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Monday, September 11, 2017

Arkansas, Louisiana, New Mexico, Oklahoma, Texas, and 66 Tribal Nations

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1 — Houston's Post-Harvey Toxic Mess, HUFF Post, 9/11/2017
http://www.huffingtonpost.com/entry/houstons-post-harvey-toxic-mess_us_59b68215e4b0bef3378ce1df
With overflowing sewage, under-regulated exploding chemical plants and leaking household cleaning and gardening chemicals, some of the air and water in Texas was a toxic mess in the wake of Hurricane Harvey. The explosions of chemical tanks at the Arkema chemical plant in Crosby, Texas was no surprise. It was the predictable impact of a complex industry that EPA has been too weak to effectively regulate for years.

2 — After 42 years, Arkansas has not carried out plan to protect state waters from degradation, Arkansas Democrat, 9/10/2017
http://www.arkansasonline.com/news/2017/sep/10/after-42-years-state-waters-plan-unfini/
More than 40 years after the passage of the federal Clean Water Act, Arkansas remains one of only two states that hasn't carried out the provision that protects a state's most important waters from degrading. Arkansas has not adopted an implementation plan for "anti-degradation," a major provision of the act's water quality standards that refers to the effort to stop rivers and lakes from deteriorating.

3 — For Center for Toxicology & Environmental Health, Disasters Mean Business, Ark. Business, 9/11/2017
http://www.arkansasbusiness.com/article/118647/for-center-for-toxicology-environmental-health-disasters-mean-business
Employees from the Center for Toxicology & Environmental Health LLC of North Little Rock arrived in Houston on Aug. 27, two days after Hurricane Harvey made landfall. As historic rain continued, flooding thousands of homes and businesses, the environmental consulting firm was on the scene, using its equipment to provide air monitoring and other services for the U.S. Coast Guard, said Cory Davis, a partner and principal consultant at CTEH.

4 — Tank failures in Harvey reveal vulnerabilities in storm, KVUE, 9/11/2017
http://www.kvue.com/news/local/texas-news/ap-harvey-tank-failures-reveal-vulnerabilities/473337894
More than two dozen storage tanks holding crude oil, gasoline and other contaminants ruptured or otherwise failed when Harvey slammed into the Texas coast, spilling at least 145,000 gallons (548,868 liters) of fuel and spewing toxic pollutants into the air, according to an Associated Press analysis of pollution reports submitted to state and federal regulators.

5 — NY firefighters who helped 911 victims are in SETX helping storm victims, Fox Beaumont, 9/9/2017
http://fox4beaumont.com/news/local/ny-firefighters-who-helped-911-victims-are-in-setx-helping-storm-victims
Firefighters who helped save lives following 9-11 terror attacks in New York are here in Southeast Texas helping storm victims. Some of them were in Deweyville on Sunday, helping people gut their homes after they lost everything following Tropical Storm Harvey.

6 — EPA/TCEQ: Updated status of systems affected by Harvey, Gilmere Mirror, 9/10/2017
http://www.gilmermirror.com/view/full_story/27476825/article-EPA-TCEQ--Updated-status-of-systems-affected-by-Harvey-?instance=news_special_coverage_right_column
Air quality improving, number of water systems operational increasing in affected areas.
Working together, the U.S. Environmental Protection Agency and the Texas Commission on Environmental Quality continue to coordinate with local, state and federal officials to address the human health and environmental impacts of Hurricane Harvey and its aftermath, especially the water systems in the affected areas.

7 — More Than 40 Sites Released Hazardous Pollutants Because of Hurricane Harvey, NY Times, 9/8/2017
https://www.nytimes.com/interactive/2017/09/08/us/houston-hurricane-harvey-harzardous-chemicals.html?rref=collection%2Fsectioncollection%2Fclimate&_r=0
Houston's sprawling network of petrochemical plants and refineries released millions of pounds of pollutants in the days after Hurricane Harvey began barreling toward Texas. Even under normal operations, the hundreds of industrial facilities in the area can emit harmful chemicals. But from Aug. 23 to Aug. 30, 46 facilities in 13 counties reported an estimated 4.6 million pounds of airborne emissions that exceeded state limits, an analysis by the Environmental Defense Fund, Air Alliance Houston and Public Citizen shows.

8 Mosquitoes, Medicine and Mold: Texas Battles Post-Harvey Health Issues, NBC NEWS, 9/10/17
https://www.nbcnews.com/storyline/hurricane-harvey/mosquitoes-medicine-mold-texas-battles-post-harvey-health-issues-n799951
Dr. Carrie de Moor has a nasty cough, and she's not sure if it's allergies or one of the common respiratory infections that have been spreading since Hurricane Harvey hit southeast Texas late last month. She's been sleeping in a trailer adjacent to her free-standing emergency room and urgent care clinic in Rockport, Texas, which was devastated by Harvey's winds and flood waters. The clinic had only been open for two weeks when Harvey hit.

9 — Texas flood shows need for chemical safety rule, advocates say, CEN, 9/11/2017
http://cen.acs.org/articles/95/i36/Texas-flood-shows-need-chemical.html
Industrial safety advocates and Texas residents say a flood-related fires and explosions at the Arkema chemical plant in Crosby, Texas, underscores the need for a worker and community safety regulation. Issued by the Obama Administration in January and blocked by the Trump Environmental Protection Agency in March, that regulation would require chemical safety improvements at industrial plants.

10— After 42 years, Arkansas has not carried out plan to protect state waters from degradation, 9/10/2017
http://www.arkansasonline.com/news/2017/sep/10/after-42-years-state-waters-plan-unfini/
More than 40 years after the passage of the federal Clean Water Act, Arkansas remains one of only two states that hasn't carried out the provision that protects a state's most important waters from degrading. Arkansas has not adopted an implementation plan for "anti-degradation," a major provision of the act's water quality standards that refers to the effort to stop rivers and lakes from deteriorating.

11 Little Rock says no one has applied to use money from federal environment program, Ark. Democrat, 9/10/2017
http://www.arkansasonline.com/news/2017/sep/10/funds-for-lr-area-cleanups-sitting-idle/
Anyone interested in a cleanup in Pulaski County? The county has $815,000 in funds sitting around from the federal environmental program that helped developers revitalize downtown Little Rock's Main Street. Since receiving the money last year, no one has applied to use it, said Josh Fout, the county's brownfields administrator.

12 Listen to veteran hurricane reporter tell how storm modeling has changed, NOLA, 9/8/2017
http://www.nola.com/environment/index.ssf/2017/09/this_weeks_coastal_news_vetera.html#incart_river_index

For 2017, the National Hurricane Center predicted more than the average number of tropical cyclones. So far, it's also had three of the strongest, Harvey, Irma and Jose. One journalist who knows a lot about hurricanes is environment reporter Mark Schleifstein, who has covered tropical weather throughout his 33 years with The Times-Picayune and now NOLA.com. During that time, he has been teased by co-workers for his doomsday scenarios and been called Darth Schleffy.

13 Good for oil exploration, bad for whales: Seismic air guns at issue in Congress, nola.com, 9/8/2017
http://www.nola.com/environment/index.ssf/2017/09/seismic_blasting.html#incart_river_index
Acoustic surveys for oil and gas deposits beneath the seabed are hailed as "the least intrusive way to explore the Earth's geology and its dynamic processes [that] impact human lives." So says the industry group that conducts the surveys. It offers this video to explain its work.

14 Mexico hit by powerful earthquake: 'The house moved like chewing gum', Nola.com, 9/8/17
http://www.nola.com/environment/index.ssf/2017/09/mexico_earthquake_oaxaca_chiap.html#incart_river_index
One of the most powerful earthquakes ever to strike Mexico has hit off its southern Pacific coast, killing at least 15 people, toppling houses and businesses and sending panicked people into the streets more than 650 miles away. The U.S. Geological Survey said the earthquake hit off Chiapas state near the Guatemalan border with a magnitude of 8.1 -- slightly stronger than the magnitude 8 quake of 1985 that killed thousands and devastated large parts of Mexico City.

15 Chemical Fire Burns At Flooded Arkema Plant In Crosby, Texas, 9/11/2017
http://deathrattlesports.com/chemical-fire-burns-at-flooded-arkema-plant-in-crosby-texas/36691
The Arkema plant in Crosby, Texas, is northeast of Houston. The company says it received reports of two explosions at the plant in the early hours of Thursday. Later, the county's emergency and safety officials insisted that nothing at the plant had exploded and that it was containers "popping."

16 House rejects deeper cuts for Interior, EPA, Greenwire, 9/8/2017
https://www.eenews.net/greenwire/2017/09/08/stories/1060060149
The House this morning rejected efforts to maintain Obama-era protections related to drilling, as well as a measure that called for a 1 percent across-the-board cut to programs in fiscal 2018 spending for the Interior Department and U.S. EPA. Lawmakers have spent most of the week considering an eight-bill omnibus to fund numerous agencies (E&E Daily, Sept. 8). They will continue processing amendments related to the Interior-EPA section into next week.

KRISTV.COM

Texas DSHS continues aerial attack on post-Harvey mosquitoes

Posted: Sep 10, 2017 2:11 PM CDT
Updated: Sep 10, 2017 2:28 PM CDT

A C-130H Hercules aircraft, modified for the DOD's only aerial spray mission. USAF photo/Master Sgt. Bob Barko Jr.

The Texas Department of State Health Services continues with aerial mosquito spraying operations after Hurricane Harvey.

In the Coastal Bend area, flights treated approximately 272,000 acres in Nueces County on Saturday.

Sunday night, crews plan to begin spraying over Jackson County, moving on to parts of DeWitt and Lavaca counties, time and weather permitting.

Along the upper coast, Texas is receiving support from the U.S. Air Force Reserve's 910th Airlift Wing flying modified C-130 cargo planes staged out of Kelly Air Force Base in San Antonio. In their first night of spraying, they covered 102,000 acres over Jefferson and Orange counties and expect to be working over Jefferson, Orange and Chambers counties for at least the next two nights before moving on other parts of the region.

A total of approximately 857,000 acres have been sprayed across the two areas.

The goal is to reduce the effects mosquitoes are having on recovery efforts and the possibility of a future increase in mosquito-borne disease.

During aerial spraying, a small amount of insecticide is sprayed over a large area, one to two tablespoons per acre. When applied according to label instructions by a licensed professional, it does not pose a health risk to people, pets or the environment.

According to the EPA, people may prefer to stay inside and close windows and doors when spraying takes place, but it is not necessary.

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Residents still wait for flood water to recede in west Ho

KHOU.com and Kristina Rex , KHOU 12:43 PM. CDT September 10, 2017

WEST HOUSTON - While many homeowners are focused on ripping out drywall and cleaning out their houses in the aftermath of Harvey, some neighborhoods in west Houston are still underwater.

It's been two weeks since people woke up to find their homes and streets completely flooded, and for neighbors on Clear Spring Drive that is still the case.

"This is like going to a funeral every day," resident Hal Lynde said about returning to the flooded homes every day.

They have a boat launch for people to row back to their homes. Cars can still be seen submerged in the water.

Many in the neighborhood feel like they are behind the curve compared to the rest of Houston. Some haven't even been back to work yet.

“I hadn't been emotional at all,” said Doug Hall, a resident. “But when you see people coming, acknowledging that yeah we see what's happening … you start realizing that a lot of people care and a lot of people want to help. It's kind of humbling."

A lot of residents whose homes have dried out say they will be spending their Saturday inside removing dry wall and furniture to start the long road to recovery.

And with Hurricane Irma barreling toward Florida, some worry about the nation's attention and relief dollars being divided between two storms.

"The national news isn't going to be here anymore. The dollars are going to be coming here anymore," Lynde said.

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Time for EPA to order complete removal of San Jacinto Waste Pits

Posted: Sunday, September 10, 2017 12:00 am

The OUR Baytown VIEW Sun

Sun editorial

We were warned and failed to act.

After Harvey, we must.

Environmentalists have said for years the San Jacinto Waste Pits — filled with decades-old paper bleaching waste —was vulnerable to flooding with the risk that waters would spread sediment heavily contaminated with cancer-causing dioxins.

"I think this is a loaded gun, in terms of a catastrophe. Not just to the residences, but the bay as a whole," Sam Brody of Texas A&M University Galveston said in 2013 about the threat of a hurricane or flood to the capped waste pits. Why? Because soil from the waste pits contains dioxins and other long-lasting toxins linked to birth defects and cancer.

Did Harvey's record rainfall set more poison free?

No doubt. Hurricane Harvey's floodwaters spread uncontainable toxic materials over a wider area, making a tragic situation worse.

The waste pits were completely covered with floodwaters. The AP reported that the flow from the raging river washing over the toxic site was so intense it damaged an adjacent section of the Interstate 10 bridge.

In 2011, a temporary cap was installed on the waste pits but was damaged during a relatively minor storm in 2012. Since then, the waste pits cap has required extensive repairs on at least six occasions, with large sections becoming displaced or going missing.

No doubt Harvey's record rainfall set more poison free.

Even before Harvey, studies found significantly higher rates of cancer and respiratory illness among those living along the Houston Ship Channel and San Jacinto River. Among the waste in the pits are lead, mercury, PCBs, and dioxin compounds, including the infamous Agent Orange.

The pits have been leaking for years, capped or not.

For more than four decades, toxic wastes from the San Jacinto River Waste Pits have drained into our environment, harming public health and contaminating Galveston Bay.

Harvey only adds an exclamation point to the dangers posed by the waste pits; dangers too serious to continue to ignore.

The EPA is set to make a final decision this year about a proposed $97 million cleanup effort.

The only true safeguard the community, the environment and our children from the toxics contained in the pits is to remove the waste pits, and all their contents.

The health and safety of the families and ecosystem around the waste pits depend on it.

—David Bloom

Ovink: We can learn from the Dutch and work with nature

By Henk Ovink | September 9, 2017

1

Because of climate change, we can expect weather events like Harvey to become more frequent and more extreme. We will see longer periods of drought, more intense hurricanes and more disastrous floods. We need to prepare ourselves for that future. After disasters we usually focus on rebuilding, perhaps improving things a bit as we do so. Just as armies tend to fight the last

war, we base our planning on past disasters rather than preparing for new and more dangerous ones.

