

Activists want air cleaned by 2017

Valley officials raise idea of postponing deadline to 2024.

By Matt Leedy / The Fresno Bee

Thursday, April 26, 2007

Clean-air activists conceded for the first time Wednesday that smog can't be completely cleared from the San Joaquin Valley by the 2013 federal deadline.

They're now pushing to have the Valley's dirtiest pockets -- including one in northwest Fresno -- cleaned by 2017.

However, officials with the San Joaquin Valley Air Pollution Control District say it's impossible to erase the haze from one of the country's dirtiest air basins in time to satisfy the latest deadline proposed by environmental groups.

District officials on Monday will ask the agency's governing board to approve a 1,200-page proposal to have all Valley residents breathing clean air in 2024. This will require an extension of a 2013 federal deadline.

Environmental groups are discouraging the district from seeking that extension but admit it might take an extra four years to clean up the smoggiest pockets, in northwest Fresno and in Arvin. Northwest Fresno gets a big dose of afternoon pollution carried from local freeways on swirling wind, and Arvin is downwind of the smoggy Bakersfield metropolitan area, air pollution officials say.

"2017 is merely an expression on our part that we are not unreasonable," said Brent Newell, a San Francisco attorney for the Center on Race, Poverty and the Environment.

Newell and other air activists still say 95% of the Valley's air basin should be clean by 2013.

However, Air District Executive Director Seyed Sadredin isn't budging. He said the activists' latest demands are still unreasonable and impossible to achieve.

The district proposes to have half of the Valley's residents breathing clean air by 2015, and 90% by 2020. Four years later, the remaining dirty-air pockets would be cleaned.

The district is "preparing to let us all down," by backing away from the 2013 deadline, said Lisa Kayser-Grant, a Merced resident and member of a group of mothers pushing for the smog to be lifted as soon as possible.

Environmental groups want the district to spend six more months looking for additional ways to rid the Valley of smog.

The district is trying to meet a June deadline to submit a clean-air plan to the U.S. Environmental Protection Agency. But activists say the district could receive an 18-month grace period from the June deadline.

The environmental groups want the district to seek additional local, state and federal grants to help trucking companies and farmers buy clean-running vehicles and shelve their diesel-powered big-rigs and tractors.

Those who would reject such incentives should not be allowed to run their diesel engines during the Valley's smoggiest days, activists suggest.

Air activists also want the district to prepare an environmental report detailing health problems residents could suffer if the Valley's smog problems persist through 2024.

Research has connected smog with lung disease and early mortality.

The Valley tied the Los Angeles area last year with 86 smoggy-day violations -- the most in the nation.

Valley air district officials say they're doing all they can to shake the dubious distinction. Sadredin says that even if the district receives a deadline extension to 2024, it "will do everything possible to beat that deadline."

Advocates urge air district to rewrite cleanup plan

BY STACEY SHEPARD, Californian staff writer

Bakersfield Californian, Thursday, April 26, 2007

Clean air advocates have launched an effort to send air regulators back to the drawing board to recraft a plan to clean up the San Joaquin Valley's smog problem.

But they don't have much time.

The San Joaquin Valley Air Pollution Control District's Governing Board is set to vote Monday on whether to accept the district's proposed plan, which calls for delaying compliance with federal smog standards more than a decade, to 2023.

Air district staff, who have spent 18 months preparing the document, said it will take that long because the valley's smog problem is so bad and the technology needed to clean the air sooner isn't yet available.

The federal government had set 2013 as the initial deadline to meet smog standards in the valley.

The Central Valley Air Coalition, which represents 70 community, medical public health and environmental groups in the valley, argues the district's plan could include stricter measures to meet the federal standards a lot sooner.

If the district's plan is approved as it is, "a child born today will have to wait until high school graduation to breathe clean air," said Lisa Kayser-Grant, head of the Moms Clean Air Network, one of the member organizations in the Central Valley Air Coalition, during a news conference Wednesday.

To that end, clean air advocates recently asked the air district's governing board members to vote down the district's proposed plan Monday and instead require district staff to deliver another plan by November that achieves clean air by 2017.

Federal mandates require the air district to submit an approved plan to the state Air Resources Board by June 15. However, state officials confirmed the deadline has leeway. If the plan isn't submitted in a timely manner, they said, the district is given an additional 18 months to submit the plan before penalties kick in. Those penalties include, among other things, withholding federal road money.

The clean air advocates' request to forgo the deadline is laid out in an eight-page letter being circulated to the air district's governing board members.

District officials who drafted the plan said waiting would do no good. They have repeatedly said there is no feasible way to get cleaner air sooner than 2023 and they stood by that claim Wednesday.

"We've ... looked at all possible ways to make (emissions) reductions and the technology just isn't there to do it," said Rick McVaigh, one of the air district's top officials. "The technology has to be available or on the horizon in order to include it in the plan as a way to reduce emissions."

As a result, a 10-year delay of the deadline "is our only legal option," he said.

While the federal standard wouldn't be met until 2023, air district officials said the air would become increasingly cleaner in the intervening years.

