

Community Briefing

Wednesday, March 30

Modesto Bee

TRADE IN THAT OLD MOWER: "Clean Green Yard Machines" is the name of an annual program, run by the San Joaquin Valley Air Pollution Control District, in which people are invited to trade in their gas-burning mowers for electric mowers. As an incentive, the district is offering \$130 discounts on new electric mowers regularly priced at \$230. The district has scheduled three trade-in days in Modesto, Fresno and Bakersfield. Vouchers for discounted mowers are limited to 240 at each event, and will be distributed on a first-come, first-served basis, officials said. First up is the Modesto event: 9 a.m. to 1 p.m. May 14 at Home Depot, 1617 N. Carpenter Road. People are advised to drain all fluids from gas mowers before turning them in. With their vouchers, people will be entitled to buy a Black & Decker MM875 corded electric mower at Home Depot for \$100, plus tax. Officials said individuals can get only one voucher, and the vouchers must be redeemed at Home Depot during the trade-in event hours. More information is available from the air district's Anthony Presto at 557-6472 or anthony.presto@valleyair.org.

Man injured in blast at local refinery dies

By ERIN WALDNER, Californian staff writer

Bakersfield Californian, Wednesday, March 30, 2005

Duane Herdt, who was seriously injured in a Jan. 19 explosion at a local refinery, died early Tuesday at Sherman Oaks Hospital.

He was 49.

More than half of Herdt's body was burned in the explosion, including his face, torso and upper and lower extremities, according to Debbie Groveman, a spokeswoman for the Grossman Burn Center at the hospital.

Herdt, who had been in the hospital since the explosion, died at about 1 a.m. Tuesday. Neither the hospital nor the company released the cause of death.

Herdt was a crude unit operator at the Panama Lane plant. He had worked for the Kern Oil & Refining Co. since May of 1993.

Another worker injured in the blast, Shawn Wedertz, was released from the hospital about 10 days after the accident, when he and Herdt were taken to the hospital in critical condition.

On Jan. 19, Neil Walker, a spokesman for the refinery, said a plant maintenance operation was under way when part of a pipeline broke, resulting in a quick-flash fire. He said at the time it was not yet known what caused the pipeline to break.

Walker said in a statement Tuesday the company has not concluded its investigation of the accident.

"We at Kern Oil & Refining Co. are deeply saddened by the sudden passing of our employee and friend," the statement said. "Our prayers and sincerest condolences go to his family."

Walker did not return calls seeking further information.

The last deadly employee refinery accident in California was in 1999 in Martinez, near San Francisco. A processing unit at a Tosco refinery caught fire, killing four workers.

The California Department of Industrial Relations is conducting its own investigation into the explosion at the Kern Oil & Refining plant.

Cal-OSHA spokesman Dean Fryer said Herdt's death doesn't change the agency's investigation, except the agency will forward its findings to the Kern County District Attorney's Office for review.

This is not the first time an accident has occurred at the refinery.

On Dec. 8, 1995, the head blew off a naphtha compressor, releasing naphtha vapors into the atmosphere. The vapors came into contact with a heater and were ignited, according to Cal-OSHA records.

A refinery employee, an unidentified 44-year old man was engulfed in flames and suffered third-degree burns to his hands and face.

An investigation revealed an alarm system designed to sound when potentially dangerous liquids entered the system was turned off, according to Cal-OSHA.

On June 3, 2004, a flash fire at the refinery's laboratory badly burned another worker, Donald Buckner.

Cal-OSHA ultimately fined the refining company \$1,275 for three violations, including not having emergency hand wash immediately available, according to Cal-OSHA.

States Sue EPA Over Mercury Emissions

By Miguel Bustillo

Los Angeles Times, March 30, 2005

California Atty. Gen. Bill Lockyer and attorneys general from eight other states sued the U.S. Environmental Protection Agency on Tuesday, contending that air quality rules for power plants adopted earlier this month do not protect the public from mercury pollution.

