

SHANA LAZEROW

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PROFESSIONAL EXPERIENCE

Communities for a Better Environment

November 2005-Present

Chief of Litigation Prosecute environmental justice lawsuits on behalf of CBE and its members, represent CBE at hearings before State and Federal courts and before administrative agencies responsible for enforcing state and federal environmental laws, advise community members in areas affected by toxic pollution. As CBE Chief of Litigation, coordinate CBE's litigation load. Litigate using Federal Clean Air Act, Federal Clean Water Act, California Environmental Quality Act, and other environmental statutes.

University of California, Berkeley School of Law

August 2005-October 2005

Lecturer Taught first year legal research and writing course.

Earthjustice Environmental Law Clinic at Stanford

January 2005-July 2005

Project Attorney Litigated mandamus actions targeted at securing effective regulation of agricultural and logging discharges under CEQA and the Porter Cologne Act. Enforced Clean Water Act permitting requirements concerning dioxin discharges in San Francisco Bay watershed. Co-taught seminar focusing on equipping students to become environmental lawyers. Subjects included civil and administrative procedure, ethics and advanced legal writing. Met several times weekly with clinicians to hone written and oral advocacy technique. Designed assignments to provide high quality educational experiences for students and secure best possible outcomes for clients, such as: drafting and filing briefs with the California Court of Appeal and Superior Court, assisting clients in administrative advocacy before State Water Board and San Francisco PUC, and preparing for dispositive federal and state court hearings.

Stanford Law School

August 2004-December 2004

Lecturer Taught first year legal research and writing course.

WaterKeepers Northern California, San Francisco

June 2001-June 2004

Program Director *January 2003-June 2004*

Represented public interest organizations (San Francisco BayKeeper and DeltaKeeper) at administrative hearings regarding health of regional and statewide waterways. Researched and drafted written comments concerning discharge permits, clean up plans, proposed regulations. Coordinated environmental litigation strategy and served as client in enforcement cases. Organized and participated in statewide coalitions to spur change at administrative and legislative levels.

Intern Supervisor *June 2001-June 2004*

Supervised legal and policy interns, including teaching written and oral advocacy technique to law student interns. Supervised in-house environmental law clinic. Recruited participants. Designed projects that both advanced ongoing litigation and provided stimulating educational experiences for clinicians. Research and writing projects ranged from federal motion to strike expert testimony to analysis of uses of California Fish and Game Code to protect water quality. Provided feedback to improve clinician performance. Supervised fifteen clinicians.

Staff Attorney *June 2001 – April 2003*

Prosecuted environmental enforcement actions under federal and state laws, including federal Clean Water Act, Proposition 65, B&P Code 17200, CEQA. Assessed relative merits of prospective prosecutions; coordinated motion practice between in-house and outside counsel; negotiated and drafted settlement agreements; oversaw compliance monitoring.

Public Interest Lawyers Group, San Francisco

February 1999 - June 2001

Attorney Litigated on behalf of public interest, grass roots organizations under Clean Water Act. Researched and drafted motions concerning substantive and procedural issues, assisted drafting appellate motions; drafted CWA 60-Day Notices; propounded and responded to discovery; maintained client contact. Enforced judgments and consent decrees. Defended client in retaliatory declaratory judgment actions.

EDUCATION

University of California, Los Angeles School of Law Journals: Environmental Law Journal, Women's Law Journal.	JD December 1997
University of San Diego School of Law Summer Abroad, Paris International Contracts.	Certificate August 1994
University of Pennsylvania Honors: Degree awarded <i>cum laude</i> , departmental honors. Wrote honors thesis analyzing role of mother as icon in Joyce's <i>Finnegans Wake</i> .	AB English Literature May 1993