In order to meet federal standards, the valley must reduce by 75 percent the amount of nitrogen oxides in the air. Nitrogen oxides, emitted by tailpipes, factories and other sources, are one of the components that contributes to smog.

Under the plan, 90 percent of the valley would reach attainment by 2020. Arvin and northwest Fresno, however, wouldn't reach attainment until at least 2023, district officials said.

In order to be considered in attainment, the entire valley must meet the federal standards.

Raji Brar, an Arvin councilwoman, and Kern County Supervisor Jon McQuiston represent Kern County on the air district's governing board. Both assumed their posts earlier this year. Neither would say Wednesday whether they would to vote in favor of the district's proposed smog plan on Monday.

McQuiston said he was still wading through the 700-page plan and had many questions he planned to ask prior to Monday's vote. But Brar said she didn't think the 2023 deadline was the only option.

"It's just hard to convince me there's nothing else we can do," she said.

How to get involved

The San Joaquin Valley Air Pollution Control District will hold a public hearing before Monday's vote on the plan to clean up smog in the valley.

A presentation on the plan will begin at 11 a.m. The public comment period will start at 1 p.m. The air district governing board's vote is scheduled to take place after the public comment period. The meeting will be held via videoconference in the air district Bakersfield office, 2700 M St., Suite 275

Ozone plan to be discussed

By The Record

Stockton Record, Thursday, April 26, 2007

FRESNO - A coalition of air-quality groups on Wednesday again asked air regulators in the San Joaquin Valley to scrap a plan that would give the region more time to meet federal ozone standards.

The groups claim that the standard can be met much sooner than 2023 - the new target date established by the San Joaquin Valley Air Pollution Control District in a plan up for approval on Monday.

District officials have said they could not meet the standard on time even if money was no object. Critics, however, said Wednesday that 95 percent of the needed reductions could be achieved by 2013.

Ozone, which comes from chemicals emitted by a number of sources, including cars and trucks, can damage lung tissue and exacerbate asthma, among other health problems.

The air in the Stockton area already meets the ozone standard, but areas in the southern Valley do not.

The ozone plan is to be discussed at 11 a.m. Monday at the district's board meeting in Fresno. It will be on teleconference at the district's Modesto office, 4800 Enterprise Way.

For more information, visit www.valleyair.org.

Lab seeking to restore explosives testing

In application for new permit, Lawrence Livermore also requests an increase in amount tested per day

By Mike Martinez, STAFF WRITER

Tri-Valley Herald, Thursday, April 26, 2007

TRACY — A month after having its explosives permit rescinded, Lawrence Livermore National Laboratory's Site 300 has resubmitted paperwork to the [San Joaquin Valley Air Pollution Control District](#) to raise the amount of outdoor explosives to 350 pounds per test day.

The permit application, filed on April 6, said the lab anticipates using up to 350 pounds per day and up to

8,000 pounds per year of explosives

for testing.

"There is currently a need to perform open detonation (research and development) in amounts greater than the exemption threshold, in support

of homeland security and national

defense activities," according to

the application.

Among the dangerous materials expected to be found in the explosions are thallium and depleted uranium.

Susan Houghton, a spokeswoman for the lab, said the amounts used in testing are "well below" standards set by the Environmental Protection Agency.

She said they are continuing to work under their old permit which allows for a maximum test of 100 pounds a day and up to 1,000 pounds a year.

"The ball is in their court," Houghton said. "We provided them with all the information. We hope they do a full public process. We think there has been a lot of misinformation out there; we think it's important for the public to hear the facts from the agency."

Last November, Lawrence Livermore Laboratory was originally granted permission to expand its explosives testing from 1,000 pounds per year to 8,000 pounds per year.

Following an appeals hearing in February, the air district rescinded the permits.

Jamie Holt, a spokeswoman for the district, said they discovered there was additional information that was needed to fully understand the application

before any final decision was made.

She said the process has already begun for re-permitting and the air district has been receiving input "from throughout the nation," with most of the input opposing the expansion.

"There will definitely be a robust public process," Holt said. "We definitely understand the public interest in this issue and will be certain to make sure the public has the opportunity to weigh in."

Meanwhile, Site 300 was visited last week by federal officials in search of a home for a proposed National Bio and Agro-defense Facility to be built at Site 300. The facility, funded by the U.S. Department of Homeland Security, would research and develop cures for life-threatening diseases affecting both humans and animals.

Houghton said lab officials believe the visit "went extremely well."

Gov. Arnold Schwarzenegger, in an April 12 letter to the Secretary of Homeland Security Michael Chertoff, expressed his support for the facility being located in Northern California.

"Housing the facility in Tracy will allow the NBAF to draw upon an almost unparalleled breadth and depth of academic expertise at the surrounding UC campuses and laboratories," Schwarzenegger said.

