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BRAKEOUT: Environment and economy clash in creeks and bays

A fix for a serious environmental threat

By Christine Kehoe,

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Gerald McClard

Vehicle brake pads manufacturers use a variety of ingredients, including copper. Each vehicle stop wears off a tiny amount of brake pad material, which may be deposited on the road or elsewhere in the urban environment and end up reaching bodies of water.

Copper from automobile brake pads is polluting local waters and San Diego and other California communities are under orders to drastically reduce it over the next two decades. A bill authored by state Sen. Christine Kehoe, D-San Diego, would require that brake pads sold in California include only trace amounts of copper by 2025. The auto industry says it may not be able to meet the deadline for all cars and that it could jeopardize brake performance and public safety. Kehoe's bill has passed the state Senate and is scheduled to be heard in an Assembly committee this week. Should it become law?

Bill would compromise public safety

San Diego faces a serious environmental and economic threat, and both its source and its solution lie in the brakes on your car or truck. Each time you apply your brakes, the friction on the brake pads creates dust, which settles on roads and washes into storm drains, eventually finding its way into our urban creeks and San

Diego Bay. That dust contains copper. Copper is a recognized water pollutant that is harmful to aquatic species up and down the food chain, from plankton to salmon. Scientific studies have shown that by far the single greatest source of copper in urban watersheds is vehicle brake pads.

To comply with the federal Clean Water Act, our regional water board has ordered the amount of copper in Chollas Creek in southeastern San Diego to be drastically reduced by 2028. Trying to remove copper once it has dissolved in water would be hugely expensive and disruptive to the communities near the creek.

San Diego could also face fines amounting to tens of thousands of dollars a day if it does not comply with this mandate. In the 1990s, the city of San Diego endured huge fines when it similarly failed to comply with state wastewater standards. The only feasible way to comply and avoid immense costs is to cut off copper at its source – vehicle brake pads.

I have introduced legislation that will allow San Diego and other California cities to meet their clean water requirements, avoid potentially ruinous cleanup costs and fines and ensure a cleaner, healthier aquatic environment for us all. Senate Bill 346 requires that brake pads sold in California contain no more than a trace amount (0.5 percent) of copper by 2025. This gives brake pad manufacturers 15 years to develop copper-free brake pads. The bill will ensure that any new brake pads will be as safe or safer than those currently on the market.

The Union-Tribune editorialized that California should adopt a law similar to one recently enacted in Washington, capping copper at 5 percent by 2021 and creating a committee to study reaching the 0.5 percent limit “in later years.” The problem is that California isn’t Washington – we face strict copper limits on our urban waterways and it doesn’t.

We need a firm date for reaching 0.5 percent in order to avoid the fiscal catastrophe that copper-related cleanup costs and fines could create for San Diego and other local governments in California. Our deadline of 2025 is the latest date that storm water agencies believe they can allow and still comply by 2028 (given an average brake pad turnover rate of three years).

I have created mechanisms to assist segments of the industry that can’t make or won’t be able to obtain a safe copper-free product in time, and I am committed to ensuring that no-copper brakes pads are as safe or safer than current materials.

San Diego and California don’t have the luxury that Washington has of being able to wait for a no-copper alternative to be available sometime in the future.

I believe the auto industry is up to the challenge.

Kehoe is a Democratic state senator representing the 39th District, stretching from the Pacific Ocean to Spring Valley and from downtown San Diego to Del Mar. She chairs the Senate Appropriations Committee.

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