



Our Children's Earth Foundation | 100 First Street, Suite 100-367, San Francisco, CA 94105

NEWS RELEASE

Date: September 29, 2003

L.A. CLEAN-AIR AGENCY SUED OVER POLLUTION TRADING PROGRAM

Associated Press; Los Angeles, CA --- Two environmental groups sued the Los Angeles region clean-air agency on Monday, claiming it mismanaged a pollution trading program aimed at capping smog-forming emissions.

The suit alleges the South Coast Air Quality Management District violated the federal Clean Air Act by allowing refineries, factories and other facilities to release excessive amounts of smog-forming emissions under the regional clean air incentive market, or "Reclaim," program.

"The Reclaim program is not working and smog is getting worse," said Scott Kuhn, legal director for Communities for a Better Environment, which filed the suit with Our Children's Earth.

The agency disputed the claims outlined in the suit and questioned the accounting methods used by the two groups.

"We think they are trying to use this to discredit the program," said Barbara Baird, district counsel for the Air Quality Management District.

Under the decade-old Reclaim program, major polluters in the region, the nation's smoggiest, are allocated a steadily declining number of pollution credits. Polluters can buy and sell those credits, providing a financial incentive for them to cut emissions. The agency made it difficult for outside parties to determine if facilities are in compliance, the suit further alleges.

Baird said the data were available in a timely manner, although not always in a format that's to the liking of the environmental groups. "It's probably not as convenient as they would like, but it is available," Baird said.

###