The legal challenge is the latest attack on the EPA's efforts to regulate mercury emissions from power plants, which have come under widespread criticism from environmental groups, health advocates and state air pollution officials.

The EPA's independent inspector general concluded in a report that the mercury restrictions did not follow accepted standards under the Clean Air Act and were influenced by top political appointees at the agency. But agency officials have strongly defended the rules, noting that they are the first such limits on power plant emissions in the world.

The lawsuit alleges that the EPA broke the law by enacting a rule that exempts power plant emissions of mercury from a Clean Air Act requirement that the "maximum available control technology" be used to reduce toxic air pollution.

The suit was filed in Washington, D.C., by the attorneys general of California, New York, New Jersey, New Hampshire, Massachusetts, Maine, Connecticut, New Mexico and Vermont. Only Maureen D. Smith of New Hampshire is a Republican.

The attorneys general said they also plan to challenge a second rule that allows trading of pollution credits. They assert that such action would allow many power plants to buy their way out of reducing mercury emissions, leaving neighboring communities exposed to "hot spots" of contamination.

"We don't have coal-fired power plants in California, but the emissions wind up in our state - in our water and in the fish we eat," Lockyer said in an interview. "These power plants are the largest source of mercury emissions in the United States."

EPA officials did not directly respond to the lawsuit. In a statement, the EPA said that mercury pollution is a global problem that will require an international solution.

"We could eliminate all mercury emissions from U.S. coal-fired power plants but it still wouldn't solve the problem, because most of the fish we eat [close to 80%] are from overseas, from countries and waters beyond our reach and control," the statement said.

Mercury is poisonous, even in small amounts, and can cause health damage to the nervous system of humans, particularly children.

The EPA has estimated that 600,000 children born in the United States every year are exposed to unsafe levels of mercury in the womb. It now advises pregnant women to limit consumption of tuna, swordfish and other seafood.

While coal-fired power plants are the nation's largest industrial emitters of mercury, most of the mercury contained in the fish Americans eat either occurs naturally or is the result of pollution from other countries.

States sue EPA over mercury rule

Jane Kay, Chronicle Staff Writer
S.F. Chronicle, Wednesday, March 30, 2005

Attorneys general in California and eight other states have sued the U.S. Environmental Protection Agency, challenging a new federal rule regulating power plant pollution, including mercury.

The suit was filed Tuesday in the U.S. Court of Appeals for the District of Columbia Circuit by Attorney General Bill Lockyer and his counterparts in New Jersey, Connecticut, Maine, Massachusetts, New Hampshire, New Mexico, New York and Vermont.

The states are arguing that the rule, announced two weeks ago, fails to adequately protect the public, particularly children, from harmful mercury emissions from coal-fired power plants nationwide.

Under the new rule, power plants are removed from the list of sources subject to stringent controls under the Clean Air Act, the suit said.

Lockyer said a separate suit would be filed challenging a second rule that establishes a cap-and-trade system that allows some plants to increase emissions -- creating regional "hot spots" -- by buying pollution credits from plants that reduce them.

"These rules do much more than violate federal law," Lockyer said in a statement. "They ignore science, suppress evidence and make the health of women and children a lower priority than the financial health of industry."

The Bush administration praised the rules as the first to control mercury from power plants. The program to control mercury starts in 2010.

The suit argues that because coal-fired power plants are the largest source of uncontrolled mercury emissions in the country, they should have been required to reduce the mercury from stacks by 90 percent by 2008, an EPA recommendation under the Clinton administration.

Airborne mercury travels in the atmosphere, and ends up in oceans and lakes where it is consumed by fish, the largest contributor of mercury to the human diet. Mercury is toxic to the human neurological system, particularly damaging to the fetus and growing children.

New ethanol plant fuels big debate in Valley

By Dale Kasler
SACRAMENTO BEE, as printed in Tri-Valley Herald
March 30, 2005

GOSHEN. - At a dusty animal-feed plant in the heart of the San Joaquin Valley, Rick Eastman and Kevin Kruse are nearing completion of a dream: a large-scale factory, California's first, that will convert boxcars full of Nebraska corn into the gasoline additive ethanol. Every fuel tank needs some, Kruse said with a smile.