Lab still wants bigger explosions

TRACY: Lawrence Livermore resubmits request for permit to expand detonations to 350 pounds per test day

By Mike Martinez, MEDIANEWS STAFF

Contra Costa Times, Thursday, April 26, 2007

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Dairy owner to handle lawsuits

By Jed Chernabaeff, Staff writer

Visalia Times-Delta, Thursday, April 26, 2007

Tulare County supervisors decided Wednesday to hand over the defense of lawsuits involving Col. Allensworth State Historic Park to the Visalia farmer who wants to build a pair of dairies within two miles of the park.

Ron Rezak, chief deputy county counsel, said the move is based on an indemnification agreement signed by dairy applicant Sam Etchegaray. The agreement allows the county to require the applicant to provide the defense in the event of California Environmental Quality Act-related litigation.

The supervisors voted 5-0 behind closed doors to invoke the indemnification agreement, Rezak said.

Lawsuits were filed against the supervisors last week by state Attorney General Jerry Brown, the Natural Resources Defense Council and the Center on Race, Poverty and the Environment. The lawsuits attempt to overturn an environmental impact report the supervisors approved that would allow two dairies to be constructed near Allensworth park, which preserves the site of the first African-American community established in California.

"The lawsuits are now in the hands of Etchegaray," Rezak said. "We are on the sidelines."

David Albers, Etchegaray's lawyer, said he expects to work with the county to defend the lawsuits.

"The county doesn't want to lose and we don't want to lose," Albers said.

Albers said there's still a chance that the dairy plan will not move forward. Negotiations between Albers, representing Etchegaray, and The Trust for Public Land, California, a land-conservation group, continue.

The Trust for Public Land is working on buying a portion of the Etchegaray property or the dairy-development rights to create a buffer zone between Etchegaray's remaining property and the park.

Supervisors on March 20 approved the special-use permit and the environmental impact report that would allow Etchegaray to build the dairies, which would house more than 12,000 cows.

The vote disappointed park supporters from the Bay Area and Los Angeles, who claim that the proposed dairies would bring unwanted flies, dust and odor to the park and eventually destroy it.

The supervisors' decision also triggered one legislator to introduce a bill that would place a dairy-free buffer zone around the park.

Power plant protests intensify

By Jessica Szalay

Selma Enterprise Wed., April 25, 2007

Due to the plethora of complaints lodged by landowners in the Selma area, the Kings River Conservation District held an information open house to address the increasing concerns that residents have about a proposed 500-megawatt power plant.

The Kings River Conservation District (KRCD), as a part of the San Joaquin Valley Power Authority, plans to set up shop on Dinuba and Bethel avenues much to the chagrin of not only those who live in the affected area, but also to the members of the Selma City Council.

Because of these initial complaints that KRCD has received, the district decided to host its own information night to collect those complaints and address them all at one time.

"We're doing this ahead of the game to get the input of the people even before the official process," said Cristel Tufenkijian, KRCD's manager of community and public relations. "Anyone with questions got an answer."

KRCD General Manager Dave Orth addressed the biggest concerns, such as [air quality](#), noise, traffic, water and visual aesthetics, among others. And KRCD also had information tables with project experts to answer the more technical questions that locals had about the impending power plant.

Selma City Manager D-B Heusser addressed the KRCD panel during the question and answer session in order to express the Selma City Council's position on the project. The city of Selma is opposed to the building of the facility, something that Heusser and the council agree will negatively impact the citizens of Selma.

"We have serious questions about the location of the power plant," said Heusser, who was informed at the open house that KRCD is looking at a total of 30 sites for the plant. "After

spending \$3 million, I think they're hard-pressed to make any reversals of the location."

One of the main problems the city sees with the location of the power plant is Parlier's expanding sphere of influence. The city had hoped that the land between Indianola and Bethel avenues would act as a buffer zone between the two communities. Yet, with the proposed construction of this facility, there would be no buffer zone.

In addition to the encroachment of Parlier into Selma's sphere of influence, the city and parents are concerned, since the power plant would be built less than a quarter of a mile away from Indianola Elementary School.

According to concerned citizen Shelly Abajian, who has lived on Bethel Avenue her whole life, the meeting helped, but it should have been held at Indianola Elementary School. Issues have been raised about the health and safety of the kindergarten through sixth graders attending school there.

One of Abajian's, and others, main complaints deals with air quality. Orth said the district would buy emission credits to actually improve air quality since more air pollution would be removed than what the plant would in actuality emit.

"But they're still emitting these toxins into an area that has the second highest rate of air quality in the region," said Abajian. "What happens when it rains?"

Of the almost 200 people in attendance from the surrounding area, a majority of the people who asked questions such as these were from Selma. These residents were not only worried about their property values once the proposed plant is finished in 2010, but also water quality, noise, traffic and the visual aesthetics of the facility.

KRCD addressed this with plans to reclaim waste water from the Parlier sewage treatment facility as a way to improve water quality. At the same time, KRCD will reduce the noise level to 40 decibels, which would be what the area experiences now without the power plant even there.

In addition, at peak construction, KRCD estimates 400 employees in the area. Because of this, a new traffic route would have to be mapped out to avoid schools, residences and dangerous intersections such as Bethel and Manning avenues. In its impending application to the California Energy Commission, KRCD has planned for traffic to be brought south down Bethel Avenue to Mountain View Avenue, and then onto Highway 99.