In my country, the Netherlands, we've been learning how to live with water for over a thousand years. We elected our first water regulators in the 12th century. We had water experts before we were a kingdom, and now we have a king who is a globally respected expert on water policy. Living with water is part of our culture.

Climate disasters are primarily water disasters, and the greatest risks involve water as well. In a warming climate, droughts, rains and storms will become more frequent and more intense. We have to acknowledge that future and build resilient, adaptive cities capable of protecting themselves from climate change's stresses. We will need to change our lifestyle, from how we work to how we play. Most important, we will have to change how we think.

The Dutch philosophy is to work with nature, not against it. In our cities we build parks that serve as natural reservoirs. On the coast, underground parking garages serve the same function. We use boardwalks and beaches to protect our coastline.

Earlier this decade, the city of Nijmegen spent half a billion dollars to dig a new, wider channel for the Waal River that allowed room for it to flood without sending water into the surrounding neighborhoods. It made the city safer, and all that new green space increased the quality of life.

TRANSLATOR

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In 2013, as a member of President Obama's Hurricane Sandy Rebuilding Task Force, I created a design competition that brought some of the most creative people in the world to New York. The competition produced many innovative projects that are now under construction across the region, in both Republican and Democratic counties. (After all, climate change does not discriminate between political parties.)

Even as we fortify Houston to withstand shocks and stresses, we know we can't prevent everything. We can't engineer only for the worst-case scenario, but we can plan for the worst. We can make sure our infrastructure and buildings don't collapse. We can make sure our emergency access routes don't flood. And we should make sure our most critical infrastructure-which includes hospitals, energy plants and water treatment facilities-is prepared to withstand the worst storm.

But we also need to think big. It would be a shame to let the crisis Houston just went through go to waste.

Ovink is the special envoy for international water affairs for the Kingdom of the Netherlands.

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Steven Cohen, Contributor
Executive Director, Columbia University's Earth Institute

Houston's Post-Harvey Toxic Mess

09/11/2017 08:40 am ET

With overflowing sewage, under-regulated exploding chemical plants and leaking household cleaning and gardening chemicals, some of the air and water in Texas was a toxic mess in the wake of Hurricane Harvey. The explosions of chemical tanks at the Arkema chemical plant in Crosby, Texas was no surprise. It was the predictable impact of a complex industry that EPA has been too weak to effectively regulate for years. In January 2017, when the Obama Administration was practically out the door, EPA finally published the Chemical Disaster Rule. This regulation was designed to toughen up the relatively weak, 1996 requirement that chemical plants and other high-risk facilities issue risk management plans to reduce the probability of industrial accidents. One might wonder why it took Obama eight years to revise this weak requirement. A 2013 fertilizer plant explosion in West Texas killed 15 people and that seemed to stimulate action. A bit late, but at least Obama's EPA did something. That was too much for Scott Pruitt, the anti-regulatory zealot commanding the Trump EPA. This past June, he decided to delay implementation of the rule for 20 months.

Industry pressure to resist regulation is nothing new, and certainly not limited to America. The nuclear industry in Japan weakened plant protection, resulting in the disaster at Fukushima. The auto industry's opposition to regulation goes back to opposing seat belts over a half century ago. For years, the chemical industry has been effective in its efforts to block rules designed to protect the environment. In Texas, plants that violate rules are subject to relatively small fines. In the long-run, industries that are under-regulated make mistakes that cost more to fix than compliance with reasonable regulations would have cost. But that is of little relevance in a world of frequent financial reporting and low cost, endless information. Long run sustainability is driven out by the need for short-term financial results.

Some businesses look to locate in places where government will leave them alone and they won't be troubled by rules and regulations that cost money to comply with. The problem with this logic is that it assumes that regulations are both unreasonable, which is usually not the case, and unnecessary, which is rarely the case. I view the anti-regulatory impulse the same way I look at deferred maintenance or disinvestment in infrastructure. It is a short term, myopic perspective that is a prime indicator of poor

management. Effective regulation, like the rule of law itself, provides a civilized base from which competition can take place. It facilitates rather than impedes commerce.

In the small, visible, networked world we live in, bad management can come back to cost the company more than money saved by cutting corners. Think BP and the Deepwater Horizon explosion in the Gulf of Mexico, or Volkswagen and the fraud in its emissions monitoring process. In the case of Arkema Inc., this French owned company is already being sued by first responders who were patrolling near the plant and not told about the toxicity of the explosion. According to the Wall Street Journal's Quint Forgey:

> *The first responders were manning the perimeter of a 1.5-mile evacuation zone imposed two days before the explosions, but after the blasts occurred, the lawsuit alleges no one from Arkema alerted the first responders. "One by one, the police officers and first responders began to fall ill in the middle of the road," according to the lawsuit. "The scene was nothing less than chaos. Police officers were doubled over vomiting, unable to breathe. Medical personnel, in their attempts to provide assistance to the officers, became overwhelmed and they too began to vomit and gasp for air."*

The company responded by saying they did everything they could to protect the public in a dangerous, unpredictable situation. Releasing toxic emissions into the air in Houston seems to be a way of life, as companies often vent chemicals when storms are approaching and plants are shut down, or when plants reopen after a storm. On September 8, Michelle Minkoff of the Associated Press reported that:

> *Petrochemical corridor residents say air that is bad enough on normal days got worse as Harvey crashed into the nation's fourth-largest city and then yielded the highest ozone pollution so far this year anywhere in Texas…Of the dozen plants in Harris County reporting storm-related emissions, Exxon Mobil, Chevron Phillips and Shell Oil have been fined or ordered to pay settlements totaling $27.8 million since 2010 for violating federal environmental laws after suits by The Sierra Club and Environment Texas.*

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But it is not only industry that can be careless with toxics; our modern way of life is infused with toxic materials that can find their way into the environment due to disasters, careless management, or simple ignorance. Sometimes we truly do not understand the toxicity of household items. Printer toner, cleaning fluids, and the electronic gizmos we rely on all contain toxic chemicals. When they stay where they belong and aren't subject to flood or fire they present little danger. But when disaster strikes, they can compound the damage. We learned painful lessons about toxicity after 9/11 at the "pile" that remained where the twin

towers used to be. Decades later first responders are still experiencing the health impacts of that toxic site.

It is important to acknowledge that the danger and complexity of the modern economy is not limited to Texas, but is a global phenomenon. And on this anniversary of the horror visited on New York City in 2001, we need to understand that our vulnerability is not only to natural disaster, but to deliberate acts of terror by humans. When we built the original World Trade Center we still used asbestos as a flame retardant. Eventually scientists learned about the unanticipated impacts of that chemical and we developed regulations that prevent its use. The rule came too late to help those that worked the pile, but was a reasonable action taken in the public interest.

Regulations are needed because the world can be a dangerous place, and we need to take reasonable steps to ensure safety. All human and economic activity involve risk, but some risks should be avoided. Rules should always be subject to an assessment of costs and benefits, and an organization's good faith compliance with rules should always be considered when enforcing rules. But the effort to delegitimize environmental rules has gone on for far too long. Unfortunately, it often takes a disaster to convince people that protection is inadequate.

The late Tip O'Neil famously maintained that all politics is local, and the reaction to Harvey by Ted Cruz and most of the Texas congressional delegation is further proof of Speaker O'Neil's wisdom. Suddenly these conservative ideologues favor an activist federal government. Their ideology of smaller government has been overwhelmed by the immense, immediate and desperate need of people all over Texas. We may see a similar development in Florida once the cost of Irma's destructive force is totaled.

Will the impact of these hurricanes convince people in Florida and Texas of the need to rethink regulation, climate change and the need to better manage toxic substances? Many people in these places reflexively accept the idea that federal regulations over-reach, kill jobs, and are not needed. Perhaps a small dent has been made in the anti-regulatory armor. Toxic chemicals can be well managed and carefully handled. The risk of their use can be contained. But it takes political will from elected officials, management competence from unelected administrators and a willingness to cooperate from chemical companies to improve performance.

Disasters can change the way people look at the world and their role in it. But people also want to return to normalcy, and resume their old way of doing business. We won't know how these hurricanes will change Texas and Florida, but we know that some change is inevitable. If we are to maintain the way of life we enjoy while maintaining a safe and healthy environment, we need to require more careful management of toxic substances.

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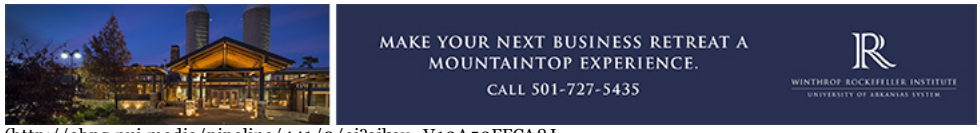

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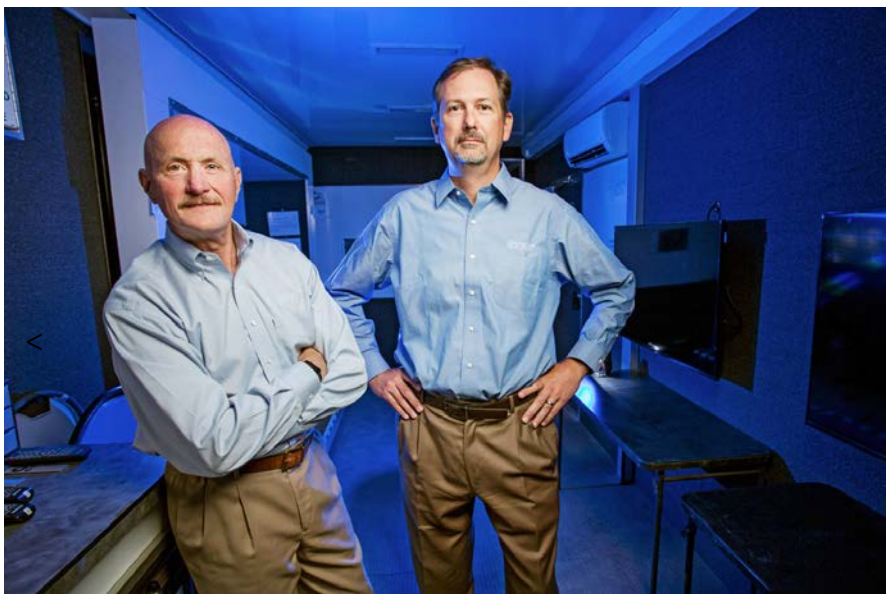
For Center for Toxicology & Environmental Health, Disasters Mean Business (http://www.arkansasbusiness.com/article/118647/for-center-for-toxicology-environmental-health-disasters-mean-business)

by Mark Friedman (/staff/mark-friedman) on Monday, Sep. 11, 2017 12:00 am 4 min read



Phil Goad, left, and John Kind are key figures at the Center for Toxicology & Environmental Health in North Little Rock. (*Karen E. Segrave*)

(http://abpg.nui.media/pipeline/441/0/cj?ajkey=V122072518AJ-574J8106I3731CC2EE0E6L515182L515181QJ2123QQP0G00

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Employees from the Center for Toxicology & Environmental Health LLC of North Little Rock arrived in Houston on Aug. 27, two days after Hurricane Harvey made landfall.

As historic rain continued, flooding thousands of homes and businesses, the environmental consulting firm was on the scene, using its equipment to provide air monitoring and other services for the U.S. Coast Guard, said Cory Davis, a partner and principal consultant at CTEH.

Employees also assessed chemical plants in the area that had flooded.

“It’s everything from a Kroger store to a chemical plant to people’s homes and apartment complexes and hotels, all underwater,” said Davis, who was part of the Houston mission. “So the size and magnitude of this recovery effort is something that I don’t think we’ve seen in this country.”

CTEH has been on many disaster scenes in its 20-year history, including the World Trade Center after 9/11 and New Orleans after Hurricane Katrina. Last week, nearly 160 of its responders were in the Houston area. It also was adding about 25 technicians a day to prepare for Hurricane Irma and to continue supporting the Houston-area cleanup effort.

(http://abpg.nui.media/pipeline/441/0/cj?ajkey=V1208755CBDJ-573J8100I3731CC2EE0E6L463702L463698QJ2123QQP0G0

Founded in 1997, CTEH got its start dealing with chemical spills from train derailments, but it “rapidly evolved” to include services such as risk assessment, crisis management and training, said Phil Goad, a founder and principal toxicologist.

Last year it started a global preparedness and crisis management team that handles large-scale disasters. It also recently started a subsidiary, CTEH Government Services, a disaster-recovery division that focuses on rehabilitating residential properties after floods.

Its services to the Federal Emergency Management Agency include ensuring that all wet items have been removed from homes, and that the homes are livable.

Goad declined to reveal revenue figures for the company, or to disclose what various services cost. Its customers include manufacturers, transporters and the end users of chemical products, and it also works for government agencies other than FEMA, including the Mississippi Department of Environmental Quality.

“So when there is a chemical release in the state of Mississippi, if the responsible party is not already a client of ours and asks us to respond, the state of Mississippi sends us out,” Goad said.

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Goad, 62, said he's pretty much retired now, but he's involved in the company's planning and is available to mentor the firm's next generation of leaders, such as John Kind, principal toxicologist and director of toxicology. Kind is operating the consulting side of the business while Davis is leading the response and recovery side.

Starting in 2013, CTEH's founders began selling majority interest in the company to its employees, who number about 125. It also has a fleet of rapid responders who are on call and can get to a disaster site within hours.

CTEH is now working more than a dozen disasters in the United States. "We have something going on around the country virtually all the time," Goad said.

Founding

In the late 1980s, Goad, Glen Millner and Alan Nye all had Ph.D. degrees in toxicology from the University of Arkansas for Medical Sciences and were working for a consulting firm. One of their first assignments was a train derailment in Rison.

"We were toxicologists, so we could talk about the health impacts of the chemical spill," Goad said.

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They also could collect and interpret data about the environment and help officials make decisions that involved whether to order an evacuation or whether an accident site was safe for workers to return.

In 1991, they assisted with a train derailment in California.

"What we began to see was that we were developing a niche and a reputation and an ability to quickly respond to chemical releases ... primarily in the railroad industry," Goad said.