REPRESENTATIVE PUBLICATIONS AND PRESENTATIONS

Lazerow, Shana <i>Once Adequate, Always Adequate - The Courts Are Getting the Clean Water Act Notice Requirements Right</i> . Hastings West-Northwest Journal of Environmental Law and Policy, Volume 9, No. 2.	
University of Oregon, Public Interest Environmental Law Conference <i>Panelist</i> Stemming the Flow – Addressing New Gas Power Plants; Transitioning to Renewables	<i>March 2010, March 2012</i>
Environmental Law Section of the California Bar Conference at Yosemite <i>Panelist</i> CEQA Year in Review	<i>October 2011</i>
University of California, Berkeley School of Law <i>Guest Lecturer</i> Environmental Justice as a Legal Career	<i>October 2010</i>
Law Seminars International California Environmental Quality Act Conference <i>Panelist</i> “Baseline Determinations Following CBE v. SCAQMD”	<i>August 2010</i>
Clean Power, Healthy Communities <i>Presenter</i> “Stopping Dirty Energy”; “Solar for All”	<i>February 2010; May 2012</i>
University of Oregon Public Interest Environmental Law Conference <i>Panelist</i> “Lawyering for Environmental Justice and Social Change”	<i>March 2008</i>
New College of Law <i>Guest Lecturer</i> Environmental Justice as a Legal Career	<i>April 2006</i>
State Bar of California 2004 Environmental Negotiation Competition <i>Judge</i> Judged team negotiation competition regarding impacts of a proposed gravel mine alteration.	<i>March 2004</i>
EarthTeam Student Environmental Leadership Weekend <i>Speaker</i> “Protecting the San Francisco Bay - from Regional Debates to Local Action”	<i>November 2003</i>
Hastings College of the Law Panel Discussion <i>Panelist</i> “Looking at Clean Water Act Enforcement From a Diversity of Perspectives” Debated efficacy of Clean Water Act enforcement. Advocated for more effective use of citizen suits.	<i>January 2003</i>
Golden Gate University School of Law Urban Environmental Law & Policy Seminar <i>Guest Lecturer</i> “San Francisco BayKeeper: Stormwater” -- Private enforcement of water protection law.	<i>June 2002</i>
State Bar of California 2002 Environmental Negotiation Competition <i>Judge</i> Judged team negotiation competition regarding impacts of a proposed dairy expansion.	<i>March 2002</i>

Julia E. May

Senior Scientist / Environmental Consultant
510/658-2591

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Experience

1989 present

Industrial Air Pollution & Pollution Prevention Technical Evaluation / Science team manager Identification and quantification of industrial air pollution sources including criteria pollutants, toxics, and greenhouse gases. Identification of pollution prevention methods and engineering solutions for communities facing continuous and episodic chemical releases. Research of best and worst industrial practices, and chemical phase-out methods. Analyzing permitting, emissions and air monitoring data; compiling available health and environmental impacts data. Evaluation of technical basis of regulatory compliance with environmental laws. Working through practical technical issues of regulation, negotiating with industry and government agencies to craft most health-protective policy and regulatory language. Translating inaccessible technical information into lay language and educational materials. Providing technical assistance and cumulative impacts analyses to communities of color that face severe pollution burdens. Assisting communities and workers in developing proposals for environmental health protection regulation, permitting, and policy. Managed four-person science department for statewide environmental organization. Hired by regulatory agency as technical advisor to identify feasible air pollution control methods not previously adopted, and to assist communities submitting comments during regulatory proceedings.

Project examples:

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Evaluation of air emission and other impacts from proposed permits for individual fossil fuel industry expansions including refineries, oil drilling, pipelines, and coal gasification: Evaluation of refinery emissions and solutions regarding permitting of feedstock switches to Canadian tar sands crude oil at ConocoPhillips Wood River, BP Whiting, Detroit Marathon, and proposed new MHA Nation, North Dakota, refineries, as well as dozens of refinery expansions in Northern and Southern California. Evaluation of oil drilling operations, air impacts, public safety hazards, earthquake and subsidence hazards, public nuisance hazards and solutions in residential neighborhood. Evaluation of pipeline transport impacts of crude oil, hydrogen, and other oil industry feedstocks in California and Midwest. Evaluation of coal gasification plant emissions. (1990s to present)

ff

Development of model California oil industry criteria pollutant regulation, and proposed greenhouse gas regulation and alternatives analysis: Developed multiple proposals ultimately adopted for addition to ozone attainment plans in Northern and Southern California of model oil refinery regulations for flares, pressure relief devices, tanks, leakless fugitives standards, petroleum product marine loading, and others. Technical working group member in State of California regulation of greenhouse gas and co-pollutants. Developed recommendations for regulation of oil industry

greenhouse emissions, sources, alternatives, and reporting; the State found these feasible and recommended regulation. (1990s to present)

ff

Evaluation of emissions and phaseout opportunities for smaller industrial sources, including metal finishing, foam manufacturing, wood finishing, electronics, consumer products, etc.: Evaluation of air emissions and unnecessary use of ozone depleters, carcinogens, and reproductive toxins, direct negotiation with individual companies to identify specific chemical elimination options in lieu of penalties for environmental violations. For example, metal degreasing was replaced with benign alternatives (soap and water) or grease use eliminated, by talking through use with manufacturers. Phaseout of chemicals was over a million pounds of various substances from many sources. (1990s)

