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NEWS RELEASE

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Request for Cancer Warnings on School Buses Spells Trouble for Laidlaw

San Francisco, May 15th — Three environmental groups are asking a San Francisco court to require the nation's largest school bus contractor to place warning signs about diesel exhaust on school buses throughout California. The signs would warn children and parents about the cancer risks diesel exhaust creates when it enters the buses from the engines and exhaust train.

The groups – Environmental Law Foundation (ELF), Communities for a Better Environment (CBE) and Our Children's Earth Foundation (OCE) – filed for an injunction asking the court to order warnings before the next school year.

The request is part of a lawsuit brought by the three groups in 2006 against Laidlaw Transit Inc., in San Francisco, under California's Proposition 65, which requires warnings about cancer risks before people are exposed to a list of chemicals "known to the state to cause cancer." California placed diesel engine exhaust on the list in 1990.

Papers filed with the motion, however, suggest that Laidlaw's San Francisco division has far more to worry about than placing cancer warnings on buses.

In sworn declarations two former Laidlaw mechanics testify that in 2006 Laidlaw prepared and submitted diesel exhausts tests that were completely fabricated. The diesel exhaust tests, known as "opacity tests," measure exhaust from tailpipes on diesel vehicles, and

are required every year. They are similar to smog tests required for passenger vehicles. One of the mechanics who came forward testified that falsifying the opacity tests was routine and done either by express orders of Laidlaw management, or with its consent. They testified that rather than perform the 2006 tests on the buses' exhaust pipes, hundreds of the tests were performed on a piece of plastic at the shop workbench. They claim that Laidlaw routinely ordered mechanics to make buses pass opacity tests by manually manipulating the measuring device so that it would give false recordings.

The allegations, they testify, are part of a long-standing pattern in Laidlaw's San Francisco bus yard. The mechanics allege other abuses, including worker safety violations, a general disregard for environmental regulations, creating falsified records about repair and maintenance on the buses, forcing mechanics to sign repair sheets when repairs had not in fact been performed, other falsified diesel exhaust tests, incomplete record keeping, maintenance policies and management directives that allowed unsafe buses to remain in service, including buses with inadequate brakes.

"It appears to me that at least in San Francisco, the equipment we use to transport packages, sand and gravel is often more carefully maintained than the school buses Laidlaw uses to transport our children," said Jim Wheaton, president of ELF. "In addition to exposing children to cancerous diesel exhaust each day, this company has a repair and maintenance program that is shocking. The hills of San Francisco should not have bad buses with children in them."

According to the declarations, Laidlaw's San Francisco division has provided the City of San Francisco with shoddy school bus service for much of the past decade. "While the lawsuit was originally filed to call attention to poor health conditions inside school buses, no one expected this," said Shana Lazerow, a CBE staff attorney. The mechanics read an article about the suit in the newspaper and contacted the Environmental Law Foundation. "We assumed there were problems with Laidlaw's maintenance policies, but we were shocked to learn that the company actually falsified the diesel exhaust tests the law required them to prepare, and then presented them to us as so-called evidence."

"Children's health and safety cannot be left to companies who cut corners and disobey the law to save themselves money," said OCE attorney, Mike Costa.

For further information check the Environmental Law Foundation Web site.

www.envirolaw.org

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