Goad, Millner and Nye were teaching as adjunct professors at UAMS when they started talking about launching their own niche business. With Jay Gandy, a tenured professor at UAMS, they began CTEH in 1997. (Gandy sold his shares to the other founders in 2010.)

"I think between us we probably had zero business courses," Goad said. "I never had a lecture or a class in how do you run a business."

They turned to BioVentures, a business incubator that was then new at UAMS, for help. CTEH had a profit-sharing agreement that lasted about two years with BioVentures, Goad said. UAMS said in an email to Arkansas Business last week that under the agreement with CTEH, UAMS received incubator fee payments that totaled $12,260.

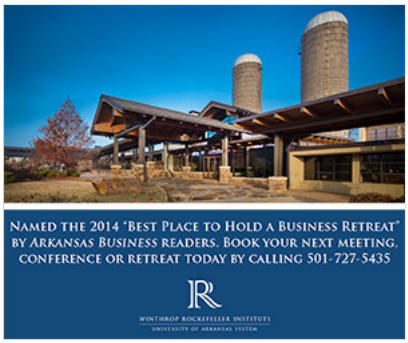
CTEH left the incubator program in 2001. “At that point we felt like we had spread our wings enough that we were able to fly on our own,” Goad said.

9/11

A key turning point for the company was 9/11. CTEH was hired by Deutsche Bank to assess its 42-story building that had been next to the World Trade Centers.

Debris from the twin towers, which included lead from computer terminals, asbestos and other materials, was “everywhere” inside the Deutsche Bank building, even in the electrical outlets, Goad said.

Deutsche Bank wanted to know if the building could be restored. “So that was a pure toxicology risk assessment project,” Goad said.



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The building couldn’t be saved and was eventually razed. But the work led to other jobs for CTEH.

The company created air-quality guidelines for New York City for demolishing and rebuilding other structures that had been contaminated with World Trade Center dust. CTEH also worked with the U.S. Environmental Protection Agency “in addressing air quality issues associated with the contaminants from these buildings,” Goad said.

The 9/11 experience “expanded the kind of scope and the kinds of projects that we were being involved in,” Goad said. CTEH also worked with the EPA in the 2010 Deepwater Horizon oil spill in the Gulf of Mexico. In that case, CTEH had more than 1,600 people working under its direction, Goad said. “We were responsible for all the air monitoring along the Gulf Coast in the communities,” he said.

In the mid-2000s, CTEH outgrew its office in Little Rock. In 2006, CTEH Properties LLC bought an undeveloped 3.7-acre location on Northshore Drive in North Little Rock for $372,000 and proceeded to build the company’s headquarters. The development of the property was supported by an 11-year loan of $3.28 million from Regions Bank. CTEH’s 18,540-SF office opened in 2007.

CTEH also began opening satellite offices across the country starting in the 2000s. “Everyone is expected to be on call and take call 24 hours, 7 days a week. It doesn’t matter,” said CTEH’s Davis. “We’ve got to be available to respond.”

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Tank failures in Harvey reveal vulnerabilities in storm

Matthew Brown and Larry Fenn, Associated Press , KVUE 9:18 AM. CDT September 11, 2017

(Photo: Win McNamee/Getty Images, 2017 Getty Images)

More than two dozen storage tanks holding crude oil, gasoline and other contaminants ruptured or otherwise failed when Harvey slammed into the Texas coast, spilling at least 145,000 gallons (548,868 liters) of fuel and spewing toxic pollutants into the air, according to an Associated Press analysis of pollution reports submitted to state and federal regulators.

The tank failures follow years of warnings that the Houston area's petrochemical industry was ill-prepared for a major storm, with about one-third of the 4,500 storage tanks along the Houston Ship Channel located in areas susceptible to flooding, according to researchers.

More of the massive storage tanks could be put to the test in coming days as Hurricane Irma bears down on Florida. The tanks are prone to float and break during floods, and Harvey's unprecedented rainfalls revealed a new vulnerability when the roofs of some storage tanks sank under the weight of so much water.

Federal and state rules require companies to be prepared for spills, but mandate no specific measures to secure storage tanks at refineries, chemical plants and oil production sites.

Although Florida has no oil refineries, it has more than 20 petroleum product storage terminals in coastal communities and about 30 chemical companies with a presence in the state, including a significant number of facilities in the Tampa Bay area, according to the American Chemistry Council and U.S. Energy Information Administration.

"Tampa Bay is one of the most vulnerable cities in the country" to hurricanes, said John Pardue, a Louisiana State University professor who has researched problems with storage tanks during storms.

"But there's no requirement that says when you're in a hurricane zone you've got to do things differently," Pardue added. "If we're going to continue to put some of these facilities in harm's way, it would be great to have some specific regulations" to safeguard storage tanks.

The storm surge from Harvey was small enough that the refineries in the Houston Ship Channel appear to have avoided the huge spills associated with past storms such as Hurricane Katrina, when ruptured storage tanks released several millions of gallons of oil including into residential areas, according to Jamie Padgett, an associate professor at Rice University who has inventoried the Houston Ship Channel's storage tanks.

One difference during Harvey was that prior to the storm, some refineries apparently were able to fill up their storage tanks to make them less buoyant and therefore less prone to floating and being damaged, said Kyle Isakower, vice president of regulatory policy at the American Petroleum Institute.

That wasn't the case with about a dozen smaller storage tanks that experienced spills in Fayette County west of Houston, said Ron Whitmire with EnerVest, the Houston-based company that operated the tanks. The capacity of those tanks ranged from about 250 to 400

barrels, which he said was not large enough to resist the force of the floodwaters that swept them away.

"Do we plan for storms and hurricanes? Absolutely," Whitmire said. "But nobody plans for 50-plus inches of rain."

The record rainfall also exposed problems among almost 400 large storage tanks in the Houston area that have "floating roofs" that go up or down depending on how much fuel is inside the containers. The unprecedented rains that came with Harvey caused 14 of those roofs to sink, in some instances allowing the chemicals inside them to escape, according to company reports and Padgett of Rice.

There are no government rules dictating how tanks are designed. But the American Petroleum Institute has established industry standards for tank construction that call for tanks to be able to drain at a minimum 10 inches (25 centimeters) of rain over a 24-hour period. Rain was falling at more than twice that rate during Harvey, Padgett said.

At least two of the floating roof failures occurred in gasoline storage tanks at Shell Oil's Deer Park refinery and another occurred at Exxon Mobil's Baytown refinery.

Pollution reports submitted by the companies to Texas regulators blamed the roof problems on Harvey's excess rainfall. The reports said air pollutants including benzene, toluene and xylene were released into the atmosphere. Long-term exposure to such pollutants can cause cancer, although Texas officials said they never reached concentrations high enough in the storm's wake to cause health concerns.

A Shell representative said in a statement to the AP that the roof problems presented an "extremely rare" circumstance and that company workers had quickly responded by spraying the spilled fuel with foam to suppress any harmful vapors. All the gasoline that was released was contained on-site, Shell spokesman Ray Fisher said.

Exxon Mobil spokeswoman Charlotte Huffaker said safety was a priority for the company and it was able to lessen environmental damage from Harvey by shutting down equipment in advance. Huffaker said Exxon "reported and responded to the event as soon as it was identified."

As state and federal officials investigate the impacts from Harvey, it's uncertain how much spilled material flowed off-site from the storage yards, oil production areas and refineries.

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It's expected to take about two weeks from the time of the spills for any contamination in the ship channel to reach Galveston Bay, according to Hanadi Rifai, director of the graduate program in environmental engineering at the University of Houston.

Texas has rules governing protections for underground storage tanks during floods, but not for above-ground tanks found at many refineries and chemical plants, according to Andrea Morrow, a spokeswoman for the Texas Commission on Environmental Quality.

Morrow declined to say if the agency planned to investigate the Harvey-related tank failures and whether tanks that failed had been properly secured before the storm.

"We have established a Unified Command with other state and federal partners, and are in the field conducting rapid needs assessment at this time," she said. "Due to the widespread impact from Harvey, the TCEQ anticipates conducting many storm-related investigations over the next several months."

Associated Press Correspondent Matthew Brown reported from Billings, Montana. AP data journalist Larry Fenn reported from New York City.

Follow Matthew Brown on Twitter at www.twitter.com/matthewbrownap and get the best of the AP's all-formats reporting on Irma and Harvey in your inbox: http://apne.ws/ahYQGtb.

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DEWEYVILLE —

Firefighters who helped save lives following 9-11 terror attacks in New York are here in Southeast Texas helping storm victims.

Some of them were in Deweyville on Sunday, helping people gut their homes after they lost everything following Tropical Storm Harvey.

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EPA/TCEQ: Updated status of systems affected by Harvey

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WASHINGTON (Sept. 9, 2017) - Air quality improving, number of water systems operational increasing in affected areas.

Working together, the U.S. Environmental Protection Agency and the Texas Commission on Environmental Quality continue to coordinate with local, state and federal officials to address the human health and environmental impacts of Hurricane Harvey and its aftermath, especially the water systems in the affected areas. The TCEQ has approximately 500 people assisting in response to this natural disaster.

As part of this coordination, a Unified Command was established between the EPA, the TCEQ, the General Land Office, and the U.S. Coast Guard to oversee all emergency response efforts. This Unified Command is supported by three operational branches in Corpus Christi, Houston, and Port Arthur. In addition to the EPA, the TCEQ, the GLO, and the USCG, multiple agencies and groups are supporting each of the operational branches, including the Texas National Guard, 6th Civil Support Team; the Arkansas National Guard, 61st Civil Support Team; the Oklahoma Task Force 1; and the Texas State Guard Engineering Group. Branch personnel are working to continuously monitor water and wastewater systems, as well as assess spills or discharges as a result of the storm.

As of Friday, Sept. 8, the following information is available:

Drinking Water: To date, about 2,238 drinking water systems have been affected by Harvey. Of those: 1,924 systems are fully operational, 161 have boil-water notices, and 52 are shut down. Both the EPA and the TCEQ are contacting remaining systems to gather updated information of their status. Assistance teams are in the field working directly with system operators to expedite getting systems back to operational status.

Wastewater and Sewage: Currently, 1,144 of approximately 1,219 wastewater treatment plants are fully operational and 40 are inoperable in the affected counties. The agencies are aware that releases of wastewater from sanitary sewers are occurring as a result of the historic flooding and are actively working to monitor facilities that have reported spills. Additionally, the agencies are conducting outreach and providing technical guidance to all other wastewater facilities in flood-impacted areas. Assistance teams will continue to be deployed to work directly with system operators to expedite getting systems back to operational status.

Flood Water: Water quality sampling will be focused on industrial facilities and hazardous waste sites. Floodwaters contain many hazards, including bacteria and other contaminants. Precautions should be taken by anyone involved in cleanup activities or any others who may be exposed to flood waters. These precautions include heeding all warnings from local and state authorities regarding safety advisories. In addition to the drowning hazards of wading, swimming, or driving in swift floodwaters, these waters can carry large objects that are not always readily visible that can cause injuries to those in

the water. Other potential hazards include downed power lines and possible injuries inflicted by animals displaced by the floodwaters.

Critical Water Infrastructure: The TCEQ has made contact with the owners of the 340 dams in the impacted areas. There are 15 dams that have reported some type of damage. There have been no reports of downstream damage or loss of life. The TCEQ will be meeting with affected dam owners in the next week.

Additional EPA/TCEQ updates include:

• Superfund Sites:The EPA and the TCEQ continue to get updates about the status of specific sites from the parties responsible for ongoing cleanup of the sites. The TCEQ has completed the assessment of all 17 state Superfund sites in the affected area. There were no major issues noted. The TCEQ will continue to monitor sites to ensure no further action is needed in regards to the storm.

The EPA completed site assessments at all 43 Superfund sites affected by the storm. Of these sites, two (San Jacinto and U.S. Oil Recovery) require additional assessment efforts. Assessments of these sites will take several days to complete. The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material. The EPA remedial manager is onsite and overseeing the assessment. Crews continue to survey portions of the cap that are submerged. There are some areas where rock has been displaced and the liner is exposed. The potential responsible party has mobilized heavy equipment and is placing rock on different places on the armored cap to repair the defensive surface. The liner is in place and functional so we don't have any indication that the underlying waste materials have been exposed. If we find a breach in the exposed liner, we direct the responsible party to collect samples to determine if any materials have been released. Also, the EPA has dive teams to survey the cap underwater if needed. Work to improve conditions after the storm has continued at the U.S. Oil Recovery site to address flood water from the storm. Nine vacuum truckloads of approximately 45,000 gallons of storm water were removed and shipped offsite for disposal. No sheen or odor was observed in the overflowing water, and an additional tank is being used to maintain freeboard to keep water on-site. The EPA has directed potential responsible parties or has independently started collecting samples at the 43 Superfund sites to further confirm any impacts from the storm. The total number of Superfund sites increased from 41 to 43 with the addition of Rapides Parish, Louisiana and Waller County, Texas as disaster declared areas. Sampling efforts of all 43 sites is expected to be completed early next week with sample results will be available soon.

• Air Quality Monitoring: One of the many preparations for Hurricane Harvey included the EPA, the TCEQ, and other monitoring entities temporarily shutting down several air monitoring stations from the greater Houston, Corpus Christi, and Beaumont areas to protect valuable equipment from storm damage. Since then, state and local authorities have been working to get the systems up and running again as soon as possible. As of Thursday, Sept. 7, the TCEQ's air monitoring network is operational 100 percent in Corpus Christi, 88 percent in Houston, and 71 percent in Beaumont. The network is expected to be fully operational again by next week. Of the available air monitoring data collected from Aug. 24-Sept. 7 all measured concentrations were well below levels of health concern. Monitors are showing that air quality at this time is not concerning, and residents should not be concerned about air quality issues related to the effects of the storm the neighborhood in southeast Houston and data reports are available online atwww.epa.gov/hurricane-harvey[4] .