Education

1981

B.S. Electrical Engineering, University of Michigan, Ann Arbor

Engineering principles, mathematics, thermodynamics, physics, materials science, chemistry, electronic circuit design, solid-state physics, and others.

Positions

2004-present

Independent Environmental Consultant (2004-present) and Senior Scientist, Communities for Better Environment (2006-present) Industrial pollution quantification, including analysis of proposed and existing industrial permits. Analysis of impacts and solutions to environmental problems including trends in oil industry crude feedstocks, associated equipment changes, emissions of criteria pollutants, toxic emissions, and greenhouse gases. Technical consultant and strategist in community campaigns on industrial regulation and pollution prevention. Geographic areas include Southern California, Northern California, and multiple U.S. states.

2001-2003

Statewide CBE Lead Scientist, CBE, Oakland, CA

Responsible for accuracy and strategic value of CBE's technical evaluations within community and environmental law enforcement campaigns, also led statewide technical staffing. Identified underestimations in electrical power plant expansion air emissions in a community of color which had very high asthma rates; identified alternatives option including sufficient conservation, clean energy generation, and transmission available to prevent need for fossil fuel expansion, documented facts in California Energy Commission proceedings. Analysis of and recommendations on adding regulation to Bay Area Ozone Attainment Plan (concerning flares, pressure relief devices, wastewater ponds, storage tanks, and others) which were ultimately adopted. Evaluated Environmental Impact Reports and Title V permits for refineries and chemical plants; identified emissions, potential community impacts and alternatives. Successfully assisted negotiating Good Neighbor Agreements by identifying technical solutions to environmental violations to bring facilities into compliance.

1990-2001

Clean Air Program Director, Northern California Region, CBE

Analysis of permits, regulation, air pollution inventories and other emissions information for oil refinery, power plant, cement kiln, smelter, dry cleaner, consumer product, lawn mower, mobile source, and other air pollution sources, neighbor and worker health impacts, with pollution prevention policy development. Successfully advocated for national models of oil refinery regulation. Evaluated and documented root causes of industrial chemical accidents as part of community campaigns for industrial safety. Technical assistance to community members negotiating Good Neighbor Agreements with refineries. Successful advocacy for adoption of policies eliminating ozone depleters in favor of benign alternatives.

1987-1990

Research Associate, CBE

Led successful campaign working closely with maritime workers and refinery neighbors for adoption of strict oil refinery marine loading vapor recovery regulation, which became statewide and national model. Member of technical working group at BAAQMD evaluating emissions, controls, safety, and costs. Also analyzed school pesticide use and won policy for integrated pest management on school grounds.

1986

Assistant Editor of appropriate technology publication, Rain Magazine, Portland, OR

Production of publication on innovative environmental success models around the U.S. and the world. Compiled, co-edited, wrote, and provided production for non-profit publication.

1981-1985

Integrated Circuits Design Engineer, National Semiconductor Corp., Santa Clara, CA

Electronics engineering design team member for analog-to-digital automotive engine controls for reducing air emissions. Troubleshooting hardware and evaluating fault analysis software efficacy.

A few special activities

2002-2003

Roundtable on Bay Area Ozone Attainment Progress

Invited member of problem-solving group of decision makers including BAAQMD board members, City Council members, industry CEOs and trade group directors, California Air Resources Board (CARB) and US EPA officials, and others, for reviewing progress and proposing action to control San Francisco Bay Area regional smog.