After years of struggle, ethanol advocates in California believe their time has come. Ushered in by a controversial U.S. government environmental mandate, ethanol use in California has mushroomed. The additive is now being blended into the gas sold in 95 percent of the state, says the California Energy Commission.

Backers say the \$20 million Goshen plant, two months from completion, could be the opening shot in an ethanol-production boom that will bring investment, employment and economic development to rural California. Developers are close to obtaining financing for big plants in Madera and Pixley, and more could follow.

Ethanol itself has become a mainstream fuel in California, said former California Secretary of State Bill Jones, an investor in the Madera plant. It clears the air; it provides jobs when plants are built.

California officials, however, have mixed feelings about ethanol.

They like the idea of a new California industry and acknowledge how prevalent ethanol has become. But though its backers tout ethanol as a cheap and clean fuel additive, state officials say it sometimes can make gas more expensive - and not always cleaner.

With gas prices in California averaging \$2.37 a gallon and climbing, state officials are pressing the federal government to waive the mandate that requires the use of ethanol in most California cars.

We dont think its needed, said spokesman Jerry Martin of the California Air Resources Board, the state agency that regulates fuel recipes.

Without the federal mandate, the bulk of refiners would sharply curtail their use of ethanol, he said.

Ethanol advocates say a sharp cutback is unlikely. In fact, they think ethanol usage will grow. But the states stance adds to an air of uncertainty that hovers over the fledgling industry.

Its a question that comes up in every investor meeting, said Jones business partner, Neil Koehler.

Indeed, some say California could lose the ethanol race to the Midwest, where plants are springing up so rapidly analysts warn a glut may be coming.

Id like to see California get behind this a little more, Kruse said. The Midwest is building like theyre going out of style. Californias going to miss its opportunity.

Still, ethanol backers say their product is gaining acceptance in California with refiners and policymakers alike. Thats giving investors greater comfort, they say.

The fundamentals of the marketplace require ethanol in California, said Russ Miller, developer of the \$80 million plant in Pixley.

Miller and other advocates say its a no-brainer: The state will use up to 1 billion gallons of ethanol this year, more than one-fourth of U.S. supplies, but produces only 10 million gallons, at tiny plants in Corona and Rancho Cucamonga.

Meanwhile, Californias petroleum refineries cant keep up with the demand for gas, and ethanol will help them stretch out supplies, advocates say. Theyre lobbying state regulators to nearly double the amount of ethanol permitted in a gallon of gas, to 10 percent - a move they say would reduce both pollution and pump prices.

The plants in Goshen, Pixley and Madera would be fueled by corn. Ethanol from rice straw and other biomass materials, seen by farmers as a gold mine, is another matter. Plants have been proposed, but experts say the technology is still five years away from being commercially viable.

Ethanol has long been controversial, due partly to a tax subsidy pushed through Congress by Midwestern agribusiness lobbyists. But investors are warming up to it. Last week, ethanol futures started trading on the Chicago Board of Trade, and Jones and Koehlers company, a publicly traded firm called Pacific Ethanol Inc., obtained \$21 million in a private stock sale to help finance the Madera plant.

County delays quarry ruling Supervisors asked to reject gravel company permit

By Lynn Doan, Staff writer

Visalia Times-Delta, Wednesday, March 30, 2005

A 10-year battle between neighbors and a Woodlake gravel company will continue for another month while Tulare County Supervisors mull over comments from a public hearing held Tuesday.

Seven Woodlake residents appealed to supervisors Tuesday to reject a permit granted by the county Planning Commission to Kaweah River Rock in January.

The company is seeking to build its second rock quarry by the Kaweah River in Woodlake. After a three-hour public hearing, supervisors voted to delay their decision until April 26.