• Refineries/Fuel Waivers: In addition to gasoline waivers for 38 states and D.C. and diesel waivers for Texas, the EPA signed three No Action Assurance letters on Sept. 1 to help address fuel shortages. NAA will help expedite the distribution of existing gasoline supplies to both Texas and Louisiana, while the refineries work to re-start and resume normal operations. The diesel waivers and NAA letters are effective until Sept. 15 and should allow for the distribution of fuel to consumers in Texas. The EPA recently reissued the gasoline waivers for the maximum time allowed under the Clean Air Act through Sept. 26, and the TCEQ will work with the EPA to extend these waivers through Oct. 1. The TCEQ is currently evaluating whether the NAA letters and diesel waivers need to be reissued and has discussed possible reissuance with the EPA.

For additional information please visit the TCEQ's hurricane response page[5].

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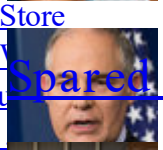

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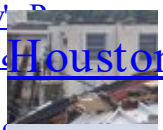

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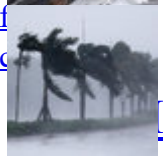

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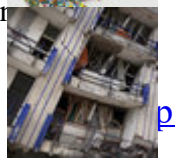

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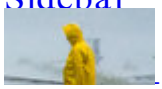

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More Than 40 Sites Released Hazardous Pollutants Because of Hurricane Harvey

By TROY G DREW W. LEHREN, NADJA POPOVICH, ANJALI SINGHVI and HIROKO TABUCHI

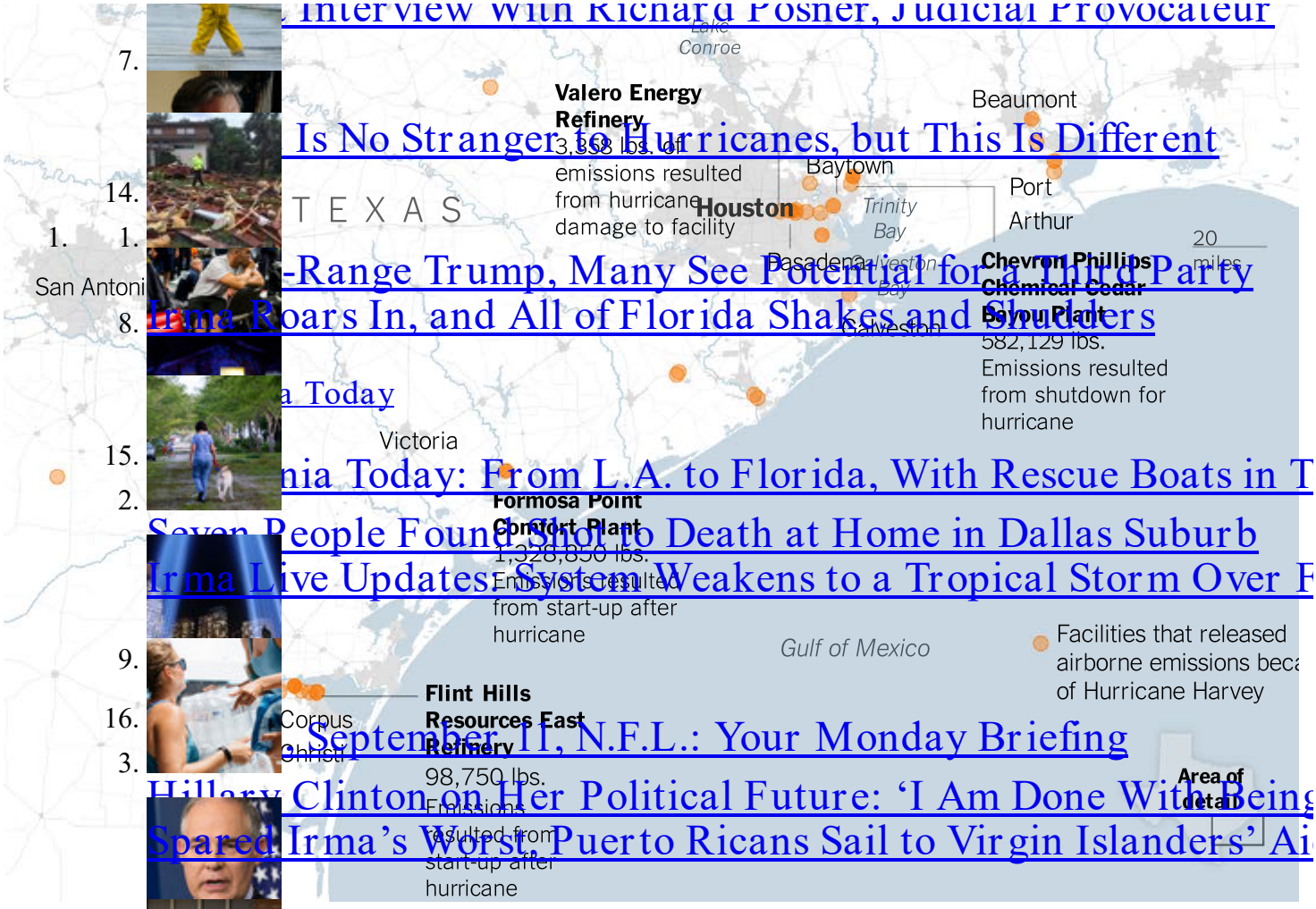
SEPT. 8, 2017

uston's sprawling network of petrochemical plants and refineries released millions of pounds of pollutants in the days r Hurricane Harvey began barreling toward Texas.

n under normal operations, the hundreds of industrial facilities he area can emit harmful chemicals. But from Aug. 23 to Aug. 46 facilities in 13 counties reported an estimated 4.6 million nds of airborne emissions that exceeded state limits, an analysis he Environmental Defense Fund, Air Alliance Houston and lic Citizen shows.

eral and state regulators say their air monitoring shows no cause alarm. But the extra air pollution is just the latest concern for dents and environmental groups in the days after the storm. At st 14 toxic waste sites were flooded or damaged, raising fears of erborne contamination. And nearly 100 spills of hazardous stances have been reported.

Air Pollutants Were Released Across the Region



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ny plants in the hurricane's path released extra pollutants into

ar when they shut down in preparation for the storm, and again

n they resumed operations.

iant plastics plant in Point Comfort, about 100 miles southwest

Houston, released about 1.3 million pounds of excess

ssions, including toxic gases like benzene, when it restarted

r the storm. The plant is operated by Formosa Plastics, an

liate of a Taiwanese petrochemicals conglomerate, and has a

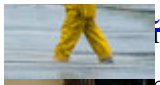
ckered safety record. Steve Rice, a Formosa spokesman,

lined to comment on the emissions.

Dooley, the chief executive of the American Chemistry

Council, said in a statement that chemical facilities were built with

hurricanes in mind and followed storm protocols. "These



7. trolled releases are done with the permission of state and

eral regulatory authorities," he said.

14. er facilities were damaged by wind or water and involuntarily

eased hazardous gases.

1. 1.

Thursday, Houston officials said they had detected high levels of

8. zene in a neighborhood in the city that is close to a damaged

ere Energy refinery. Loren Raun, the chief environmental

ence officer for the Houston Health Department, said that the

15. ings varied depending on which way the wind was blowing but

2. that officials were seeing "high numbers."

d in a dramatic case, a series of explosions at a flooded chemical

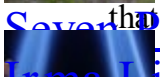
9. nt in Crosby, Tex., filled the air with smoke, triggering an

cuation of nearby residents and sending 21 emergency workers

16. hospitals for smoke inhalation.

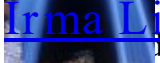
3.

Texas Commission on Environmental Quality, the state



ironmental regulator, said that most of its air monitors — which

10. been shut down during the storm — were back in service, and



17. e not detecting emissions at levels that would be harmful to

4. an health. The Environmental Protection Agency said that its

n monitors showed that residents "should not be concerned

ut air quality issues related to the effects of the storm."

11.

l, environmental advocates said that pollutants could pose long-

18. m risks, even if they were not immediately toxic.

5.

"These are cancer-causing compounds, like benzene and butadiene,"

Hemmerstoffer, an environmental defense fund senior health

19. ntist based in Austin. "We're very concerned about people's

12. g-term health in the area."

6.

20.

At Least 14 Toxic Waste Sites Were Flooded

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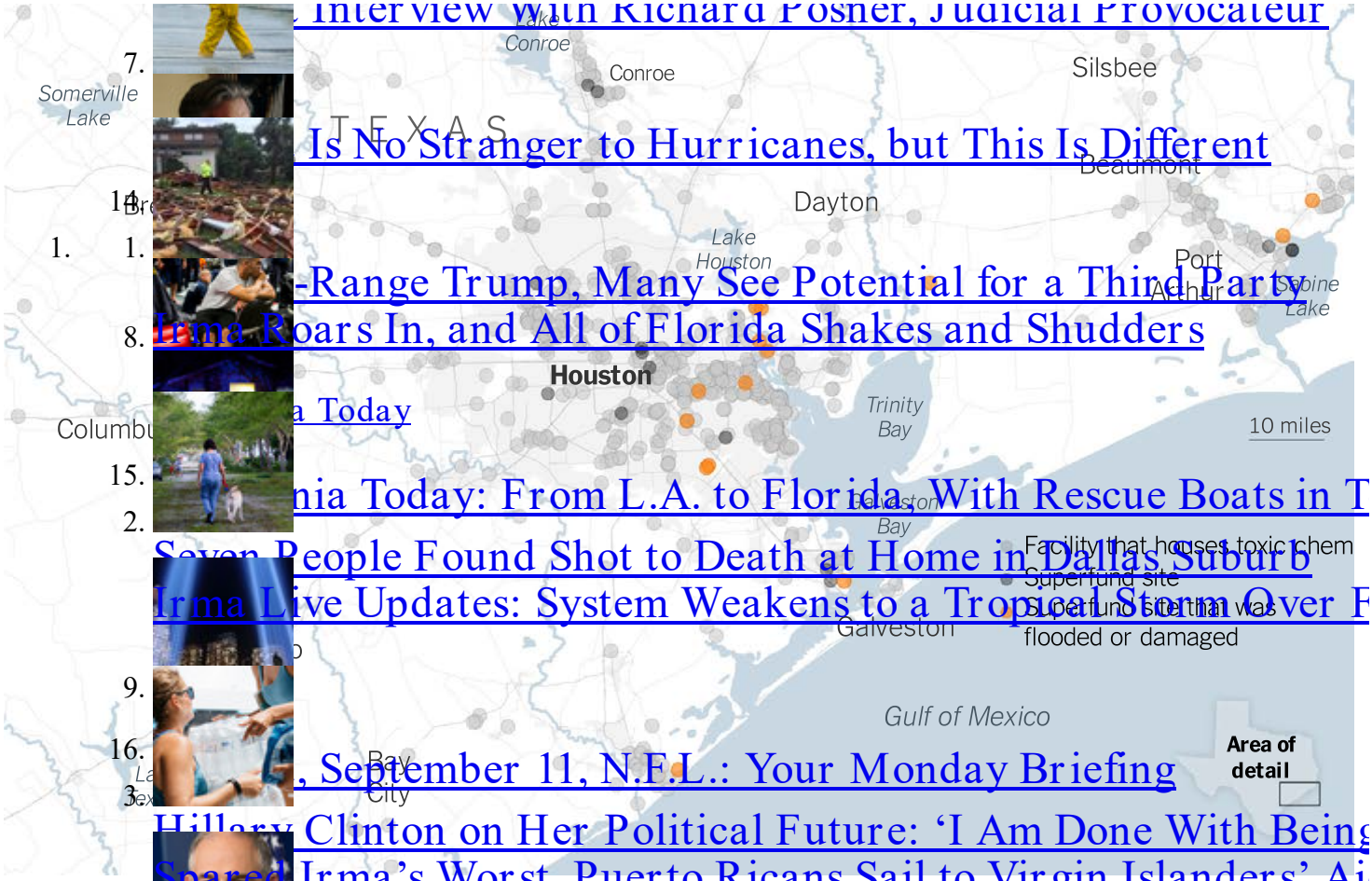

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10. uston's large petrochemical industry also makes floodwater
17. tamination a major concern. Harris County, home to Houston,
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11. as more than two dozen current and former toxic waste sites
designated under the federal Superfund program. At least 14 of
se sites — whose grounds are contaminated with dioxins, lead,
enic, benzene or other compounds from industrial activities —
e flooded or damaged by Hurricane Harvey.
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'E.P.A. said that it had assessed 13 Superfund sites and that two
uld require "additional assessment efforts."

sites pose serious health risks, said Luke Metzger, the founding
ector of Environment Texas, an environmental advocacy group.

ere's just dozens of varieties of chemicals, all of which are
ardous to human health," Mr. Metzger said. "Some of these sites
e just protected by a tarp covered with rocks," he said,
laining that that was inadequate for keeping toxic substances
tained.

th the floodwaters spreading these poisons to broader
nmunities," Mr. Metzger added, "there's fear that more people
ld get sick, either from direct exposure to the water, or even
wn the road from eating contaminated seafood."

