



# AICHE Orange County

NEWSLETTER OF THE ORANGE COUNTY SECTION, AMERICAN INSTITUTE OF CHEMICAL ENGINEERS

No. 101

<http://www.aiche-orangecounty.org>

July, 2002

## JULY DINNER MEETING

### More Effective and Profitable Environmental Consulting Through Awareness of Legal Issues

**Dan Miller,**  
Voss, Cook & Thel, LLP

**Tuesday, July 23, 2002**  
**5:30 to 8:30 PM**

Layers upon layers of legal goals can make many environmental matters challenging, frustrating, exciting, and dangerous for consultants and their clients. By understanding some of the most prevalent legal goals, a consultant can help its clients obtain the end results they seek. Also, by having a general knowledge of legal goals, a consultant can issue spot for its clients and potentially protect them from known legal pitfalls. As well as in laying the groundwork for their legal positions. Legal goals range from simply trying to abide by the directives of a lead agency or attempting to recover some portion of cleanup costs from another PRP to grappling with a sudden-and-accidental policy exclusion in a fight with an insurance carrier to pick up a portion of the response costs. This presentation will talk about these legal goals, and others, and will discuss how a consultant can use those goals to provide better, and often more, services to its clients. This presentation will also talk about the common consultant practices such as field notes, report writing, and analytical testing and discuss some of the implications.

Mr. Miller is an associate of Voss, Cook & Thel, a Newport Beach law firm, with the majority of his practice area involving environmental law. Previously, he was a litigation associate with Sempra Energy in San Diego. Mr. Miller received a Juris Doctorate in Environmental Law from the Vermont Law School. His clients include corporations, trusts, individuals, environmental consultants/contractors, and governmental agencies.

**Before Dinner** Roger York, a senior in ChE at CSULB will discuss experiments on electron tunneling through two-component self-assembled-monolayers (SAMs) of alkanethiols.

### Meeting Schedule:

5:30 p.m.	Social Hour
6:30 p.m.	Dinner
7:20 p.m.	Break
7:30 p.m.	After-Dinner Program

**Place: Wyndham Garden Hotel, Costa Mesa**

**Directions:** From Interstate 405, go north on Bristol Ave., right on Anton, left on Avenue of the Arts. The Wyndham is on the right at 3350 Avenue of the Arts, Costa Mesa.

**Reservations: Please make a reservation at (949) 261-2622 by voice by Friday, July 19. Or, you may email your reservation to [janice.west@ps.ge.com](mailto:janice.west@ps.ge.com).** Please specify your preference for either the main menu or the vegetarian menu when making your reservation.

**Cost:** Members, **\$20** with a reservation, **\$25** at the door; Non-Members, **\$25** with reservation, **\$30** at the door; Students/Unemployed/Retired, **\$15** with reservation, and **\$20** at the door.

## 2002 Orange County AICHE Officers

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## Southern California AIChE Meetings

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The Southern California Section has a dinner meeting in LA County on the third Tuesday of the month at the Quiet Cannon Restaurant in Montebello. See their website at [http://www.geocities.com/aiche\\_sc](http://www.geocities.com/aiche_sc).

- July 20(Saturday) –“Combined with AIAA/SFV Mini Symposium” – (Rocketdyne in Canoga Park)

### Legal Corner

by Peter Hsiao and Siegmund Shyu,  
Morrison & Foerster, LLP

#### EPA Finally Releases New Source Review Reform Proposals

On June 13, 2002, concluding a “90-day review” begun on May 22, 2001, the EPA released a series of proposals to reform the New Source Review (“NSR”) program under the Clean Air Act. The NSR program requires new and modified air pollution sources to adhere to strict technologies limits to control pollution. The Bush Administration’s National Energy Policy had called for the “90-day review” of NSR, in response to criticisms of the program from the utility and other industries. Earlier this year, the Department of Justice had concluded that the government’s NSR enforcement suits against certain utilities, originally brought by the Clinton Administration, could continue. The NSR reforms propose to create a simplified process for pollution control projects, allow facilities to have plant-wide pollution limits rather than by source, calculate emission increases by actual rather than potential emission increases, and clarify NSR exemptions relating to maintenance and repair. Should these proposals actually be implemented, one can expect vehement opposition and lawsuits from environmentalists and other similarly-minded groups.

#### Oil Refineries Pay \$1 Million For Illegal Waste Allegations

On May 22, oil refinery companies CENCO Refinery and Powerine agreed to pay the state of California \$1 million to settle illegal waste storage allegations at an oil refinery in Sante Fe Springs (California v. CENCO Refining Co., No. BC 230158 (California Superior Court)). CENCO Refinery is a subsidiary of CENCO, Inc., a company formed by the Pat Robertson Charitable Trust. It had purchased Powerine’s facility and all of its liabilities in 1998, with plans to rebuild and reopen the facility. However, CENCO Refinery abandoned plans in late 2001, amidst vehement opposition from environmental and citizen groups. The state had brought suit in May 2000, after it conducted an inspection in response to citizen complaints. At the inspection, it found that wastes consisting of tainted water and oil were being illegally stored.

#### Something Completely Different

Officials at the Group of Eight summit in Alberta, Canada, have attempted to showcase it as a “green event,” hosting it in a secluded mountain resort and handing out information kits using only natural fibers and vegetable-based inks. However, the best laid plans often go awry. According to Reuters, on June 28, security officials at the summit confirmed that a wildlife officer accidentally killed a bear that had wandered inside a security zone. Said Italian Prime Minister Silvio Berlusconi, “The bear didn’t want to leave the protected zone. They fired a tranquilizer dart at it. Unfortunately, instead of hitting a muscle, because of an abrupt movement, they hit its heart, and the bear died.” Canadian government officials did not have any immediate comment.

*Legal Corner reports on recent news, and is not intended to be legal advice. The reader should consult an attorney about the specific facts before acting upon this information.*

### Member in the News

Milt Beychock’s letter to the Editor was published in the June issue of Chemical Engineering Progress. He clarified some points about the applicability of different atmospheric stability conditions for modeling air dispersion.

### KEEPUS by Bob Katin

For the latest information on this dynamic topic, please check the website:

<http://www.aiche-norcal.org/Government/keepus>

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### New Local Member Service

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As a service to local members and their potential clients, we have added a consultants page to the OC AIChE web site [www.aiche-orangecounty.org](http://www.aiche-orangecounty.org). Look there to see who can give advice worth paying for. To add your information to the web page, contact Cheryl Zheng, webmaster.

### Professional Engineering Employment Update

**Job Seeking Members** can now receive a list of web sites of area companies that sometimes hire chemical engineers. Special thanks to Ron Ambrosini, Alexandre Dokoutchaev, Edgar Lara, and Dung Phan, who volunteered to help with this list. Contact the Newsletter Editor to receive this list by e-mail as an Excel file.

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## Job Opportunities

**Cal State University, Long Beach** is seeking part-time lecturers for Fall '02 and Spring '03. Requirements: Ph.D. in Chemical Engineering or Master's degree in Chemical Engineering with industrial experience. Ability to teach chemical engineering courses (material and energy balances, fluid flow, heat and mass transfer, separation processes, thermodynamics, chemical reactor kinetics, unit operations laboratory, process control, process design, pollution prevention, etc.). Ability to communicate effectively with an ethnically and culturally diverse campus community. Subject to budgetary constraints. For full information, visit the OC AIChE web site, [www.aiche-orangecounty.org](http://www.aiche-orangecounty.org)

① If you have an employment opportunity in Southern California for a chemical engineer, the newsletter will advertise it for free.

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**DATED MATERIAL**

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