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Waxman wants BHP gas investigation

By Charles Levin, clevin@VenturaCountyStar.com
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Rep. Henry Waxman is expanding his investigation into whether a political appointee intervened with the issuing of an air quality permit for a proposed floating liquefied natural gas terminal off Ventura County's coast.



Waxman

In a letter dated Friday, Waxman asks Australian mining firm BHP Billiton to provide Congress with any correspondence between the company and the White House about the proposed Cabrillo Port terminal.

Waxman, a Democrat whose 30th District includes Westlake Village and Agoura Hills, asked in a separate letter to the federal Environmental Protection Agency for more documents about the permit.

Waxman further requested that five employees in the EPA's San Francisco Region 9 office be interviewed by staff members of the House Committee on Oversight and Government Reform, a committee he chairs.

Region 9 officials had determined the terminal must operate under Ventura County's coastal air quality regulations. But the agency later reversed that position, allowing BHP to adhere to less stringent standards in the Channel Islands.

Waxman opened an investigation three weeks ago when he accused the environmental agency of stonewalling the committee's requests for more documents on the matter. He asserted then that an EPA official opposed the reversal, but a "senior EPA political official intervened in the permit decision."

The agency has apparently complied with the request for more information. Newer documents reviewed by the committee since then indicate the agency reversed its

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position on June 29, 2005, after Jeff Holmstead, assistant administrator for air and radiation, intervened, according to Waxman's letter, dated Friday, to EPA administrator Stephen Johnson.

Holmstead may have acted "after consultation with the White House," Waxman wrote.

Pulling out documents

In the letter to BHP, directed to Chief Executive Officer Charles Goodyear, Waxman asked for any communications between the company and White House or EPA regarding Cabrillo Port. Waxman set an April 13 deadline for the documents.

Waxman asked the EPA for e-mails, e-mail attachments, handwritten notes "that appear to have been taken during a telephone conversation with Jeff Holmstead" and a document of "talking points" about the proposal. Dates of the documents range from April 18, 2005, to Sept. 5, 2006.

Waxman asked for the EPA documents by Wednesday.

"If we are going to succeed in protecting public health and the environment, we need to be assured that the Environmental Protection Agency is making decisions based upon the law and the merits," Waxman said in a prepared statement Friday.

"Unfortunately, the reversal of EPA's approach to permitting the BHP Billiton facility raises concerns about how EPA has been making decisions under the current administration."

Susan Jordan, director of the California Coastal Protection Network, said Friday that she was gratified to learn of Waxman's expanded investigation.

"If this facility is constructed, it would instantly rank as one of Ventura County's major contributors to smog pollution," Jordan said.

Waxman's investigation is "further evidence that EPA's reversal was motivated by politics, not science," Jordan added.

Decline to comment

BHP spokeswoman Kathi Hann said the company would comply with Waxman's request. She declined further comment.

Kristen Hellmer, communications director for the White House Council on Environmental Quality, also declined comment and referred questions to the EPA. Hellmer said Friday that she had received a copy of the letter sent to Johnson, not the one to BHP.

"As far as I know there has been no request made of the White House," Hellmer said.

Jessica Emond, a deputy press secretary with the EPA's Washington, D.C., office, also declined comment on Waxman's letters.

"We're reviewing his request, and we'll respond in a timely manner," Emond said.

Cabrillo Port would sit 13.8 miles off the Oxnard coast and accept supercooled natural gas. The gas would be reheated on the terminal, piped ashore to Reliant's Ormond Beach energy plant and then carried via underground pipeline to a facility in Somis.

Critics say the project poses safety and security risks and threatens air quality and marine life. BHP has countered that the facility would be safe, improve air quality and provide needed energy.

Waxman's letters come as a final round of hearings begins next week to consider the proposal. The U.S. Coast Guard and Federal Maritime Administration will hold the first of those hearings at 5 p.m. Wednesday at the Oxnard Performing Arts Center, 800 Hobson Way.

The State Lands Commission and California Coastal Commission will conduct hearings the following week.

Gov. Arnold Schwarzenegger has final say on the proposal. Schwarzenegger has indicated support for an LNG facility but has yet



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