Oil Spills and Other Hazardous Releases Were Also Reported

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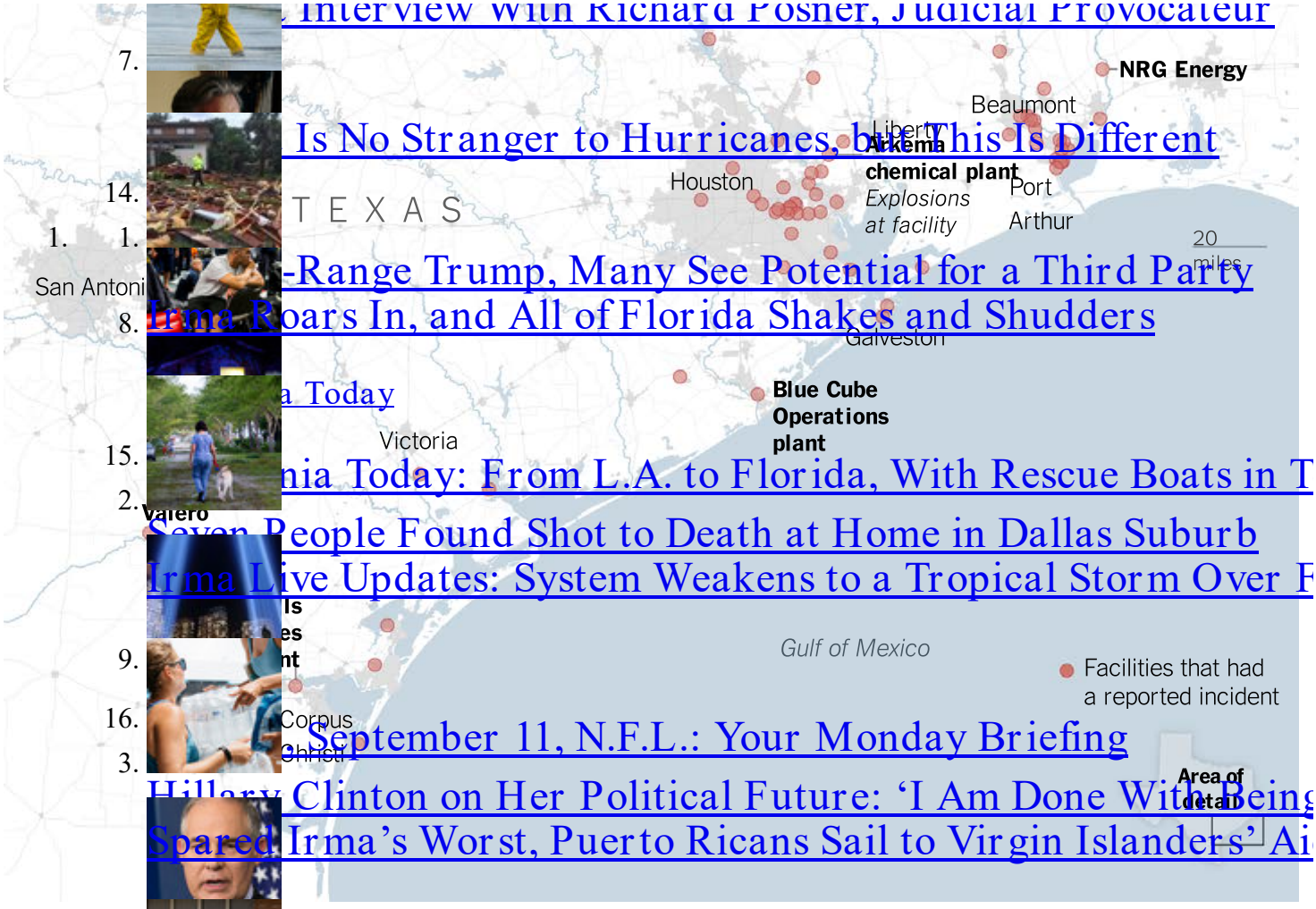

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United States Coast Guard's National Response Center tracks reports of oil spills and other chemical releases. Those reports can be filed both by companies and by members of the public. From Aug. 24 to Sept. 3, callers made 96 reports of oil, chemical or sewage spills across southeast Texas.

Although incomplete, such data provides a preliminary snapshot of the chemical pollutants released in the area said Jan Levin, the director of the Environmental Integrity Project, a nonprofit advocacy group.

"This is really just the tip of the iceberg," he said.

Sources: Toxic Release Inventory; Texas Commission on Environmental Quality; Environmental Defense Fund; National Response Center

Additional reporting by Livia Albeck-Ripka, Jeremy Bowers, Jugal Patel and Adam Pearce.

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HEALTH HURRICANE HARVEY SEP 10 2017, 12:13 PM ET

Mosquitoes, Medicine and Mold: Texas Battles Post-Harvey Health Issues

by MAGGIE FOX

SHARE

Dr. Carrie de Moor has a nasty cough, and she's not sure if it's allergies or one of the common respiratory infections that have been spreading since Hurricane Harvey hit southeast Texas late last month.

She's been sleeping in a trailer adjacent to her free-standing emergency room and urgent care clinic in Rockport, Texas, which was devastated by Harvey's winds and flood waters. The clinic had only been open for two weeks when Harvey hit.

Dr. Luke LeBas works on a patient at Code 3 ER and Urgent Care in Rockport, Texas. For-profit and free clinics alike across southeast Texas are struggling to cope with a deluge of patients after Harvey's floods devastated communities. Danado Saltarelli, RN / Courtesy Dr. Luke LeBas

De Moor is home in Dallas now for a few days with her children but will soon head back to the clinic, which is overwhelmed by people crowding in for stitches, tetanus shots, ear infections and skin rashes.

"We were seeing numbers outpacing anything we were prepared to take care of," said de Moor, an ER physician who is CEO of Code 3 ER and Urgent Care.

Physician volunteers have been cramming into the trailer and sleeping on the clinic floors as they tend to as many as 90 patients a day.

Related: Doctor Wades to Get to Cancer Patient

Lara Hamilton describes a similar scene at Christ Clinic in Katy, west of Houston.

"We typically see about 200 patients a week. In the first week we saw triple that," said Hamilton, a registered nurse who is executive director for the clinic. Volunteer doctors from as far afield as Vermont, Minnesota and Oregon have brought cots and are camped out in the clinic and at other nearby facilities, offering their services as needed.

"They're showering at the YMCA," Hamilton said.

No one single entity has authority over health matters in Texas, which has a history of turning away federal funding and oversight and which has a limited Medicaid program. County health authorities like the one in Harris County take care of issues like mosquitoes, clean water, inspecting restaurants and some vaccinations, but free and charity clinics like Christ Clinic and for-profit operations like Code 3 struggle in the best of times to fill in the gaps.

Now, post-Harvey, they are overwhelmed.

Zika mosquito 'heaven'

So far, there's no big epidemic to cope with. The Harris County Health Department had to squelch rumors that plague was being spread by flood waters. Plague is carried by fleas, not in water.

But there are plenty of other messes left behind by Hurricane Harvey's floodwaters.

They include masses of mosquitoes, respiratory infections and a dramatic worsening of the day-to-day ills that people could cope with in normal times, but that get out of control in a crisis.

"We are seeing people who have just been eaten up by mosquito bites," Hamilton said. "Typically, people won't go to the doctor for mosquito bites." But the combination of standing water, a lack of electricity and the need to work outside means a lot of exposure.

"People are working outside all day long, cleaning up their homes," said Hamilton. "The doors are standing open because they are carrying debris in and out."

Aerial spraying for mosquitoes started this week, said Chris Van Deusen, spokesman for the Texas Department of State Health Services. They're bringing in heavy ordnance for the job, including an Air Force reserve wing from Youngstown, Ohio flying specially equipped C-130 aircraft.

Expected to get worse

"As the floodwaters recede, mosquito numbers are going to start going up," said Dr. Peter Hotez, dean for the National School of Tropical Medicine at Houston's Baylor College of Medicine.

"There's just debris everywhere. It's like Aedes aegypti heaven."

Aedes aegypti are the mosquitoes that carry viruses such as dengue and Zika virus. Stagnating water in ditches, bayous and flooded fields will breed other mosquitoes that spread West Nile virus.

No one's sure how much worse things will get, but Dr. Umair Shah, who heads the Harris County health department, is sure it will get bad.

He says teams are trying to replace mosquito traps pulled out hurriedly ahead of Harvey's floods. "It's good we removed them," he said. They would have been washed away, but now it will take time to get back up and running to monitor where disease-causing mosquitoes are breeding.

'True post-traumatic stress'

Patients are also beginning to come in with more urgent problems as they run out of insulin or blood pressure medications, said Jody Hopkins, CEO of the Texas Association of Charitable Clinics.

"For some of our clinics who supply insulin, a lot of them lost it because they lost refrigeration," Hopkins said.

And people are starting to show up with depression, anxiety and post-traumatic stress disorder.

"I think mental health is going to be huge," Hopkins said. "A patient came and said, 'I worked at Dollar General and the store is wiped out. I am out of a job.' That has a huge impact," she said.

Hamilton said Christ Clinic has already seen a big uptick in visits from people needing help from the licensed clinical social workers and psychologists helping out at the facility.

Related: Federal Officials Get High Marks for Harvey Response

"Typically, a mental health provider will see eight to nine patients a day," she said. "We saw 32 mental health patients in one day this week."

Harris County's Shah said he was struck by the experience endured by an evacuee staying in a hotel. "Every time the air conditioning came on at the hotel, she heard the water dripping and she started having flashbacks to the rain and the rising water. That was true post-traumatic stress," Shah said.

It may sound trivial, but if a child loses a lovie, it can affect that child for years, Shah said.

"If you have a 5-year-old whose favorite toy has now been thrown out -- the conversation you have now, if done well, can promote mental health. If not done well, it can cause more psychological trauma," said Shah.

Authorities are cutting through red tape as quickly as they can. The state medical board is expediting licenses for out-of-state doctors to practice and schools have loosened immunization requirements.

"Last night a waiver came through for mold remediators," said the health department's Van Deusen.

As long as they register with the state health department, mold contractors can work without a license for as long as the disaster declaration is in effect.

MAGGIE FOX

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Volume 95 Issue 36 | p. 14
Issue Date: September 11, 2017

Texas flood shows need for chemical safety rule, advocates say

Activists point to fires at Arkema plant

By Jeff Johnson

Arkema's plant in Crosby, Texas, flooded and lost power in Tropical Storm Harvey.

Credit: Adrees Latif/REUTERS/Newscom

Industrial safety advocates and Texas residents say a flood-related fires and explosions at the Arkema chemical plant in Crosby, Texas, underscores the need for a worker and community safety regulation.

Issued by the Obama Administration **in January <http://cen.acs.org/articles/95/i1/EPA-issues-long-delayed-chemical.html>** and blocked by the Trump Environmental Protection

Agency **in March <http://cen.acs.org/articles/95/i12/EPA-chief-delays-industrial-chemical.html>** , that regulation would require chemical safety improvements at industrial plants.

If fully implemented, the new regulation would require greater public disclosure from companies that use large amounts of certain chemicals, notes Yvette Arellano, spokesperson with **TEJAS <http://tejasbarrios.org/>** , the Texas Environmental Justice Advocacy Services, a community-based nonprofit. The rule would also call for firms to conduct root-cause analysis after an accident, she adds.

When it postponed the regulation, EPA reopened discussions of what the final rule should require. This reexamination won't be complete until February 2019, EPA Administrator Scott Pruitt has said.

Pruitt attributed the delay to opposition to the rule from companies. Among them is Arkema, which **filed comments <https://www.regulations.gov/document?D=EPA-HQ-OEM-2015-0725-0526>** against the regulation. Several states, labor unions, and community groups **are challenging <http://www.documentcloud.org/documents/3987390-2017-09-01-ACS-Sci-Hub-Filings-Default-Judgment.html>** EPA's move in court. Chemical companies and some other states, on the other hand, are backing Pruitt.

Advocates say the rule, if implemented, would have a made a difference when Tropical Storm Harvey brought heavy rains that flooded the Crosby plant and killed backup electricity generators used to maintain refrigeration of some 225 metric tons of organic peroxides at the facility. The reactive peroxides decompose with heat, and at Arkema, they began to burn. Government officials arranged for the remaining stock of these chemicals to be set on fire.

If the regulation had been in place, says Gretchen Goldman of the Union of Concerned Scientists, the public and emergency responders would have had more information about Arkema's substances. Also, the rule would have required the company to investigate and possibly implement safer alternatives to its current chemicals and manufacturing approaches, she adds.

As required under the Clean Air Act, Arkema filed a risk management plan with EPA that identifies the potential effects of a chemical accident, lays out steps the facility is taking to prevent an accident, and spells out emergency response procedures should an accident occur. The plan is required for companies that handle certain extremely hazardous chemicals

and is to be updated every five years. Arkema did not consider the decomposition of the organic peroxides in its plan because these chemicals are not covered by risk management plans. The U.S. Chemical Safety & Hazard Investigation Board (CSB) since 2002 has recommended that EPA require companies to include peroxides and other reactive chemicals in risk management plans, but the agency has not done so.

CSB is investigating the Arkema accident.

At a Sept. 4 briefing, Rich Rowe, CEO of Arkema's North American operations, was reluctant to discuss what the company could have done differently to avoid the accident. He said Arkema will examine "the way we prepared and the decisions we made." He pledged to work with CSB.

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After 42 years, Arkansas has not carried out plan to protect state waters from degradation

Federal act's quality standards to protect rivers, lakes run aground in Arkansas

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By Emily Walkenhorst twitter

This article was published September 10, 2017 at 4:30 a.m.

PHOTO BY ARKANSAS DEMOCRAT-GAZETTE/RYAN MCGEENEY

Sarah Clem

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More than 40 years after the passage of the federal Clean Water Act, Arkansas remains one of only two states that hasn't carried out the provision that protects a state's most important waters from degrading.

Arkansas has not adopted an implementation plan for "anti-degradation," a major provision of the act's water quality standards that refers to the effort to stop rivers and lakes from deteriorating.

Deterioration can occur in many forms, such as when a body of water has too much dirt or when nutrients like phosphorus or nitrogen build up and form algae.

Anti-degradation is one of four parts for the water quality standards outlined in the act. The others are "designated uses," which requires states to appoint each water body a particular use, such as fishing or swimming; "water quality criteria," which requires states to adopt standards for substances in water bodies; and "general policies," which refers to policies a state can implement related to water quality.

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"This has been known for a long time that [anti-degradation] is an integral component, something they have to do," said Jessie Green, a former senior ecologist in the water quality planning section for the Arkansas Department of Environmental Quality and current director of White River Waterkeeper, an advocacy group that works to protect and preserve the White River and its tributaries.

"We definitely have not been trying to maintain the water quality that we have in the state," Green added.

Environmental advocates say the anti-degradation provision protects the nation's scenic waterways, but business representatives say implementation of the provision is unlikely to change much other than to require companies and utilities to pay more for engineering studies on cleaner waste technology and disposal methods when applying for discharge permits.

Cleaner alternative disposal may still allow for some degradation, they say, and water quality standards already protect a water body from degrading past the point of maintaining its designated use.

"I seriously question whether implementation of anti-degradation policy ... would have changed the outcome of very many permits," said Allan Gates, a Mitchell Williams attorney who has worked with utilities and businesses on water issues.

But in rare instances, Gates said, anti-degradation processes would create another point that opponents could use to argue against issuing a water discharge permit.