"We gave them as much information as we could give them at the time," said Tufenkijian.

Yet, according to both Heusser and Abajian, many of the citizens questions could not be answered.

"They said, 'We can't answer that question until we do the application,'" said Abajian. "I think when the heat got a little hot, they tried to disburse us."

One of those heated discussion points is about KRCD's efforts to inform those living in the area of the planned power plant. KRCD sent out letters to residents in the immediate vicinity of the proposed plant site on July 19, 2006, reaching about 20 people. They also sent another letter to about 60 people on Dec. 28, 2006 who are located near the plant's proposed linear routes. According to many affected landowners, they did not get any of that information and instead heard of the power plant from neighbors.

After calls and meetings with some of those landowners, KRCD decided to hold their own public hearing on April 19. Yet according to the Tufenkijian, this past hearing is not a mandated part of their plant application process. Normally, the California Energy Commission schedules such hearings once KRCD actually files their application, which as of now is slated for May.

"There's plenty of opportunities for them [residents] to have input and be responded to by the energy commission," said Tufenkijian.

After a 12 to 14 month permitting process that looks at 23 different elements, KRCD can begin construction on the plant that would supposedly save five percent on generation costs with a cumulative savings of over \$780 million over a 20 year period. That's about \$42 a year for the average resident in one of the 13 cities that make up the San Joaquin Valley Power Authority.

The San Joaquin Valley Power Authority is the governing body of Community Choice, which allows cities to combine their efforts to meet the electrical needs of their residents, businesses and municipal facilities. Selma, Parlier, Kingsburg and Reedley are just some of the cities in the San Joaquin Valley Power Authority.

Selma citizens and Selma council members are opposed to KRCD's plans, and have made their opinions known at not only KRCD's open house, but also at Selma City Council, Fresno County Board of Supervisors and Tulare County Board of Supervisors meetings.

Heusser even asked at the April 19 open house if KRCD would have such a hearing in Selma in the near future. While a date has not been set yet, Abajian said she'll be there.

"They say this is all based on community choice," said Abajian. "Well, the community doesn't want it."

Environmental group tests air near steel plant

BERKELEY: Neighbors worry that emissions contain poisonous heavy metals

By Doug Oakley, MEDIANEWS STAFF

Contra Costa Times, Thursday, April 26, 2007

To try to prove that Pacific Steel Casting in Berkeley is showering residents with dangerous heavy metals, a San Francisco group has started monitoring air around the Second Street plant.

Meanwhile, the plant has agreed to change an ingredient in its steel-making process that should reduce pollution coming out of its stacks by 2 tons a year, said Adrienne Bloch, staff attorney at Communities for a Better Environment, which sued the steel foundry in federal court last year over violations of the Clean Air Act.

Bloch said that Pacific Steel agreed to change a binder used in sand that forms castings into which molten metal is poured. When that binder gets hot, it releases a smelly emission that Pacific Steel thinks is to blame for most of its complaints.

Pacific Steel also plans to install a new pollution-control device on one of its older plants that should further reduce emissions, Bloch said. The measures resulted from a settlement of the lawsuit that mandated the plant set up a committee of union members, plant managers and Communities for a Better Environment representatives to talk about how it can reduce pollution.

"They are taking the settlement very seriously, but there are a lot of things that still need to be done," Bloch said.

Pacific Steel spokeswoman Elisabeth Jewel declined to comment on either the air-monitoring project or the two measures the plant is taking to reduce pollution.

While the plant applies for permits from the Bay Area Air Quality Management District to change its steel-making process, community members now are monitoring the air around the plant through a project funded with a \$25,000 air district grant. The equipment and procedures used to monitor the air have the agency's blessing as a credible scientific undertaking, said air district spokeswoman Karen Schkolnick.

On Monday, Global Community Monitor of San Francisco placed a machine atop the home of Berkeley resident Richard Spencer, who lives about four blocks from Pacific Steel, to start taking 24-hour readings.

"We have a long history of complaints related to Pacific Steel," Schkolnick said. "There's been a relationship built over time with the community, and this grant came out of that in addition to the other enforcement and litigation we are pursuing as a comprehensive (pollution-reduction) strategy."

She said the district is in the process of installing a permanent air-monitoring device near Pacific Steel but added that it could take years to get it running.

Denny Larson, director of Global Community Monitor, said he wants to use data collected from the air samples to show that Pacific Steel is endangering the health of the community.

"We think Pacific Steel is a serious community health problem in Berkeley, and we want to assign the proper blame to them, which we think is quite large," he said. "We're very dissatisfied with the denial the company is exhibiting on this issue. They are spending a lot of money on public relations rather than cleaning up their act."

He said the air monitoring will be done in 24-hour increments for about four months at eight or 10 other locations in Berkeley. He said he is looking for "marker" metals that he and the air district have identified as specific to Pacific Steel.

