

Theodore D. Schade
Air Pollution Control Officer



GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537

Tel: 760-872-8211 Fax: 760-872-6109 tschade@gbuapcd.org

For Immediate Release:

Court clears path for penalty trial against Los Angeles Department of Water and Power in Owens Lake fee case

Date: February 5, 2013

Today, the Kern County Superior Court denied the Los Angeles Department of Water and Power's request to dismiss the lawsuit filed against it by the People of the State of California for repeated violations of orders issued by both the Court and the Great Basin Unified Air Pollution Control District. Judge Sidney P. Chapin ruled that the LADWP was subject to civil penalties and an injunction for its decision to withhold over \$1.1 million dollars in Owens Lake air pollution control fees. The Court ordered LADWP to pay those fees to the District on January 24. Today's ruling clears the way for a trial later this year to determine the City's liability and assess penalties, which could reach almost an additional \$8 million.

According to Ted Schade, Great Basin's Air Pollution Control Officer, "The Court's ruling is a message that the LADWP's decision to violate the court orders and District orders have injured the environment, its own ratepayers and its employees. I once again encourage the City Council and mayor of Los Angeles to begin serious discussions with Great Basin as to how it can both meet the legal obligation to control its air pollution and protect public health, while saving both water and money on Owens Lake dust controls."

The LADWP's decision to withhold payment of its fees corresponded to its opposition to installing additional air pollution control measures at Owens Lake. In November 2012, the California Air Resources Board rejected the LADWP's appeal and approved the reasonableness and necessity for those measures. Particulate air pollution is a danger to human health and the environment, and over the past year, LADWP's water diversions have caused dust storms that violated the federal dust standard on 27 separate days resulting in the issuance of local health alerts.

Contact:

Theodore D. Schade
Air Pollution Control Officer
Great Basin Unified APCD
(760) 872-8211
Email: tschade@gbuapcd.org