Only Arkansas and Nevada do not have plans to implement anti-degradation strategy for state waters, according to the U.S. Environmental Protection Agency. Arkansas has an anti-degradation policy outlined in its Regulation 2 water rules, but it has no accompanying plan to implement that policy. The Clean Water Act requires an implementation plan, and the EPA has asked the state for such a plan for years.

According to the act, once a state or tribe has determined what a particular water body's use should be -- such as a fishing or drinking source -- then the state or tribe is required to take action to prevent any degradation that might prevent the water body from being used for the stated purpose.

The anti-degradation provision of the act says states and tribes also determine the quality of a body of water by labeling it Tier 1, Tier 2 and Tier 3 (the highest). The higher quality the water, the more degradation needs to be considered in the permitting process.

Tier 3 waters, typically thought of as water bodies with exceptional recreational or ecological roles, aren't supposed to degrade at all.

Tier 2 waters are considered "high quality," with economic, public health or ecological value, according to the EPA. That means that when significant degradation is expected for such waters, water discharge permit applicants must offer an analysis of alternative discharge methods that would degrade the water body less or explain why economic or social conditions justify a more degrading discharge method.

Tier 1 waters need only to maintain their designated uses.

States and tribes must adopt anti-degradation policies, and the Clean Water Act further requires an implementation plan for those policies, according to an EPA spokesman.

Experts say an anti-degradation implementation plan would keep clean waters clean but would not improve dirty waters. Without it, clean waters can degrade, just not below the absolute minimum threshold required to maintain their designated uses.

The Arkansas Department of Environmental Quality is in charge of developing an implementation plan, which officials say they've been working on for years. More recently, the department formed an internal working group of water quality and technology staff members that has been meeting for "several months," said Caleb Osborne, a department deputy director who oversees the water office.

Sarah Clem, the department's water quality planning branch manager, said in November that the state evaluated each permit application for potential water degradation but that the department doesn't have an official policy in writing. The department calculates the expected discharge's effect and compares the results with the state's water quality standards and the EPA's health standards. That information is then used to determine permit limits that must be followed to protect a water body's designated use.

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The department doesn't fully categorize water bodies or require certain facilities' permit applications to evaluate the potential cost and discharge of alternative construction plans, Green said. That's important, conservationists say, because adding evaluations can enhance the transparency of the public permitting process.

Anti-degradation requirements also provide a safety net where water quality standards are inadequate, Green said.

An evaluation of the proposed permit and alternatives might have changed the terms of what the PECO Processing Plant in Randolph County was allowed to discharge into the Black River, Green said. Part of the Black River, a tributary of the White River, is considered impaired because of its low levels of dissolved oxygen, but the permit doesn't regulate all of the nutrients that could come from the plant and could reduce oxygen levels, Green said. Dissolved oxygen is critical for aquatic life.

There are a lot of good reasons for restricting a facility's discharge above what is absolutely required by water standards, said Albert Ettinger, an attorney who has worked with conservation groups across the country on Clean Water Act issues.

"One is we're not all that happy with our water quality standards," he said. "They're not that protective."

If implemented fully, Green said, anti-degradation would likely require the designation of tributaries of major rivers, such as tributaries of the Buffalo or White rivers, as "high quality waters," or Tier 2 waters.

OTHER STATES

Arkansas and Nevada are the only states without implementation plans 42 years after the Clean Water Act was first amended to include anti-degradation policy.

Implementation plans were explicitly required by a vote of Congress in 1987, but many states adopted plans only within the past decade. Further, environmental advocates argue that many states' plans are incomplete, protecting only some water bodies or implementing only some of the anti-degradation rules.

Missouri and Iowa have anti-degradation implementation plans, developed years ago after a lawsuit and the threat of a lawsuit. Environmental workers in those states believe the plans have kept clean waters pristine but are skeptical the plans have prevented pollution or would have prevented any facilities from getting permits.

Every permit is already intended to maintain a water body's designated use, said Adam Schnieders, water quality resources coordinator at the Iowa Department of Natural Resources.

"It's a minimization rather than prevention, if you will," said John Rustige, environmental engineer at the Missouri Department of Natural Resources. "A facility is going to go into a certain place, and anti-deg doesn't prevent that facility from being constructed. What that says is, 'Are you going to be able to do a better job or not?'"

In both states, permit applicants are required to evaluate alternatives to their proposals and select the cleanest options that are within a certain percentage of the cost of the original proposals. In Missouri, the permit applicant must use the cleaner alternative even if it costs up to 20 percent more.

About one-third of applicants end up selecting cleaner technologies in Missouri after the evaluation process, Rustige said. He estimated that engineering fees range from $5,000 to $10,000 for the extra evaluation.

"So we're preserving streams and lakes a little bit with this process," Rustige said. "On the other end, there is a bit of a cost to doing this."

But because a permit applicant isn't necessarily required to pick a technology that won't degrade at all, an anti-degradation plan is sort of a misnomer, according to Jim Malcolm, an engineer with FTN Associates.

"It doesn't stop degradation, but it doesn't let it occur willy-nilly, that's for dang sure," said Malcolm, who is one of seven representatives on the department's working group of industry experts.

STATUS IN ARKANSAS

In Arkansas, anti-degradation has been debated within the Department of Environmental Quality and outside it.

For years, the EPA has asked the department for clear language on how the state implements its anti-degradation policy, according to correspondence with the department obtained by the Arkansas Democrat-Gazette.

The state in 2013 submitted a draft Continuing Planning Process document for water policy that the EPA said was inadequate, in part because of the lack of an implementation plan for anti-degradation. The EPA also has listed the development of an anti-degradation implementation plan among its priorities for the state's use of federal funding in recent fiscal years.

A working group of utility and business groups for more than a year has provided input to the Department of Environmental Quality on the state's water regulations. Those regulations are reported to the EPA in the Continuing Planning Process document.

Green, now-retired department water division director Ellen Carpenter, and a representative of the Beaver Water District drinking water utility have asked to be a part of the group, but department officials have said the group is informal and that the regulations will be opened for broader public comment later in the year.

The group has not discussed addressing anti-degradation, department officials said, and the department will consult a yet-to-be-formed working group on anti-degradation. After that, the Continuing Planning Process will go out for stakeholder review, likely in early 2018, department officials said.

The Continuing Planning Process hasn't been updated since 2000, when it was updated to include an anti-degradation policy but not implementation of that policy.

Clem said in November that the state's Continuing Planning Process needs to include expanded information on anti-degradation. But she and Osborne disagree on whether the department is accounting for degradation in its permitting process.

"In the process of developing a permit, we're ensuring that the criteria are met in stream," Clem said.

Osborne said it is too early to speculate on what the biggest benefits of having an implementation plan are, but he expects that having one would enhance the transparency of the permitting process.

Allowing transparency is pivotal, Green said, because it would allow the public to have greater input on a proposed permit.

"That's a component that we don't have now."

Metro on 09/10/2017

Print Headline: After 42 years, state-waters plan unfinished

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information19 says... September 10, 2017 at 7:28 a.m.

Typical Arkansas mentality, you can't tell us what to do BUT we'll take your money. Thank God for Mississippi!

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Jfish says... September 10, 2017 at 8:18 a.m.

Hopefully the Sierra Club and other groups are reading this article. Pretty par for the course for Arkansas and protection of our streams. Most are not concerned about our streams and wetlands unless it directly impacts them. And we wonder why the Dead Zone in the Gulf continues to grow.

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TimberTopper says... September 10, 2017 at 10:17 a.m.

Where is Mike Masterson when he's needed? Mike jump on this one. It could be a lifetime working project for you.

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mrcharles says... September 10, 2017 at 10:50 a.m.

you reap.. what you elect here.
Red states rather have too dirty water than too clean water just cause that is the way they roll. A related comment the Pentagon is studying for military purposes effect of water shortage on global conflicts. Hopefully the right wing supports our military here & don't go all crazy thinking this is some left wing plot....but of course they will.

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LR1955 says... September 10, 2017 at 1:31 p.m.

Pig poop in the Buffalo, I know it doesn't meet the intent of this federal act. Every governor we've had for the last 42 years should go to the federal pokey for deriliction of duty!

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KnuckleBall says... September 10, 2017 at 7:14 p.m.

And this surprises who...???? Typical for the Arkansas Department of Environmental Quality....!!! Money talks and BS walks in the Great State of Arkansas and it doesn't matter who the Governor is.

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TuckerMax says... September 10, 2017 at 7:29 p.m.

We elected Republicans to stop all these regulations. Chicken and pig poop are far more important to the economy than mere clean drinking water and healthy citizens. Leslie Rutledge is thrilled to death that these pesky regulations that keep us healthy care stymied. Little Rock has about the best drinking water in North America. How? When will it end? Not much longer...

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PopulistMom says... September 10, 2017 at 8:56 p.m.

Big money in Arkansas is so for the polluters. The Kochs give big time to all the politicians--especially the Republicans. Everybody sides with the steel mills and the paper mills. Even Mike Beebe gives the Koch brothers a steel mill. Corruption everywhere. The ADG won't expose these people. Arkansas has the nastiest rivers outside of Louisiana. The Koch brothers are evil. They give to cancer charities, but their pollution is a major source of cancer.

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Little Rock says no one has applied to use money from federal environment program

By Emily Walkenhorst twitter

This article was published September 10, 2017 at 4:29 a.m.

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Anyone interested in a cleanup in Pulaski County?

The county has $815,000 in funds sitting around from the federal environmental program that helped developers revitalize downtown Little Rock's Main Street.

Since receiving the money last year, no one has applied to use it, said Josh Fout, the county's brownfields administrator.

The U.S. Environmental Protection Agency Brownfields Revolving Loan Fund distributes money to government agencies for the assessment or cleanup of properties that are complicated to develop because of the presence or potential presence of a hazardous substance, according to the EPA.

In the mid-2000s, more than $1 million in brownfields program money helped clean up several Main Street buildings, which allowed developers to build Main Street Lofts and K Lofts, major staples of the new Main Street.

Last year, the EPA announced $55.2 million in brownfields grants to 131 communities, with Pulaski County receiving the highest funding award of $820,000. Since then, the county has spent only $5,000 of that money on administrative costs for its brownfields program.

The EPA awarded the Western Arkansas Planning and Development District $400,000 at the same time as Pulaski County last summer. Those funds were to be used for assessments of properties for potential cleanups.

Community Development Director Tracee McKenna said the district has performed assessments at two buildings in downtown Fort Smith for possible use of the funding and plans to go out to sites in Ozark, Mulberry and Booneville.

When Pulaski County wrote for the brownfields grant, Fout said, officials had a few neighborhoods in mind that might be interested in using it.

But development has slowed in Arkansas because of changes to the state's historic tax credit laws, said Scott Reed, managing director of Portland, Ore., based Reed Realty Advisors. Reed's group developed Main Street Lofts, which it sold this year, and used brownfields funding to clean up the Hall and Davidson buildings on Capitol Avenue, which it also sold this year.

"It's a good program," Reed said. "It helps get a lot of buildings back in play."

Reed said he expects development in Arkansas to ramp up again soon, now that developers have had time to adjust to the tax credit changes.

"You should see the brownfields program get into swing again because of that tax credit," he said.

Projects are now limited to a single tax credit of $125,000 per eligible property in a two-year period, after previously being allowed to take multiple credits for one property.

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The idling of the brownfields funds isn't unique to Arkansas.

Last month, the EPA office of inspector general reported that about $10.9 million in brownfields funds were not being spent as intended.

In 10 of the 20 government agencies that received brownfields money reviewed by the inspector general, contaminated properties are not being cleaned up and redeveloped. In those locations, which didn't include Arkansas, government agencies cited poor market conditions, no identified projects and the use of previous brownfields money as reasons they had not spent their money.

The EPA agreed to an inspector general recommendation that future brownfields grants have deadlines for spending the money or returning it to the EPA. In many of those cases, the agencies had not spent money received as far back as 2010.

The EPA announced Pulaski County's funding in May 2016. Shortly thereafter, Fout said he visited events in various Little Rock neighborhoods, including the East Village area and the 12th Street corridor, and heard interest from people he spoke with.

About a year has passed, Fout said, and no one has applied to use the money. So Fout said he's planning a brownfields workshop to reach out further.

To be eligible for a brownfields grant or loan, a property owner must have conducted an environmental assessment of his property before taking ownership of it. Additionally, single-family homes are not eligible.

Outside of downtown Little Rock development, brownfields funds have cleaned up the former Smarthouse Way industrial property -- yet to be developed further -- in Argenta in North Little Rock and the site on which Our House built its Children's Center just off Roosevelt Road in Little Rock.

Fout said feedback has been positive when he's talked about the brownfields program with people, but acknowledged that giving the money out can be complicated by timing issues.

"It is a very useful tool to get projects redeveloped," he said, "but it's one of those things where the developer has to be interested in it."

Metro on 09/10/2017

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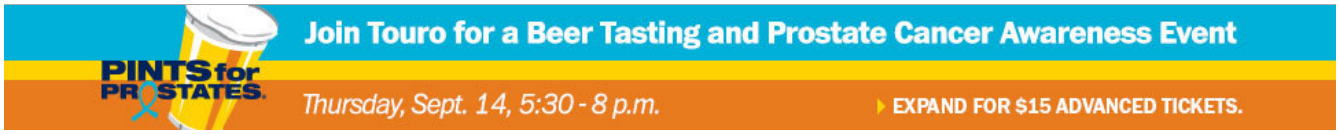

LOUISIANA ENVIRONMENT AND FLOOD CONTROL

Listen to veteran hurricane reporter tell how storm modeling has changed

1

Updated on September 8, 2017 at 3:41 PM
Posted on September 8, 2017 at 3:28 PM

Veteran hurricane reporter Mark Schleifstein. (Photo by David Grunfeld, NOLA.com | The Times-Picayune archive)

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By Sara Sneath
NOLA.com | The Times-Picayune

For 2017, the National Hurricane Center predicted more than the average number of tropical cyclones. So far, it's also had three of the strongest, Harvey, Irma and Jose.