Before the public hearing, supervisors read through thousands of pages outlining the saga of Valley Citizens for Water, a group of Woodlake residents that has been fighting against the company's proposed rock quarry since 1995. They must now read through another set of reports submitted during the public hearing Tuesday.

Valley Citizens for Water said it is concerned that the quarry, which Kaweah River Rock plans to build on a 280-acre site east of State Route 245, would have potential effects on groundwater, air, traffic and noise levels in the Woodlake area. Two residents representing another group, the Kaweah/St. Johns Farmers League, voiced similar concerns at the hearing.

"The future of Tulare County's primary groundwater resource is at stake," said Del Strange, spokesman for Valley Citizens for Water. "It's time for the mining industry to get out of our vital water resources and our groundwater aquifers and look to the plentiful supply of materials in the local foothills."

Kaweah River Rock general manager David Harrald said the company would take measures preventing any effect on groundwater. The project includes a clay wall that would surround the excavation site to limit groundwater seepage to less than a few hundred gallons a minute and a recharge system to maintain water levels, he said.

Harrald said the company would also build a bypass system to avoid blocking upstream groundwater flows.

In January, the county's Planning Commission granted Kaweah River Rock permission to build the quarry after reviewing its environmental impact report, which stated that the site wouldn't have a significant effect on its surrounding environment.

But Strange said the report didn't include information from him and other neighbors, and requested that supervisors hear their side before coming to a decision.

During Tuesday's meeting, Harrald said the board should not confuse the project with another larger project that the company proposed in 1995.

Back then, the company was seeking to build a site on more than 800 acres of land in the same area.

"It's a smaller project, and it's shallower," Harrald said of the proposed quarry, which would be 30 feet more shallow than the earlier project.

Valley Citizens for Water managed to derail the company's previous project in 1999, when the Board of Supervisors voted to deny Kaweah River Rock a permit for the quarry.

However, Supervisor Jim Maples, who opposed the 1995 version of the project, said in January that the county has a "tremendous need" for quarries like Kaweah South, the name of Kaweah River Rock's proposed site.

"We're going through the biggest boom in this Valley construction-wise, and if you look down Mooney Boulevard, you'll see that all of those places are concrete," Maples said.

All they got was better air Hidden remodel improves atmosphere of home

Susan Fornoff, Chronicle Staff Writer
S.F. Chronicle, Wednesday, March 30, 2005

Two Danville homeowners have just spent about \$25,000 on home improvements that a visitor can neither see nor hear, yet they're thrilled with the results.

This is no "Seinfeld" episode, and certainly not much ado about nothing. It does, however, make a case for addition by subtraction. That's because the Danville couple enhanced their unassuming, 1,900-square-foot, single-story, four-bedroom home by what they took away.

Dust, begone. Pollen, out. Mold spores, cut off at the source. Dry rot, not. Leaks, eliminated. Noise, shh.

"The issues for us were air quality and energy efficiency," said the husband, who asked not to be named. "We have two big dogs that are indoor dogs, so we were concerned about the air. And some rooms didn't seem to heat and cool efficiently.

"My main concern was to be breathing good air, and I wasn't. And already, we've noticed the difference."

But \$25,000?

"We're going to stay in this house forever and ever," he said, "so we were willing to make the investment."

The investment started, appropriately, with nothing. Late last year, the homeowner heard a radio ad that offered a free home examination, the Healthy House Inspection.

The Healthy House Inspection, generally \$99, is offered by contractors specially trained under the state-sponsored, nonprofit California Home Performance Program, which adheres to criteria established by the Environmental Protection Agency and Energy Star. (The EPA has estimated indoor air pollution levels as two to five times higher than those of the outdoors, mostly because of new furniture, carpets, fragrances and aerosols.)

"A contractor can get started in this for around \$6,000," says Tim Locke, executive director of the program. "We're training them to look at the home as a system, rather than focus on one thing, like the air conditioning or the ducts. If your ducts are leaking and you just have them cleaned but not sealed, they're still going to leak.

"And we do a test-in, test-out, so that we know we'll be able to do what we're supposed to."