Schkolnick said the district will look at the information from the monitoring, but "it's a little premature to say if it will be used for enforcement."

Community Activist L-A Wood, who is helping with the monitoring, said the air district is giving the air-monitoring job to a nonprofit group "because it gets (the air district) off the hook. That works for them. Sometimes they have other people do what they can't or won't do."

Spencer, who volunteered the roof of his home for the monitoring device, said he did so because he is worried about his health. He and his son suffer headaches and have trouble sleeping at night, and he thinks the plant's emissions are the reason. The blasts of toxic smell that hit him at different times have driven him to get tested for the presence of heavy metals in his body.

Spencer showed the lab results of a test taken from his hair that showed he is in the 95th percentile for the "potentially toxic elements" of bismuth, cadmium, silver and tin.

"I thought about moving away, but how far do you have to move?" he said. "If I walk around the corner here, immediately I am assailed. The smell comes in blasts, but it is not sustained. The smell suggests toxicity. And the company has been recalcitrant in divulging what those blasts contain."

California to sue EPA if it fails to act quickly on air standards

By SAMANTHA YOUNG - Associated Press Writer

Sacramento Bee, Contra Costa Times, Bakersfield Californian and other papers, Thursday, April 26, 2007

SACRAMENTO -- The Environmental Protection Agency has six months to act on the California's request to regulate greenhouse gas emissions from automobiles, or else face legal action, the governor's administration warns.

Gov. Arnold Schwarzenegger said he called EPA Administrator Stephen Johnson on Wednesday and told him his agency was moving too slowly on California's 2005 request for a waiver to the federal Clean Air Act. The waiver, if granted by the EPA, would allow California to more aggressively regulate greenhouse gases as air pollutants.

The administration also sent a letter to the federal agency on the same day announcing the intent to sue, a procedural step that is required six months before a lawsuit would be filed, Schwarzenegger spokesman Aaron McLearn said.

Responding to Schwarzenegger's letter, EPA spokeswoman Jennifer Wood said the agency was moving forward with California's request. She said a final decision will be made at the end of a public comment period for the request that ends June 15.

The EPA had delayed action because the agency maintained it did not have the authority to regulate the gases that contribute to global warming. However, the state's request was revived earlier this month when the U.S. Supreme Court decided that the EPA does have the authority to regulate greenhouse gases, a position that had long been rejected by the Bush administration.

Schwarzenegger is demanding that the EPA act on California's waiver request within 180 days.

"Failure to take action by the end of October would mean that more than 22 months have passed with no decision," Schwarzenegger wrote in the letter. "This is clearly an unreasonable delay."

On Tuesday, Johnson told senators that he had begun the formal process to act on the request, but he refused to set a timetable specifying when the agency would issue a decision.

"We will move expeditiously, but we are going to be moving responsibly," Johnson told the Senate Environment and Public Works Committee.

The 5-4 Supreme Court decision did not require the EPA to regulate greenhouse gases. But it does say the agency must show that carbon dioxide emissions are not a danger to public health if it chooses not to regulate them under the Clean Air Act.

The committee's chairwoman, Sen. Barbara Boxer, D-Calif., said she expected the EPA to make a decision by the middle of the summer and would call agency officials back before her panel after the comment period had closed.

California's waiver is needed for the state to implement a 2002 state law that would require automakers to reduce emissions by 25 percent from cars and light trucks and 18 percent from sport utility vehicles starting with the 2009 model year.

The waiver also carries implications for at least 10 other states that have adopted California's standard. Federal law allows states to choose between the federal and the California rules.

The auto regulations are a major part of California's strategy to reduce greenhouse gas emissions. The state is the world's 12th largest producer of the emissions blamed for warming the earth and contributing to global climate change.

A separate 2006 state law requires emissions to be reduced 25 percent by 2020. That law requires California to reduce emissions by an estimated 174 million metric tons.

The auto regulations would account for about 17 percent of the state's target, according to the California Air Resources Board. If the EPA rejects the auto-emission waiver, California regulators would have to rethink how the state could meet its goals.

Schwarzenegger met with Johnson earlier this month to press him on the waiver request but left Washington without a commitment. The governor last year sent two letters to President Bush seeking action.

"It looks like the EPA is trying to drown the waiver process," said Karen Douglas, who directs climate change issues in California for Environmental Defense, a national environmental group. "They've offered to hold hearings, but what we really want to see from EPA is fast action dealing with global warming pollution."

In addition to the waiver, the 2002 auto regulations are the subject of lawsuits in California and Vermont. Automakers have sued the states, saying the emission standards are akin to fuel economy standards, which can be set only by the federal government.

S.J. agencies team up to prepare for real-life disasters

By Greg Kane - Record Staff Writer

Stockton Record, Thursday, April 26, 2007

STOCKTON - That tall plume of black smoke rising Wednesday morning from Stockton Metropolitan Airport was not from a plane crash.

The smoke came from three abandoned trucks deliberately set ablaze as part of a training exercise performed once a year by emergency crews at the airport. The Montezuma and French Camp fire districts that cover the airport, the Sheriff's Office and ambulance firm American Medical Response participated in two morning drills testing how the agencies would work together while responding to a plane crash.