- 1995-2003 **Negotiator for Optical Sensing Air Pollution Monitoring Equipment on oil refinery fence line**
 CBE signatory to enforceable Good Neighbor Agreement with Rodeo, California oil refinery, providing technical analysis for community negotiators, resulting in permanent installation of a state-of-the-art air pollution monitoring system on the refinery fence line, using optical sensing to continuously measure air pollution and broadcast data to a community computer screen. Researched and reviewed manufacturer specifications, developed Land Use Permit language, and worked with refinery and manufacturer for better Quality Assurance/Quality Control. Worked with US EPA, Contra Costa County, and community groups evaluating the system and publishing report evaluating monitoring of emissions.
- 1998-2002 **Program Administrator for Bucket Brigade air pollution monitoring.** Coordinated community groups of Contra Costa County Bucket Brigade project (funded by US EPA) who carried out training events in several communities surrounding major Bay Area refineries and chemical plants. The Bucket Brigade used low-tech air pollution monitors community members can build and operate, based on a standard air pollution sampling tedlar bags analyzed at certified laboratories. Provided community information on laboratory results, administered complex federal grant including quality assurance plan.
- 1997 **Installation of Photovoltaic Panels,** Solar Energy International, Colorado. Completed practical training on solar energy system design and installation for general electrical energy uses including water pumping, house cooling, etc, and applying energy conservation principles.
- 1993 **Chemistry of Hazardous Materials** course, U.C. Berkeley Extension, for environmental professionals

Publications and written comments (examples)

1. **California statewide Oil Refinery Sector GHG emissions and recommendations**, technical comments submitted to the State of California on refinery greenhouse gases statewide, entitled: *Recommendations on AB 32 Scoping Plan on Corn Ethanol Refineries, Electricity Generation, and Oil Refineries from Environmental Justice Organizations*, by Communities for a Better Environment (CBE), the Environmental Health Coalition (EHC), the Association of Irrigated Residents (AIR), and the Center on Race Poverty and the Environment (CRPE), May 2008.
2. **Evaluations of major oil refinery expansions and crude switch modifications at various U.S. refineries:** *Comments on ConocoPhillips Wood River CORE Project (Coker and Refinery Expansion), New Source Review Permit Application*, Comments on BP Whiting Significant Source Modification No.: 089-25484-00453 and Significant Permit Modification No.: 089-25488-00453, *Comments on DEIS for Mandan, Hidatsa and Arikara Nation's Proposed Clean Fuels Refinery Project*, providing detailed evaluation of a new refinery proposed to be sited without air permits on MHA Nation reservation, among others. *CBE's Comments on Chevron Refinery Draft Title V Permit*, September 27, 2002, Julia May and Will Rostov, (documenting extensive inadequacies in voluminous Chevron operating permits under Title V of the Clean Air Act).

3. **Reports on California refinery sources:** *The Increasing Burden of Oil Refineries and Fossil Fuels in Wilmington, California and How to Clean them Up*, a report including information on oil industry concentration in Southern California, trends in heavy crude oil use, and local oil drilling issues, April 2009. *Refinery Flaring in the Neighborhood*, Report on Refinery flaring in the San Francisco Bay Area, the need for new regulation and better law enforcement, and the community campaign to get there, CBE, Julia May, February 2004
4. **Optical Open Path Monitors at the Tosco San Francisco Refinery at the Rodeo Fenceline**, May 2001, coauthors Julia May (CBE), Elinor Blake, Jim Gallagher, Randy Sawyer (Contra Costa County Health Services), Andy Mechling, Kasha Kessler, and Sandra Dare, (Shoreline Environmental Alliance, SEA), with assistance from US EPA Region IX, and advisory committee made up of the BAAQMD, Cal/EPA, California Dept. of Health Services, Occupational Health and Environmental Health Branches, and the Tosco Rodeo Refinery (now Phillips)
5. **Evaluation of Ozone Attainment Plans:** *For example: These Readily-Available Stationary Control Measures should be included in the Bay Area Clean Air Plan*, 5/14/2001, to Celia Bloomfield, Planning Office, [AIR-2], Air Division, U.S. Environmental Protection Agency, Region IX, CBE, Julia May, and *CBE Comments on the BAAQMD/ MTC/ABAG Proposed Final 2001 Ozone Attainment Plan (June 2001 version*, July 16, 2001, to Chairperson Randy Attaway and Members of the Board, Bay Area Air Quality Management District (BAAQMD), Richard Toshiyuki Drury, Julia May