Robert Mitchell of Fairfax was the contractor summoned to play house doctor in Danville. Recently trained by the California Home Performance Program and PG&E, he loves his new specialty.

"The coolest part is that you can do this right and prove you're doing it right as you go," Mitchell said. "It gives home improvement a science. And besides, I like gadgets."

Gadgets, you want gadgets? Mitchell brought an overwhelming array to Danville, including smoke pencil, duct blaster, capture hood, infrared camera and blower door.

During an inspection that lasted four to five hours, the homeowner watched Mitchell put the thingamajigs to work. The smoke pencil showed the path that air took throughout the house and the way the air was leaking out through light cans and fans. The ducts were taken off, pressurized and then measured for leakage with the duct blaster. The capture hood measured air flow from vents, and the infrared camera exposed areas that were moist and badly insulated.

Then there was the blower door, which measured the air flow into and out of the house and added more hard evidence of leaks.

"Contractors like to say that we shouldn't make a house too tight, that it'll make it sick," said Locke. "What is true is that a house should have adequate planned ventilation."

That ventilation, according to Locke, should meet a standard of 0.35 air changes per minute, 0.15 less than the average new house. The Danville house first measured at 0.88, but that was not even what most alarmed the homeowner.

A few years ago, a new furnace had replaced the old one in its closet off the laundry room, just behind the wall that holds the living room television. The installer apparently had hooked the furnace up improperly and then neglected to replace the ceiling above it. "So the house was pulling air through the ductwork from the dirty, dusty attic and down into the furnace," Mitchell said.

"That was scary stuff when we saw where the air was coming from," the homeowner said. "We weren't starting out with good air."

After the gadget-guided testing was completed, Mitchell prepared a seven- page report that concluded with his recommendations for making the house healthy. With the exception of installing a HEPA house filtration system, something, it turned out, the newly improved house didn't really need yet, the homeowners agreed to all of them.

And more.

"As we went along, other ideas came up," the homeowner said. "And the big one was to move the furnace into the attic."

So a new, smaller furnace ("Bigger is not better!" exclaims the Energy Star brochure) went upstairs, and suddenly the living room television didn't have to be turned up so loud.

Filthy, decrepit insulation was replaced with higher-resistance, R-8 insulation that surpasses the energy code minimum of 4.2. (The old insulation that was installed when the house was built in 1978 measured R-2.) Ducts were replaced throughout the house. The water heater, which had been releasing combustion gas, was sealed. Out went the air cleaner that was in the house -- it was generating large amounts of ozone, an EPA no-no. New, inaudible bathroom fans were installed to pull moisture and humidity out of the house instead of pour it into the attic. Old, air-leaking light cans were replaced and sealed. A new dryer vent and booster were added.

With the air changes per minute now measuring .28, an air exchanger ensures that the proper amount of fresh air mixes with the now much cleaner air inside the house.

"I don't plan to open the windows anymore," said the homeowner. "With pollutants and allergy plants and trees, there's no reason to open them."

"We don't have the air conditioner hooked up yet, but it was in the 80s last weekend, and with all the other improvements the house was so comfortable that we didn't have to open windows."

According to Energy Star, a retrofit like this one can reduce total energy costs by at least 30 percent. The Danville homeowner is expecting to save 40 percent on his \$165 monthly bill.

That pencils out to \$66 a month, which is nearly \$800 a year at today's fuel prices. With increases inevitable, it's easy to see how homeowners planning to stay put for 20 or 30 or 40 years can

justify spending \$25,000 on such otherwise invisible improvements as cleaner air and energy efficiency.

Getting nothing for something -- how's that for the next remodeling trend?

Resources

For more information about the California Home Performance Program and Healthy House Inspection, call (888) 352-2722 or go to www.calhomeperformance.org.

U.S. to back hydrogen-car fuel stations **The \$5 million will promote the use of nonpolluting power.**

By Jennifer K. Morita -- Bee Staff Writer
Wednesday, March 30, Sacramento Bee

The two sport-utility vehicles and a sedan seemed like ordinary cars parked in front of Roseville City Hall on Tuesday morning.