Montezuma Fire Chief Ed Martel said it is the first time in three years that multiple agencies have participated in the exercise. The Federal Aviation Administration requires such drills to be performed by firefighters annually and at least once during a 36-month period with other departments involved.

The idea, officials said, is to make sure everybody's ready in the event of a real crash-and-rescue scenario. Hot-burning flames stoked by jet fuel are far more difficult to fight than traditional house or grass fires, and fire agencies that cover airports are required to undergo additional training before being allowed to service such areas.

"It's more than just coming out and burning a plane," said sheriff's Lt. Chris Pehl.

The future of emergency response at the airport was thrown into question last week when a deal between Stockton and San Joaquin County giving the city the green light to try annexing the area was announced. In that deal, the city would provide sewer and water service to the airport to aid development in exchange for the county's backing off claims that existing agreements prevent the city from absorbing the property.

City officials have said they plan to try annexing the airport, which would allow them to share in tax revenues. If that happened, the agencies participating in Wednesday's drills would no longer have jurisdiction in the area, being replaced by Stockton's fire and police agencies, officials said.

In the first of two rescue scenarios performed early Wednesday, the three trucks were lined front to end to represent the body of a plane that crashed while approaching the airport's runway, Martel said. They were doused with a combination of diesel and aviation fuel and ignited, bursting into flames that burned as hot as 1,500 degrees Fahrenheit and producing a cloud of dark smoke that could be seen from nearby Highway 99 and elsewhere.

Dozens of firefighters and paramedics then took action: A large firetruck equipped with a high-powered hose lined up 20 feet from the flames, firing enough water and foam to fill an average-size fish tank every three seconds. Firefighters then grabbed hand-held hoses and moved toward the wreckage, extinguishing flames and checking for survivors.

Nearby, AMR paramedics set up a staging area with colored tarps and flags dividing the severity of injuries: black for fatalities, red for severe, yellow for wounded and green for minor. Sheriff's deputies drew an imaginary perimeter around the crash site, theoretically closed nearby Arch Road to traffic and assumed duties as spokespeople for the emergency efforts.

The fire was out within 10 minutes, after which firefighters turned their attention to removing victims - some dummies, some live volunteers standing to the side of the fire - to the medical area, where four ambulances stood waiting.

Once the drill was completed, those who took part stood in a circle to discuss what they learned and what could be improved. They then pulled back in their police cruisers, firetrucks and ambulances, again doused the line of abandoned vehicles and set it on fire again.

Governor threatens suit over auto-emission rules

State ready to play hardball with feds over plan to limit pollution from greenhouse gases

By Kate Folmar, MEDIANEWS SACRAMENTO BUREAU

Tri-Valley Herald, Thursday, April 26, 2007

SACRAMENTO — Gov. Arnold Schwarzenegger on Wednesday threatened to sue the federal Environmental Protection Agency unless it moves quickly on California's bid to limit greenhouse gas emissions from vehicle tailpipes.

California and a dozen other states have approved clean air regulations that are tougher than the federal government's. But to enact them, they need a waiver from the EPA, which hasn't been granted so far.

Schwarzenegger delivered the warning in a phone call and a letter to EPA Administrator Stephen Johnson. The governor is required to give the federal government six months' warning before filing a lawsuit.

The federal government is moving "too slowly" on California's wish to reduce greenhouse gas emissions, Schwarzenegger said Wednesday at a Milken Institute conference on climate change. "And, basically, our clock has started ticking for this next six months, and if we don't see quick action from the federal government, we will sue the U.S. EPA."

Regulating vehicle pollution is an important part of the state's wider global warming efforts. Working with majority Democrats, Republican Schwarzenegger last year signed a landmark law to cut greenhouse gas emissions by 25 percent by 2020.

During his re-election campaign last year, Schwarzenegger took pains to distance himself from the Bush Administration, particularly on environmental issues. The Hummer-driving governor has become an unlikely environmental activist, headlining a recent climate change summit in Washington, D.C., and disparaging global warming skeptics as modern-day flat-earthers.

His lawsuit threat involves a first-in-the-nation 2002 California law. It would restrict tailpipe emissions from millions of new sport utility vehicles, minivans, cars and trucks sold in California, starting in 2009.

A dozen states from Vermont to Oregon wish to adopt California's standards.

But the measures cannot take effect until California gets an exemption from the federal Clean Air Act.

The state first sought a federal waiver in late 2005, only to have it bog down in the federal bureaucracy.

The effort got a boost earlier this month when the U.S. Supreme Court handed down a major environmental decision, ruling that the EPA indeed has the authority to regulate carbon-dioxide emissions under the Clean Air Act. The Bush administration had argued that it lacked the authority to do so.

Now, California's request is being re-examined — but it's far from clear what will happen.

The Supreme Court "obliterated" any federal rationale for inaction on global warming, said Karen Douglas, the California climate initiative director for the non-profit Environmental Defense. But the feds are still stalling.

