

Water cleanup costs debated before court

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How clean is clean enough, and how much is too much to spend cleaning up the Los Angeles River?

Los Angeles and Burbank attorneys argued these questions Tuesday as the California Supreme Court decides whether water regulators have to consider cost when setting new pollution limits. A ruling is expected this spring.

The issue is at the center of several disputes statewide as water regulators adopt increasingly stringent - and costly - rules designed to cut bacteria, trash and toxics from California waterways.

The arguments presented Tuesday were over permits adopted in 1998 by the Los Angeles Regional Water Quality Control Board, which set more strict pollution limits on three wastewater treatment plants in the San Fernando Valley and Burbank.

The plants treat wastewater from toilets, sinks and showers, then release it to the Los Angeles River, which flows to the ocean.

Burbank and Los Angeles filed suit to challenge the new limits, which allow half the levels of copper, cyanide and other pollutants to enter the channel. They argued that it would cost \$800 million to install the advanced systems needed to clean up the water to the new standards.

"We want to be environmental stewards. We also have to look at our constituents and taxpayers," Warren Huang, a senior sanitary engineer with the city, said in an interview. "If we were going to charge you this much more money, would you be willing to pay for slightly cleaner water?"

A Los Angeles Superior Court judge decided in favor of the cities, but a state appellate court overturned that ruling. It sided with water board officials who said they are legally bound to protect the fish and wildlife living in the river, regardless of cost.

River advocates said the city's multimillion-dollar price tag is based on a worst-case scenario that assumes that only the most expensive technology will remove pollutants.

The city of Los Angeles already has met most of the permit requirements and - had the lawsuit never been filed - would have faced about \$18,000 in fines over the past six years for exceeding pollution limits.

"The city did a pretty good job meeting the new limits without lifting a finger," said water board Staff Counsel Michael Lauffer.