Except that they started with barely a noise and glided along emitting only high-pitched hums - and zero exhaust.

U.S. Rep. John Doolittle, R-Roseville, and other dignitaries at a Tuesday morning press conference, praised \$5 million in federal funding that is coming to California to help establish a network of hydrogen fueling stations along a "Hydrogen Highway" designed to extend the mobility of emission-free vehicles.

The Department of Energy grant will help fund the California Hydrogen Infrastructure Project, a partnership among public agencies, car manufacturers and other private corporations pushing for a hydrogen economy.

The project, led by Pennsylvania-based Air Products and Chemicals Inc., is a five-year plan to build 24 fueling stations throughout California. The sites are expected to be in Northern California and the Los Angeles basin.

"No one can predict when a hydrogen economy will occur," said Ed Kiczek, senior business development manager for Air Products.

"We do know it's the right choice. ... Hydrogen is the forever fuel."

Skyrocketing gasoline prices are fueling efforts by President Bush and Gov. Arnold Schwarzenegger to develop more hydrogen-powered cars that will be readily available to consumers.

Hydrogen fuel can be produced from a variety of sources, including natural gas and water.

The use of the nonpolluting fuel also has the support of environmental groups because the only byproducts are water and oxygen.

However, skeptics have pointed out that the electricity needed to produce hydrogen still spews pollutants into the air.

The roughly \$100,000 cost for a hydrogen car is also out of most consumers' price range.

Kiczek acknowledged that there are hurdles, but added that the technology is continuing to advance.

Several California cities, universities and public agencies already are leasing hydrogen cars and testing them.

"Some of them have been on the road for two years and are able to refuel only at their home-base station," said Ben Knight, Honda's vice president of research and development.

"This will be the world's first network of hydrogen fueling stations for real consumers that will extend their driving range."

About \$1 million of the grant will be used to test hydrogen-powered vehicles in the Lake Tahoe region, a colder, alpine climate.

Doolittle said he is also hopeful about a potential partnership between Air Products and Roseville Electric to build a demonstration facility that would fuel hydrogen-powered cars, as well as produce heat and electricity.

"I think it's quite viable technology that will be the wave of the future," Roseville Electric Director Tom Habashi said after the press conference.

"It's the most promising technology we have."

Battle only dazes the giant

By Jeff Hood

Wednesday, March 30, Stockton Record

Stockton attorney Steve Herum wields the California Environmental Quality Act like David's sling, bashing corporate behemoth Wal-Mart at every turn.

But this giant is only dazed.

Herum has done a nifty job of outflanking Wal-Mart in several California cities, especially in Bakersfield, arguing over the law. Lodi could be next.

CEQA, signed into law by then-Gov. Ronald Reagan in 1970, is designed to identify, avoid if possible, or offset the environmental effects of developments or projects requiring a public agency's approval.

An appeals court recently ruled Herum was right in saying the boarded storefronts of failed competitors should be considered an environmental effect of a Supercenter -- make that two Supercenters -- in Bakersfield.

Now Bakersfield has to do another study.

Lodi, where a Supercenter was approved last month, may be the next city called for a do-over. That's what Herum is seeking in San Joaquin County Superior Court on behalf of his mysterious client, Lodi First. As soon as Wal-Mart receives a building permit, he'll be back in front of Judge Bob McNatt, following the blueprint for challenging Wal-Mart he established in Bakersfield.

Environmental studies are the Achilles' heel of development. It's through growth that local governments raise money, and city councils and boards of supervisors don't reject them, even if they could be flawed. Most times they aren't challenged.

Konradt Bartlam, Lodi's community development director, said he can't recall an agency voting against an environmental study in his more than 20 years of working in city planning departments.

Courts, on the other hand, aren't always so agreeable.

"Frankly, I'm OK if the court wants to find there's an issue," Bartlam said. "The cure for an environmental document is to go fix it."