"It's bad enough that they've failed to take meaningful action to combat global warming," she said. "It's even worse that they're putting roadblocks in front of states that are trying to do something."

In Washington this week, congressional Democrats led by California Sen. Barbara Boxer accused Johnson, the EPA administrator, of inaction since the Supreme Court decision.

Johnson told a Senate hearing that the EPA would hold a public hearing on California's request May 22 and would accept public comments until June 15. He did not say whether the state's waiver request would be ultimately approved.

EPA spokeswoman Jennifer Wood said the agency is "moving forward expeditiously with the statutory process for considering the waiver."

California's emissions law is also the subject of a legal battle, with automakers suing to block enforcement of the law. They argue that it's an indirect attempt to force them to improve gas mileage.

EPA Accused of Flouting Supreme Court

By THE ASSOCIATED PRESS

In the N.Y. Times, Thursday, April 26, 2007

WASHINGTON AP) -- The government proposed a pollution standard for power plants Wednesday that critics said flouts the spirit of a Supreme Court ruling on clean air enforcement.

The proposal would make it easier for utilities to expand plant operations or make other changes to produce more electricity without installing new pollution controls.

Critics said the Environmental Protection Agency was ignoring the justices' ruling this month that said a lower court erred when it sided with a coal-burning utility in seeking a similar standard.

But the EPA's assistant administrator, Bill Wehrum, said the proposal was not in conflict with the recent decision. He said that ruling dealt with the interpretation of earlier rules, not the validity of a new standard.

"It's apples and oranges," Wehrum said in a telephone interview. "We clearly have the authority" to issue the new standard, he added, which revises one proposed a year and a half ago.

The proposal would allow the use of average hourly smokestack emissions when determining whether a plant's expansion or efficiency improvements require additional pollution controls. The EPA hopes to make the proposal final before year's end.

Opponents of the hourly standard recently argued before the Supreme Court that this standard lets a plant put more smog-causing chemicals and other pollution into the air, even if hourly releases do not increase.

Environmentalists long have contended the EPA should continue using annual emissions to determine whether new pollution controls are needed under the Clean Air Act.

While not ruling directly on the legality of hourly standard, the Supreme Court said a lower court erred when it sided with Duke Energy Co. in the utility's challenge to the use of the annual standard in an enforcement case.

Duke Energy argued for the use of an hourly standard -- similar to the one the EPA is proposing.

"EPA is ignoring both the Supreme Court and basic science," said Vickie Patton, a lawyer for Environmental Defense, the winning party in the Duke Energy case.

Frank O'Donnell, president of the nonprofit Clean Air Watch, accused the EPA of "thumbing its nose at the court" by pressing ahead with the hourly emissions standard. "They're going to let power plants pollute more," O'Donnell said.

Wehrum said the proposal is intended to allow power plants to produce more electricity by eliminating regulatory barriers to efficiency. He said the EPA has examined the environmental impact of the proposed rule and determined "essentially there's no effect on the environment."

"There should be little if any effects on the level of environmental protection provided by this program," he said.

Duke Energy and other power companies have said the EPA, beginning during the Clinton administration, interpreted the Clean Air Act in such a way that it has stifled needed expansions and efficiency improvements.

Environmentalists say any major changes in a plant's operation should be accompanied by steps to capture the additional pollution that may result.

Scott Segal, director of the Electric Reliability Coordinating Council which represents power companies, said the EPA proposal "allows us to make efficiency improvements that reduce carbon emissions" and help address global warming.

Segal took issue with suggestions the EPA was circumventing the Supreme Court's action in the Duke Energy case. He said the court emphasized that the EPA should have considerable deference in issuing clean air regulations.

State may sue EPA over clean air law

The governor says he wants action on 2005 bid to cut greenhouse gas emissions from vehicles.

By Janet Wilson, Times Staff Writer
L.A. Times, Thursday, April 26, 2007

Gov. Arnold Schwarzenegger on Wednesday said California will sue the federal government if the state is not allowed to implement its landmark law slashing greenhouse gases from vehicles within six months.

"The clock is ticking.... If we don't see quick action from the federal government, we will sue the U.S. EPA," said Schwarzenegger, speaking at the Milken Institute Global Conference in Beverly Hills.

"I just had a conversation with [EPA Administrator] Steve Johnson, and I said we are going to sue him," the governor said. "I put him on notice that the federal government is moving too slow."

Environmental Protection Agency officials countered that they were moving "expeditiously" on California's request. But in a move that provoked immediate criticism, they also said Wednesday that they may link a recent U.S. Supreme Court decision on greenhouse gases to California's request. If they do, it could delay the waiver decision yet again.

Under the federal Clean Air Act, California is allowed to pass its own air pollution laws but must first obtain a waiver from the EPA. The state submitted its waiver request in December 2005, after the law was passed.

After California receives permission, other states can follow its lead. Eleven other states have adopted similar tailpipe greenhouse gas laws.

For months, EPA officials had said that they would not grant California's request until the Supreme Court ruled on whether the federal agency is allowed to regulate greenhouse gases as air pollution.

