



## CEQA: A GOOD LAW IN NEED OF REFORM.

### *Individual Uses CEQA in Attempt to Stop Retrofit of Waste Management Trucks to Cleaner Burning Fuel*

As part of a contract approved in 2010 between the City of Oceanside and the sanitation company Waste Management, the company agreed to replace 42 of its diesel fueled trucks with cleaner running natural gas powered trucks. These natural gas burning trucks will reduce air pollution equivalent to removing 3,100 cars from the roads, according to the San Diego Union Tribune. Further, since natural gas is much less expensive than diesel fuel, the trucks will cost only half as much to fuel.

As part of the retrofit, Waste Management received clearance to build a natural gas fueling station at its existing Oceanside truck maintenance yard to fuel the new trucks.

An exhaustive CEQA environmental review was conducted, and in January of 2013, plans to purchase the trucks and install natural gas pumps in the maintenance yard were approved by the Oceanside Planning Commission. A few weeks after the project approval, an individual appealed the project approval and environmental study, alleging the CEQA review was inadequate, citing concerns about noise from the fueling station.

However, the review of the project found that the conversion from diesel to natural gas would actually lower the noise levels of the existing maintenance yard and make for a more compatible operation next to residential homes. The new trucks would have quieter engines and would be fueled overnight while the engines were turned off, unlike the current diesel trucks that must go to and from the gas station many times throughout the week and idle with the engine on while fueling.

In March of 2013, the city council rejected the individual's appeal. It is yet to be determined if this individual will file a CEQA lawsuit in a continued attempt to stall this project.

This CEQA challenge is a clear case of CEQA being used to the *detriment* of the environment. The conversion of Waste Management's fleet from diesel to natural gas trucks will decrease greenhouse emissions and air pollution and promote public health in the city and neighborhoods that are serviced by the trucks.

To read the complete case study, visit:  
<http://ceqaworkinggroup.com/wastemanagement>

#### **COST OF CEQA MISUSE:**

- Individual uses CEQA to stop conversion of diesel trucks to natural gas.
- Conversion will remove equivalent of 3,100 cars from the road and reduce greenhouse gases and air pollution.
- Threat of CEQA litigation cause delays and uncertainty.

#### ***About this series:***

*The California Environmental Quality Act (CEQA) is an important environmental law. However, today CEQA is too often misused to stop or delay projects that comply with all applicable environmental laws and standards for reasons that have nothing to do with the environment. "CEQA: A Good Law In Need of Reform" will call attention to the many examples of CEQA abuse, and the consequences on vital projects, our environment and our economy. Visit [www.CEQAWorkingGroup.com](http://www.CEQAWorkingGroup.com) for more case studies or information about efforts to modernize CEQA.*



Protect the environment. Improve the economy.

[www.CEQAWorkingGroup.com](http://www.CEQAWorkingGroup.com)