That's what Herum is seeking in Lodi. If he succeeds, we'll learn more details about what a nearly 400,000 square foot, Supercenter-anchored shopping center means to Lodi.

We already know, for instance, that the shopping center at the southwest corner of Kettleman Lane and Lower Sacramento Road will create 110 tons of air pollutants a year. That's according to the study the City Council OK'd.

But Herum said the law states we should know what those 110 tons mean to the health of people living in and around Lodi, as well as other factors.

And then the City Council will have to approve the project all over again.

"A decision-maker is going to have to stand in front of the public and say the right to buy a short-sleeved knit shirt for \$7.99 outweighs the heart attacks, strokes and kids with asthma," Herum said.

Vice Mayor Susan Hitchcock, who already voted against the shopping center's approval, said Wal-Mart is losing the momentum battle, partly because it flip-flopped on its promise to lease out its existing store before it builds a Supercenter.

"The more information that comes out, the more concerns I hear from people about this size of a Supercenter," she said.

That's exactly what Herum and Lodi First want to hear.

Wal-Mart supporters want the focus on who Herum represents. The grocery union folks say they're not involved in Lodi. Could it be a Wal-Mart competitor? Plain Lodi folk? Herum, who also is fighting Supercenters in Clovis, Selma, American Canyon, Citrus Heights, Anderson and Chico, won't say. And, he added, it shouldn't matter.

"There's been some talk about abusing CEQA," Herum said, "but every court I've been in has said it's the public agency that's abused CEQA and did not follow the law."

Officials squabble over asbestos study El Dorado County charges EPA results may alarm residents.

By Chris Bowman -- Bee Staff Writer
Sacramento Bee, March 30, 2005

El Dorado County's chief of environmental enforcement says federal officials will release unnecessarily alarming findings about baseball and other sports activity kicking up levels of naturally occurring asbestos on some local playgrounds.

Among those alarmed by Jon Morgan's statements in a "special notice/press release" Tuesday were the U.S. Environmental Protection Agency officials who conducted the study of the El Dorado Hills playgrounds.

The EPA fired back a press release denouncing Morgan's press release.

The battle of the press releases comes as the EPA and other agencies prepare to release studies assessing risks of asbestos exposure from everyday activities in foothill communities laced in places with the fibrous minerals.

The EPA designed the air tests in October particularly to gauge the asbestos exposure of children at play.

Government contractors in protective jumpsuits with respirators and wearing air monitors played sports that could raise dust containing the invisible, cancer-causing fibers from native rock churned up by development.

Sampling of the air and soil occurred on dirt baseball diamonds and the children's playground at the El Dorado Hills Community Center, and on sports fields at Jackson and Silva Valley elementary schools and Rolling Hills Middle School.

Morgan, who alternately has criticized and welcomed the EPA's help, said in his press release Tuesday that the soon-to-be-released test results "may unnecessarily scare the daylights out of every man, woman and child in El Dorado County."

"EPA lacks accountability, common sense and fails to communicate to the people of El Dorado County," Morgan said.

Meer said the results completed to date should "concern" residents but not "scare" them.

Meer said EPA officials gave Morgan and other county officials a "sneak peek" at some of the preliminary test results earlier this month in preparation for their public release in late April, after the federal agency has received and validated all test results.

Accurately interpreting and communicating the test results will be difficult, he said.

"Our whole communication strategy was predicated on getting the state, the county and school officials all on the same page," Meer said.

"And then this comes out of the blue.

"We are puzzled as to why the county would feel compelled to release this now," he said.

Reached by The Bee on his cell phone, Morgan said he could not comment because he was preoccupied driving through a blizzard on Highway 50 near Strawberry.

He did not return messages left on his phone later Tuesday.

Charlie Paine, chairman of the county board of supervisors, said he and other county officials who reviewed Morgan's statement agreed with the message but "the tone was absolutely unfortunate."

"We're not trying to have an adversarial relationship with the EPA," Paine said.