One journalist who knows a lot about hurricanes is environment reporter Mark Schleifstein, who has covered tropical weather throughout his 33 years with The Times-Picayune and now NOLA.com. During that time, he has been teased by co-workers for his doomsday scenarios and been called Darth Schleffy.

Cartoonist Walt Handelsman pokes fun at The Times-Picayune | Nola.com reporter Mark Schleifstein. (Photo of cartoon by Mark Schleifstein)

On this week's coastal news roundup, WWNO coastal reporter Tegan Wendland and Schleifstein's colleague, Sara Sneath, talk with him about how hurricane modeling has changed and how this season compares to years past.

.....

Sara Sneath covers Louisiana coastal issues for NOLA.com | The Times Picayune. Reach her at ssneath@nola.com. Follow her on Twitter @SaraSneath.

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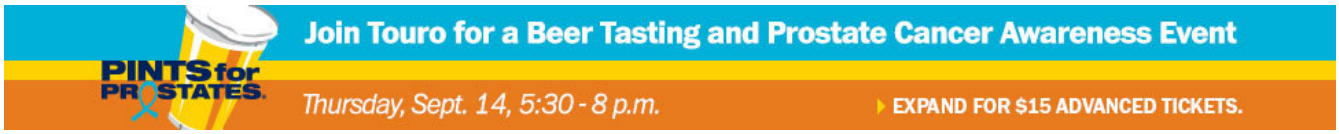

LOUISIANA ENVIRONMENT AND FLOOD CONTROL

Good for oil exploration, bad for whales: Seismic air guns at issue in Congress

1

Updated on September 9, 2017 at 3:48 PM
Posted on September 8, 2017 at 9:17 AM

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By Drew Broach, dbroach@nola.com,
NOLA.com | The Times-Picayune

Acoustic surveys for oil and gas deposits beneath the seabed are hailed as "the least intrusive way to explore the Earth's geology and its dynamic processes [that] impact human lives." So says the industry group that conducts the surveys. It offers this video to explain its work:

Environmental advocates see it another way. "Deafening seismic air gun blasts," as they describe the surveys, are a "blunt force weapon" that has been "disturbing, injuring and killing marine mammals and other wildlife around the clock." They offer this video to condemn it:

Now freshman U.S. Rep. Mike Johnson, R-Bossier City, has stepped into the breach, siding with the industry group to amend the 45-year-old Marine Mammal Protection Act and make it easier to obtain government permits for seismic surveys in the Gulf of Mexico and other federal waters. Johnson's proposal, which would be called the Streamlining Environmental Approvals Act of 2017, is pending in the House with seven co-sponsors, including every Louisiana representative except Cedric Richmond, D-New Orleans.

The bill, coming at a time when President Donald Trump is promoting offshore energy, seeks to recalibrate the balance between protecting the Earth's wildlife and, for oil and gas exploration, exploiting its crust for economic gain. The issue is particularly important in Louisiana, where the oil and gas industry is a huge presence and the waters of and near the Gulf of Mexico are considered a treasure by commercial and recreational fishing interests alike.

That Johnson would push the measure comes as little surprise. Although his west Louisiana 4th District bottoms out 50 miles short of the Gulf of Mexico, he's a member of the House Natural Resources Committee and its Subcommittee on Water, Power and Oceans. Oil and gas interests contributed $52,000 - more than any other industry -- to his first congressional campaign in 2016, and have given him $6,400 in the current election cycle, according to the Center for Responsive Politics.

He says regulations that evolved over the years to implement the Marine Mammal Protection Act interrupt U.S. Navy sonar operations, deter offshore oil and gas exploration and halt "many of the critical efforts aimed at protecting our coastline." In a statement upon introducing the legislation, he said: "My bill will remove government red tape keeping workers on our coast from moving forward with projects in a timely manner - freeing the market, creating jobs and boosting the economy."

Whether the law has indeed stymied Louisiana coastal protection, a grave issue in a state that is losing a football field of land every 100 minutes, is not so clear, however. Johnson's office, when asked to cite some examples, produced none. Nor did the Louisiana Coastal Restoration and Protection Authority, which is guiding a 50-year, $50 billion master plan to save the southern third of the state from disappearing into the sea.

"CPRA has been and continues to work with federal agencies, federal administration officials and the Louisiana congressional delegation to understand and resolve any issues with regard to the MMPA or other environmental laws and regulations that have the potential to delay, impair or foreclose CPRA's implementation of any and all restoration and protection projects," the agency said.

The Marine Mammal Protection Act that Johnson seeks to amend generally forbids one to "hunt, harass, capture or kill" dolphins, porpoises, whales, seals, sea lions and walruses. Exceptions are allowed for "incidental take," which is the unintentional but foreseeable effect of certain activities such as military sonar and training, oil and gas work and geophysical surveys for energy and science projects.

For that, however, the government requires a permit, called an "incidental harassment authorization." Seismic surveyors need one if they expect to harm mammals while doing their job.

The surveyors compare their methods to ultrasound examinations in the medical profession, in that both technologies use sound to produce images. Here's how seismic surveys work:

A ship tows an array of chambers, filled with compressed air, across the water. Bursts of high-pressure energy are periodically released from the array, sending waves of sound to penetrate the rock layers beneath the seabed. Bouncing back to the surface, the sound waves are detected by hydrophones hung from a series of cables being towed by the ship. The sounds waves are recorded and used to map the Earth's crust.

Far from ravaging the environment, advocates say, the process is a big improvement. "Today's advancements in seismic technology, which can pinpoint the most fruitful areas for hydrocarbon potential, have contributed to reducing the overall environmental footprint associated with oil and gas exploration," says a paper from the International Associate of Geophysical Contractors.

Johnson says his bill would:

- set a clear framework for harassment permits to be granted or denied;
- impose a 120-day deadline for permit officials to make a decision on an application and, if they miss it, automatically approve the application;
- allow some permits to be extended if there has been no substantial change in the marine mammal population; and
- eliminate duplication between the Marine Mammal Protection Act and the Endangered Species Act.

Rep. Mike Johnson

Organizations such as Oceana and the Center for Biological Diversity have long denounced seismic air gun blasting in general. The latter, citing a new environmental impact statement by the federal Bureau of Ocean Energy Management, says seismic surveys for oil and gas in the Gulf of Mexico will injure as many as 31.9 million marine mammals - including 80 percent of the sperm whales there.

"Seismic blasting harms everything in the water: Whales, fish, even the zooplankton that are the foundation of life at sea," said Michael Jasney, marine mammal protection director for the Natural Resources Defense Council, in a statement last month.

Oceana says dozens of towns, hundreds of public officials and the governors of New Jersey, Delaware, Maryland, Virginia, North Carolina and South Carolina have raised alarms about offshore drilling in general or seismic blasting in particular. During Barack Obama's administration, the federal government leaned away from oil and gas exploration, going so far as denying all pending applications for seismic blasting in the Atlantic Ocean on Jan. 6.

Since Trump succeeded Obama on Jan. 20, the government has a new view, one friendlier to oil and gas exploration. And Johnson, in Oceana's view, is on board with it. His bill, spokesman Dustin Cranor said, "would eviscerate core provisions of the Marine

Mammal Protection Act" and "gravely weaken the legal standards" for issuing harassment permits.

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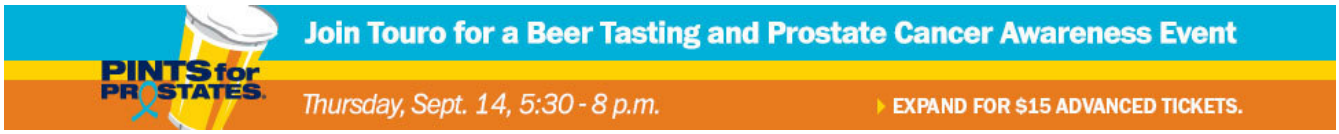

LOUISIANA ENVIRONMENT AND FLOOD CONTROL

Mexico hit by powerful earthquake: 'The house moved like chewing gum'

1 Posted on September 8, 2017 at 8:25 AM

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By The Associated Press

MEXICO CITY -- One of the most powerful earthquakes ever to strike Mexico has hit off its southern Pacific coast, killing at least 15 people, toppling houses and businesses and sending panicked people into the streets more than 650 miles away.

The U.S. Geological Survey said the earthquake hit off Chiapas state near the Guatemalan border with a magnitude of 8.1 -- slightly stronger than the magnitude 8 quake of 1985 that killed thousands and devastated large parts of Mexico City.

National civil defense chief Luis Felipe Puente told the Televisa network that at least 15 people had died, 10 of them in Oaxaca, also close to the epicenter.

Hundreds of buildings collapsed or were damage, power was cut at least briefly to more than 1.8 million people and authorities closed schools Friday in at least 11 states to check them for safety.

"The house moved like chewing gum and the light and internet went out momentarily," said Rodrigo Soberanes, who lives near the Chiapas state city of San Cristobal de las Casas.

The U.S. Geological Survey recorded at least 20 aftershocks of magnitude 4.0 or greater within about five hours after the main shake, and the president warned that a major aftershock as large as magnitude 7.2 could occur.

The USGS said the quake struck at 11:49 p.m. Thursday (12:49 a.m. EDT ; 0449 GMT Friday) and its epicenter was 102 miles (165 kilometers) west of Tapachula in Chiapas. It had a depth of 43.3 miles (69.7 kilometers).

The quake caused buildings to sway violently in Mexico's capital more than 650 miles (1,000 kilometers) away. As beds banged against walls, people still wearing pajamas fled into the streets, gathering in frightened groups.

Chiapas Gov. Manuel Velasco said that three people were killed in San Cristobal, including two women who died when a house and a wall collapsed. He called on people living near the coast to leave their houses as a protective measure.

"There is damage to hospitals that have lost energy," he said. "Homes, schools and hospitals have been damaged."

Tabasco Gov. Arturo Nunez said two children had died in his Gulf coast state. One of them was killed when a wall collapsed, and the other was a baby who died in a children's hospital that lost electricity, cutting off the infant's ventilator.

The Pacific Tsunami Warning Center said waves of one meter (3.3 feet) above the tide level were measured off Salina Cruz, Mexico. Smaller tsunami waves were observed on the coast or measured by ocean gauges in several other places. The center's forecast said Ecuador, El Salvador and Guatemala could see waves of a meter or less. No threat was posed to Hawaii and the western and South Pacific.

Mexican authorities said they were evacuating some residents of coastal Tonala and Puerto Madero because of the warning.

The quake hit as Mexican emergency agencies were bracing for another crisis on the other side of the country. The U.S. National Hurricane Center said Hurricane Katia was likely to strike the Gulf coast in the state of Veracruz early Saturday as a Category 2

storm that could bring life-threatening floods.

In neighboring Guatemala, President Jimmy Morales spoke on national television to call for calm while emergency crews checked for damage.

"We have reports of some damage and the death of one person, even though we still don't have details," Morales said. He said the unconfirmed death occurred in San Marcos state near the border with Mexico.

The quake occurred in a very seismically active region near the point of collision between three tectonic plates, the Cocos, the Caribbean and the North American.

Mexico's National Seismological Service said the area has seen at least six other quakes of magnitude 7.0 or greater since 1900 -- though three of those all occurred within a nerve-wracking nine-month span in 1902-1903.

The new quake matched the force of a magnitude 8.1 quake that hit the country on June 3, 1932, roughly 300 miles (500 kilometers) west of Mexico City.

A study by Mexico's National Seismological Service said that quake is believed to have killed about 400 people, causing severe damage around the port of Manzanillo. A powerful aftershock that hit 19 days later caused a tsunami that devastated 15 miles 25 kilometers of coastline, killing 75 people.

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Chemical Fire Burns At Flooded Arkema Plant In Crosby, Texas

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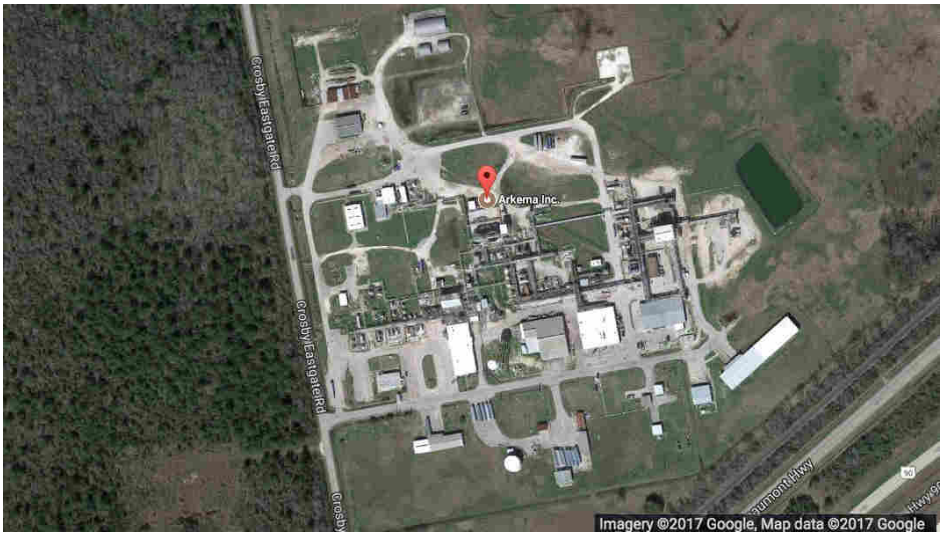
BY KLOPA ROBIN ON 11 SEPTEMBER 2017 NEWS



The Arkema plant in Crosby, Texas, is northeast of Houston. The company says it received reports of two explosions at the plant in the early hours of Thursday. Later, the county's emergency and safety officials insisted that nothing at the plant had exploded and that it was containers "popping."

Google Maps

hide caption

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Houston. The company says it received reports
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insisted that nothing at the plant had exploded a

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Updated at 10:40 p.m. ET

Fire broke out and containers of chemicals burst at the Arkema plant in Crosby, Texas, early Thursday, confirming fears that highly flammable organic peroxides produced at the plant could pose a threat after Hurricane Harvey knocked out safety systems.

The company had pulled its employees from the facility earlier this week out of concern for their safety, and warns that it expects more of the chemical storage containers to rupture as the materials degrade and burn. Residents within a 1.5-mile radius of Arkema were also ordered to flee.

