



AICHE Orange County

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

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

APRIL 2003

APRIL DINNER MEETING

On the Home Front, Dealing with Chemical Spills and Weapons of Mass Destruction

Kirk Summer

Tuesday, APRIL 29, 2003

5:30 PM

The Orange County Fire Authority (OCFA) recently received a grant from the Federal Emergency Management Agency (FEMA) to increase the capability of California Urban Search and Rescue Task Force Five (CATF-5) to operate within the Weapons of Mass Destruction environment set forth by FEMA. The Orange County Fire Authority is a joint powers authority that serves as the all-risk emergency response agency for 1.3 million Orange County residents in 22 cities and the unincorporated areas of the county.

Kirk Summer is a Battalion Chief with the Orange County Fire Authority. He will tell us how Orange County deals with chemical spills and prepares to deal with terrorists armed with chemical and biological weapons. He will also discuss how chemical engineers can work more effectively with the OCFA to help promote safety, protect property and protect the environment.

Chief Summer is a twenty-nine year veteran of the Fire Service. He has served as an engine and truck captain, paramedic, training officer and Public Information Officer, before being promoted to Battalion Chief. Chief Summer's current duties include managing the County's Hazardous Materials Response Team and developing plans for dealing with Weapons of Mass Destruction (WMD) incidents. His education includes a Bachelor of Vocational Education from CSULB and is currently working on an MS in Emergency Services Management.

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, APRIL 25, 2003. Or, you may email your reservation to 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.

Orange County and LA Chapters Joint Meeting – Students Night

On May 28 (Wednesday) at the Petroleum Club in Long Beach, there will be a joint meeting with the L.A. Chapter. This meeting will be our annual Students Night, and we will be hosting students from the local Universities. OC AICHE Program Chair Dominic Meo, III, PE, will be talking about how to make the transition from school to work, and someone from the L.A. Chapter will be talking about what it is like to work in industry.

Southern California AICHE Meetings

The section for the LA area normally meets every 3rd Tuesday at the Quiet Cannon in Montebello. For reservations call (800) 274-3847. Visit their web site for the latest information www.geocities.com/aiche_sc

CALL FOR PAPERS

Presenters wanted for dinner topics and poster sessions for a special technical series tentatively scheduled for this summer. Warm-up for a national meeting, or just present your Senior Project. Please contact the Program Chair with your topic.



The following are excerpts from a report by Bob Katin, PE who is chairing AIChE's KeepUS lobby group:

In a February 8, 2003 meeting of the California Legislative Council of Professional Engineers (CLCPE), all engineering society members unanimously approved a motion. CLCPE has received and reviewed the November 2002, independent consultant's evaluation of the State Engineer's Act (ISR Study Report); feel it is factual and thorough; and substantially agree with its recommendations. The executive summary is posted on the Internet http://www.dca.ca.gov/engineering_title_act.htm. I encourage you to read it.

We have reached our goal of collecting \$20,000 to support lobbying that will be required to pass legislation to promote the standing of ChEs. Before the hearings start, our goal is to increase our political clout by increasing the number of ChEs we can claim we represent to the legislature. If you know the names of any fellow ChEs, please send me an e-mail with their name and e-mail address.

Background information is posted on the NorCal AIChE website <http://www.aiche-norcal.org/> and from the home page select the tab on the top left corner for ADVOCACY.

Legal Corner

**Due Process Challenge To
Superfund Unilateral
Administrative Cleanup Orders
Rejected**

Peter Hsiao and Siegmund Shyu, Morrison & Foerster LLP

On March 31, a federal district court judge in the District of Columbia rejected a due process challenge to EPA's power to make unilateral administrative orders to clean up hazardous waste sites. (General Electric Co. v. Whitman, No. 00-2855 (District Court for the District of Columbia)). The case involved General Electric (GE) and its past dumping of 1.3 billion pounds of toxic polychlorinated biphenyls (PCB) into New York's

Hudson River. The EPA had ordered GE to undertake a \$500 million cleanup, using a Superfund device called a Section 106 unilateral cleanup order. The unilateral cleanup order allows EPA to make judicially-enforceable orders without going to court itself, and the aggrieved party would not be able to challenge the cleanup order in court until the cleanup is completed. GE brought an action in court challenging this process as against the due process clause of the Constitution. The District Court judge rejected this argument, stating that "Congress made a deliberate and reasoned choice to require judicial review, even of constitutional challenges, to await the completion of remediation or EPA enforcement action." GE stated that it was still reviewing the decision to decide whether to appeal.

FTC Issues Administrative Complaint Against Unocal For Misleading Regulators

On March 4, the FTC issued an administrative complaint against Union Oil Company of California (Unocal) alleging that the company misled California regulators and the public during 1990 and 1994 rulemaking for cleaner-burning gasoline. (In re Union Oil Co. of Cal., FTC, No. 9305). The complaint alleged that during the rulemaking, Unocal disavowed any proprietary interests on patents for the Phase II CARB Reformulated Gasoline formula, while in actuality it had pending patent claims on the formula that it intended to assert in the future. FTC stated in public comments that Unocal's deception would ultimately cost California consumers more than \$500 million a year in higher gas prices, or roughly an extra 5 cents a gallon for gasoline in the summertime. Said the FTC, the "purpose of the [FTC's case] is to prevent this harm from being visited on the consumers of California." The California Attorney General supported the FTC's complaint, stating, "Unocal subverted our regulatory process to line their own pockets." A Unocal spokesperson denied that charges, saying that "[h]ard evidence and case law will again vindicate" the company, while noting that other lawsuits to invalidate Unocal's patents have failed.



Something Completely Different

Sin City has decided to take some steps to curb its astronomically high water usage. According to the Associated Press, faced with impending water shortages, Las Vegas officials are implementing more aggressive measures to conserve water. As a first step, Las Vegas golf courses will have to do without some of its lush green grass fairways, and either let them brown or replace them with crushed rock. Golf course resorts say they are being unfairly targeted, noting that homeowners use 65% of the area's water, and that golf courses use only 5%. (Hotel and casinos apparently use 8% of the area's water, and most of the water -- including those in the famous fountains on the Strip -- is recycled.) Local officials were unsympathetic to the golf course resort's plight, noting that homeowners will be forbidden from watering outside from noon until 7 p.m. during the summer. Officials will also offer rebates to the golf course resorts to convert the grass into rocks or other non-water intensive material.

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.

Do We Have Your E-Mail Address?

Newsletter delivery by e-mail has proven to be more reliable and expedient than the postal version. If you would like to receive the e-mail version, especially if you only want the e-mail version, please contact the editor at Kris_Ip@edwards.com. Postage presently consumes a significant portion of our budget and volunteer time.

Newsletter Contributors Wanted

The newsletter editor would like to hear from you if you have one or more brief articles to contribute, especially a review or brief discussion of a good website, technical book, etc.

Professional Engineering Employment Update

Job Seeking Members can receive a list of web sites of area companies that sometimes hire ChEs. Contact the Senior Member Everett Knell at EWKnell@aol.com to receive this list by e-mail.

Job Opportunities

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

2003 Orange County AIChE Officers

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