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THE OPPENHEIMER REPORT

Brazil's alternative-fuel strategy is model for U.S.

This is what President Bush should do to bring down \$55-a-barrel oil prices, solve the Middle Eastern crisis, shrug off Venezuela President Hugo Chávez's daily tirades against "U.S. imperialism," and make all Americans happier: Follow Brazil's example.

No, I'm not talking about making friends with oil-rich dictators, nor shutting down the country for a whole week to celebrate Carnival (although, come to think of it, the latter wouldn't be a bad idea). I'm talking about Brazil's successful reduction of its foreign oil dependence through the development of alternative fuels.

The issue was brought to my attention in a recent interview with Sao Paulo GovGeraldo Alckmin, a possible contender for the 2006 presidential elections, who said that 50 percent of all new cars sold in Brazil this year will be "mix-fuel," or able to use a combination of gasoline and ethanol.

"It's already a reality," Alckmin said. ``And in four years, virtually all new cars in the country will be mix-fuel."

Brazil's reliance on oil imports has plummeted from 85 percent of its energy consumption in 1978 to 10 percent in 2002, according to that country's National Petroleum Agency. And this year, it will be nearly zero, Brazilian officials say.

Granted, ethanol already is used in U.S. Midwestern states, although in small quantities, as an additive. But Brazil has done something more radical: It pressed car makers to modify engines, so they can run on much higher percentages of ethanol.

DECADES OF WORK

Brazil's program started three decades ago with a government program to mix gasoline with sugar-based ethanol. Problem was, many car engines had trouble starting on the ethanol-mixed gasoline. In 1979, when oil prices soared, Brazil poured more money into research, and began producing ethanol-only cars.

Today, nearly 20 percent of Brazil's cars run on ethanol only, in addition to the 50 percent of new cars that have "mix-fuel" ethanol-and-oil engines.

In addition, Brazil is beginning to use biodiesel -- diesel made out of vegetable oils -- for its trucks and buses. Last week, Brazilian President Luiz Inácio Lula da Silva dedicated a biodiesel plant in Minas Gerais state, which will produce 12 million liters a year of this fuel.

FINANCIAL INCENTIVES

"We are telling the world that it is absolutely possible to produce fuel from renewable resources," Lula said at the dedication ceremony. The plant will produce fuel made from sunflower oil, soybeans and African palm. Peasants who sell these products to diesel refineries will get tax breaks ranging from 32 percent to 100 percent.

As part of its plan, Brazil wants to sell its ethanol to the United States, arguing that it's cheaper than U.S. corn-made ethanol.

"The United States would have a lot to gain by exporting its corn to Asia for human or animal consumption, and importing our ethanol for fuel," Brazil's Ambassador Roberto Abdenur says. "We could be of great help to reduce the U.S. dependence on foreign oil."

U.S. oil experts say it will be a hard sell. The U.S. government subsidizes U.S. corn producers, who would be up in arms if Washington lifts barriers to Brazilian ethanol. Also, the Bush administration's pet alternative fuel program is based on hydrogen, rather than ethanol.

BOOM TIMES AHEAD?

Be patient, U.S. officials say. If oil prices continue rising, sales of hybrid cars -- powered by electricity and oil -- will boom. And the Bush administration has asked Congress for \$360 million for its "Freedomcar" hydrogen-powered-car research program in 2006.

My conclusion: I don't know whether U.S. cars should be running on ethanol, hydrogen, electricity or something else. But what's pretty clear to me is that Bush's current policy of spending \$80 billion a year in Iraq while only \$360 million for its "Freedomcar" alternative fuel program is absurd.

PUNITIVE CHARGES

Why not impose a 10 percent tax on the purchase of gas-guzzling SUVs, and a 50 percent tax on purchases of Hummers? And, also, why not punish Detroit automakers that put out inefficient cars?

If Bush did that, the United States would no longer live in fear of oil-rich tyrants, be they in Saudi Arabia or Venezuela. Oil prices would go down, and the air we breathe would be cleaner. It can be done -- just look at in Brazil