Conoco official Huffman and two officials from the U.S. Oil and Gas Association, Wayne Gibbens and Alby Modiano.

On April 17, task force staff members met with Royal Dutch/Shell Group's chairman, Sir Mark Moody-Stuart, Shell Oil chairman Steven Miller and two others. On March 22, staff members met with BP regional president Bob Malone, chief economist Peter Davies and company employees Graham Barr and Deb Beaubien.

Toward the end of the hearing, Lautenberg asked the five executives: "Did your company or any representatives of your companies participate in Vice President Cheney's energy task force in 2001?" When there was no response, Lautenberg added: "The meeting . . . "

"No," said Raymond.

"No," said Chevron Chairman David J. O'Reilly.

"We did not, no," Mulva said.

"To be honest, I don't know," said BP America chief executive Ross Pillari, who came to the job in August 2001. "I wasn't here then."

"But your company was here," Lautenberg replied.

"Yes," Pillari said.

Shell Oil president John Hofmeister, who has held his job since earlier this year, answered last. "Not to my knowledge," he said.

Research editor Lucy Shackelford contributed to this report.