Because of flooding from Harvey, the plant lost power — and the ability to safely store chemicals that, if not kept below a certain temperature, can explode and cause intense fires.

Explosions and Smoke Reported at our Arkema Inc. Crosby Plant https://t.co/j2K6RYwMZ8

Early Thursday, Arkema said two explosions were reported at the plant northeast of Houston, adding that the Harris County Emergency Operations Center informed the company that black smoke was rising from the plant.

But at a briefing hours later, the county's emergency and safety officials insisted that nothing at the plant had exploded.

Briefing on #Crosby #Arkama https://t.co/KciDWKBSgx

"It wasn't an explosion. I want to be very clear. It was not an explosion," Harris County Sheriff Ed Gonzalez said of the incident, which he said was a result of containers "basically popping."

As for the gas and smoke rising from the plant, Gonzalez said, "It is not anything toxic, it's not anything we feel is a danger to the community at all."

The sheriff's department says that 15 of its deputies went to the hospital after getting close to the Arkema plant, and that all of them have since been released. The agency has said the deputies inhaled a "non-toxic irritant."

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Gonzalez compared the fumes his deputies encountered to "standing over a barbecue pit or someth that."

Whether they're called pops, bangs or explosions, the incident centers on chemical containers in 18-wheeler boxes, said Bob Royall, assistant chief of the Harris County Fire Marshal's Office:

"What will happen with these containers that are inside these box vans is, they will pop. And they will heat up, and they will catch on fire. And as such, they will burn with intensity until the fuel is consumed — and then they will die down again."

Royall and Gonzalez refused to call the incident an explosion — a distinction that drew questions from reporters at a dawn briefing in Crosby.

Royall replied that he doesn't want people thinking of "a high-order explosion — something that would be devastating."

"We haven't had massive explosions, because that's not what we expect," he added later. In this case, Royall said, "We've heard these containers pop … basically, they had container over-pressure."

There are nine containers of this kind at the plant, Arkema executive Rich Rennard told reporters Thursday. One is currently burning.

"We fully expect that the other eight containers will do the same thing," he said. "Water is still in our facility and preventing us from accessing the facility, and we believe at this point that the safest thing to do is to allow the other eight containers, the product in those, to degrade and burn." An Environmental Protection Agency statement Thursday night also said the containers would be allowed to burn.

Rennard seemed to soften the company's initial statement by saying they did not believe the plant has seen a "massive explosion." But he said that could still happen: "These things can burn very quickly and very violently, and it would not be unusual for them to explode."

The Occupational Safety and Health Administration lists organic peroxides under two hazard categories: one for fire, and one for "exploding bomb."

"Explosions of peroxides have caused many fatal accidents," says the National Oceanic and Atmospheric Administration. In terms of toxicity, the agency says they are "often highly toxic and irritating to the skin, eyes, and mucous membranes."

Arkema says it had planned for the worst — but that Harvey's impact surpassed those plans, flooding the facility with 6 feet of water. The plant was shut down last Friday, before Harvey made landfall as a Category 4 hurricane.

NPR's Debbie Elliott reports from Beaumont, Texas:

"The plant lost power, and its emergency generators. That knocked out refrigeration that keeps the chemicals stable. They're extremely flammable and burn intensely. A chain reaction of explosions is likely, and Arkema warns an environmental release into floodwaters is possible.

"It's not safe to have anyone on site, so the plan is to let the fire burn out. People within a mile-and-half radius in Crosby were evacuated before the fire."

The company says it began warning officials of the safety risk at the plant days ago, after its contingency plans were defeated.

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Saying that the chemicals — which are used in producing plastics, resins and other materials — "co explode and cause a subsequent intense fire," the company added, "The high water and lack of power leave us with no way to prevent it."

Arkema says the plant "is in a rural area with no hospitals, schools, correctional facilities or recreational areas or industrial/commercial areas in the vicinity."

As NPR's Wade Goodwyn reports:

"According to the EPA, nearly 4,000 people live within a 3-mile radius. The chemical facility too is abandoned since the last 11 employees who had remained to try to keep the products from igniting were pulled out."

…

"Locating chemical and fertilizer plants next to residential areas is not all that uncommon in Texas. In 2013, the West Fertilizer Co. in the small town of West, just south of Dallas, exploded, killing 12 first responders and three others and injuring 160. Property damage to the surrounding neighborhoods was extensive. The Bureau of Alcohol, Tobacco, Firearms and Explosives eventually ruled that fire was deliberately set. The water poured onto the blaze by the volunteer firemen very likely facilitated the explosion, which blew up with the force of between 7.5 and 10 tons of TNT."

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THE LEADER IN ENERGY AND ENVIRONMENT NEWS

APPROPRIATIONS

House rejects deeper cuts for Interior, EPA

Kellie Lunney, E&E News reporter
Published: Friday, September 8, 2017

House Appropriations Chairman Rodney Frelinghuysen (R-N.J.) discusses fiscal 2018 spending plans this morning. C-SPAN

The House this morning rejected efforts to maintain Obama-era protections related to drilling, as well as a measure that called for a 1 percent across-the-board cut to programs in fiscal 2018 spending for the Interior Department and U.S. EPA.

Lawmakers have spent most of the week considering an eight-bill omnibus to fund numerous agencies (***E&E Daily***, Sept. 8). They will continue processing **amendments** related to the Interior-EPA section into next week.

This morning, the House voted 216-186 on an amendment from New Mexico Republican Rep. Steve Pearce to thwart implementation of an Obama-era rule restricting methane flaring from oil and gas drilling on federal lands.

The chamber rejected the following:

- An amendment from Rep. Salud Carbajal (D-Calif.) against drilling permits to allow fracking or acid well stimulation treatment in the Pacific outer continental shelf. It failed 177-230.
- An amendment from Rep. Marsha Blackburn (R-Tenn.) to slash the $31.4 billion in the Interior-EPA section of the omnibus by 1 percent across the board. It failed 156-248.
- An amendment from Rep. Gary Palmer (R-Ala.) to block money for EPA's criminal enforcement program. It failed 178-227.

Rep. Ken Calvert (R-Calif.), chairman of the Appropriations subcommittee with jurisdiction over EPA and Interior, opposed Blackburn's amendment, saying his bill already included tough choices and tradeoffs.

"We prioritize funding for fire suppression, [payment in lieu of taxes], national parks — maybe the most popular agency in the United States government — and meeting our legal and moral obligations in Indian Country," he said.

"Unfortunately, the process that the gentlewoman proposes — an across-the-board cut — would cut all those programs, including Indian health, national park programs and other programs, which already are taking significant cuts," Calvert said during debate last night.

Blackburn has offered similar amendments before.

Lawmakers adopted by voice vote an amendment from Republican Reps. Jason Smith of Missouri and Greg Gianforte of Montana that would restrict federal agencies from using funds to pay legal fees under lawsuit settlements pertaining to cases under the Clean Air Act, Clean Water Act and Endangered Species Act.

Brett Hartl, government affairs director at the Center for Biological Diversity, criticized the Smith-Gianforte amendment, saying it "aims to stack the deck in favor of polluters and other special interests, while undermining a fundamental American value — that everyone should get their day in court."

Amendments waiting for votes include:

- An amendment from Rep. Markwayne Mullin (R-Okla.) to prohibit funds from enforcing an Obama administration EPA rule related to regulating methane emissions.
- An amendment by Mullin and Rep. Scott Perry (R-Pa.) to prohibit funds from being used to measure the social cost of carbon.
- An amendment by Rep. Jared Polis (D-Colo.) to ban money from being used to close or consolidate any regional EPA office.
- A Polis amendment to block "extra-legal" ways to transfer public lands to private owners.
- An amendment from Rep. Ralph Norman (R-S.C.) to slash EPA's budget by $1.9 billion.

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THE LEADER IN ENERGY AND ENVIRONMENT NEWS

EPA

Employees' job satisfaction remains the same

Kevin Bogardus, E&E News reporter
Published: Friday, September 8, 2017

Gains in U.S. EPA employees' job satisfaction came to an end this year.

Donna Vizian, acting chief of the Office of Administration and Resources Management, told employees in an agencywide email obtained by E&E News that the job satisfaction score from an annual workers' survey this year didn't budge from its 2016 result.

"EPA's Global Satisfaction Index remained at 66 percent," Vizian said in the email sent Tuesday. She was referring to results from the 2017 Federal Employee Viewpoint Survey, which is administered by the Office of Personnel Management.

The survey's Global Satisfaction Index measures federal employees' satisfaction with their job, their pay and their agency, as well as their willingness to recommend their agency as a good place to work.

In 2016, EPA's global satisfaction score jumped 5 points from the prior year to earn 66 percent on the index (***Greenwire***, Sept. 20, 2016). The agency also improved in its 2015 score, climbing to 61 percent that year from 60 percent in 2014.

Federal employee morale has inched upward in recent years following a decline in government worker happiness that came with pay freezes and furloughs. Those gains in morale have stopped at EPA, at least for now, as the Trump administration has targeted the agency for downsizing with buyouts and budget cuts.

In her email, Vizian touted other results from the survey that showed EPA making improvements from last year.

"I'm pleased to share that overall our results show improvements over last year. Our Employee Engagement Index score increased 2 percent, from 67 to 69 percent this year, and our New Inclusion Quotient Index increased five percentage points (60 percent to 65 percent)," she said.

The Employee Engagement Index measures employees' sense of purpose and dedication to the job as well as their feelings about management, while the New Inclusion Quotient measures how inclusive an agency's work environment is.

Vizian said OPM will be releasing additional results from the survey throughout September and October. In addition, she told employees to expect to see EPA's official annual employee survey report in the next few weeks.

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EPA CONSIDERS ‘RED TEAM, BLUE TEAM’ CLIMATE SCIENCE EXAMINATION

SEPTEMBER 11, 2017
By Kenneth Artz

Environmental Protection Agency Administrator Scott Pruitt has floated the idea of using a “Red Team, Blue Team” exercise, a back-and-forth critique by government-recruited experts, to develop a better understanding of the state of climate science.

Environmental Protection Agency (EPA) Administrator Scott Pruitt has floated the idea of using a "Red Team, Blue Team" exercise, a back-and-forth critique by government-recruited experts, to develop a better understanding of the state of climate science through a fresh set of eyes.

Red team, blue team exercises were developed by the military to identify vulnerabilities in field operations.

In a statement discussing the proposed exercise, Pruitt said, "What the American people deserve, I think, is a true, legitimate, peer-reviewed, objective, transparent discussion about CO2 [carbon dioxide]."

Letting the Public Judge

William Happer, emeritus Eugene Higgens Professor of Physics and Cyrus Fogg Brackett Professor of Physics at Princeton University, says he strongly supports Pruitt's proposal for a red team, blue team exercise.

"For years the climate establishment, and their allies in the mass media, academia, and other segments of society, have promoted the idea increasing carbon dioxide levels from combustion of fossil fuels is an existential threat to humanity," Happer said. "They have vilified and silenced any scientists brave enough to challenge this highly dubious article of religious faith disguised as science, and they have cynically violated one the most ancient rules of deliberation: *audiatur et altera pars*, or, 'Let's hear the other side.'

"A competent review of climate science by adversarial red and blue teams will allow the public to judge for itself the truth about climate," said Happer. "As a lifelong educator, I hope such a review will also encourage much more science literacy so it will be harder to fool people in the future."

Interagency Effort

Myron Ebell, director of the Center for Energy and Environment at the Competitive Enterprise Institute, has several recommendations for the exercises, including who should implement the project and how it should operate.

"Hire Steve Koonin," said Ebell. "He has the right credentials to run this sort of thing. He's a very highly regarded physicist, he served in the Obama administration in the Department of Energy, and he's actually given some thought about how to do it.

"It should be an interagency effort, and it should really be directed by the Office of Science and Technology Policy or National Oceanic and Atmospheric Administration," Ebell said.

Ebell says the exercise should include a formal written assessment reflecting the full range of views on the state of climate knowledge, and a public, oral exchange over areas of dispute.

"For example, the Draft National Climate Assessment could be used to represent the blue team, and a committee of critics of the assessment could be put together as the red team, and they could write a comprehensive critique of the document and then share it with the blue team, letting them respond, going back and forth a couple of times," Ebell said. "Once the written critiques are finished, where there are areas of major disagreement, we could have an oral back-and-forth with experts in the specific field under dispute."

Corrupted Science

Ebell says government has increasingly been corrupting science where it intersects with public policy issues, including questions about climate science and policy.

"The fact the federal government funds so much of the scientific research in this country means it becomes very tempting for scientists' conclusions to fit in with the public policy goals of the federal government," said Ebell. "It seems to me the main problem with climate science is we have a group of scientists claiming to speak for the consensus. They're a small group, and whenever challenged, they hide behind that consensus and the authority, or part of it, like the National Academy of Sciences.

"The problem is this minority of so-called consensus scientists is asking the American people to accept policies that would cost them hundreds of billions, if not trillions, of dollars over time, on the basis of untrustworthy scientific claims," Ebell said. "Many of the scientific studies which have been published and pass peer review don't hold up after they are examined over a period of time by other scientists."

'Trust but Verify'

Ebell says climate science should be held to traditional standards, and under President Donald Trump it may be.

"I think with regard to scientific claims used to push public policy, it needs to be based on something Ronald Reagan said at the time of arms control: 'Trust but verify,'" Ebell said. "What alarmist scientists are very hostile to is anything that would [or would not] verify their claims, and I think the red team exercise is one way to verify whether the consensus is correct or not.

"If the Trump administration can get a grip on the federal government, hopefully it will be able to change the direction of climate research by making it clear policies will only be based on verifiable science," said Ebell.

Patrick J. Michaels, director of the Center for the Study of Science at the Cato Institute, says if the effort is to be taken seriously, the red team can't be stacked with people who say the climate isn't changing or humans cannot affect the climate at all.

"It is a good idea if the red team takes a 'lukewarm' position," said Michaels. "If, on the other hand, it argues there is no such thing as climate change or an enhanced greenhouse effect, it will be laughed off the podium."

Kenneth Artz ***(kartz@heartland.org)*** *writes from Dallas, Texas.*

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