The high court ruled three weeks ago that greenhouse gases are air pollution and that the EPA should regulate them unless they were not found to endanger public health.

William Wehrum, acting head of EPA's Office of Air and Radiation, said in an interview Wednesday that the agency now needed to decide whether California's waiver should be linked to a determination of whether greenhouse gases are an "endangerment."

"That's a pretty fundamental question ... whether there's a connection," Wehrum said. He said a

decision on that and other legal questions would be made "soon."

California Atty. Gen. Jerry Brown said the two were not legally linked and harshly criticized federal officials for considering it.

"They have no legal basis," Brown said. "In good faith they should grant the waiver. The request has been in for almost two years. If they're now going to sabotage the clean air process by pretending they don't know that greenhouse gases are harmful ... that would not be a decision based on science or the law, but a decision based on raw politics."

David Doniger, a lead attorney with the Natural Resources Defense Council who defeated the EPA in the Supreme Court decision, agreed.

"It's California's choice" whether to regulate air pollution independently, he said. The Bush administration "is still looking for excuses to deny California the waiver, to stall it or deny it."

Schwarzenegger's staff said a letter was sent Wednesday giving the required six-months notice of intent to sue under the Clean Air Act for not allowing California to move forward with its law.

Carmakers have sued to stop the law's implementation in California, Vermont and elsewhere.

In his remarks at the conference, Schwarzenegger, a Republican, repeatedly distanced himself from the Bush administration's policies on global warming and said "the whole world should tell the federal government to wake up and do something about this."

Teased by conference host Michael Milken about his gas-guzzling Hummers, which emit high levels of greenhouse gases, Schwarzenegger said he was having both retrofitted to run on cleaner, renewable fuels.

But he said making people feel guilty about what they drive was not the answer, and insisted that energy issues and environmental concerns can be addressed with new technology.

"Women who have children like SUVs. We should let them keep their big SUVs and change the technology."

Canada Announces Greenhouse Gas Targets

By THE ASSOCIATED PRESS

In the N.Y. Times, Thursday, April 26, 2007

TORONTO (AP) -- Canada's Conservative government said Wednesday it will cut greenhouse gas emissions 20 percent by 2020 and ban inefficient incandescent lightbulbs by 2012 as part of a national environmental initiative.

The plan, dubbed "Turning the Corner," includes various measures to stop the rise of greenhouse gases in three to five years. Once the gases stop rising, the government plans to reduce them by 150 million tons by 2020, or about 20 percent the level of current emissions.

The new goal puts Canada 11 percent above its obligations under the Kyoto Protocol on climate change -- which requires 35 industrialized countries to curb emissions of carbon dioxide and other gases that act like a greenhouse trapping heat in the atmosphere.

Under the accord, the former Liberal government is committed to a 6 percent cut in greenhouse emissions from 1990 levels by 2012. But the country's emissions are 30 percent above 1990 levels.

"Canada is going in the wrong direction on the environment," Environment Minister John Baird said. "This is how we find ourselves today with one of the worst environmental records among industrialized countries. Now, we need to turn things around. We need to do a U-turn."

Prime Minister Stephen Harper's government, which draws most of its support from oil-rich Alberta and other western provinces, unveiled a plan to combat climate change last year, but it was criticized because it had greenhouse-gas reduction targets as far ahead in the future as 2050.

Climate change was not a priority for Conservatives when they were elected in January 2006, but polls show it is now one of the most important issues for Canadians. The new leader of the opposition Liberal Party has pledged to honor Kyoto if he unseats Harper in an election.

Baird said the Conservative government will impose stringent targets on industries so that air pollution is cut in half by 2015.

"We will accomplish our goals with a concrete and realistic plan to regulate industrial air emissions," Baird said. "Canadian industry is today served notice that it will have to become more efficient in order to reduce greenhouse gases and air pollution. We will do this by mandating strict targets for industry."

Another measure Baird announced is the ban on energy-inefficient incandescent bulbs. Natural Resources Minister Gary Lunn said the ban will reduce greenhouse gas emissions by more than six million tons a year, saving homeowners about \$54 annually in electricity costs.

Home Depot, the largest retailer of lightbulbs in the country, said Wednesday it will stop selling incandescent bulbs by 2011. The retailer said its sales of more efficient compact fluorescent lightbulbs grew more than 350 percent between 2004 and 2006.

[Letter to the Fresno Bee, Thursday, April 26, 2007:](#)

'Take a back seat'

I find the article published on April 19 regarding the effect Valley agriculture has on global warming in the San Joaquin Valley very interesting and, I hope, an eye-opener to a lot of people.

Temperatures vary from 11-18 degrees cooler during the hot summer days, due to irrigation of crops in the Valley. Wow.

I hope our Valley leaders and developers read that article and understand that, not only do we have the most fertile ground for growing crops, but due to farming we fend off the amount of heat felt in this Valley.

Let's face it, we are a desert between two mountain ranges. Our soil has been blessed. Think about the hot summer days in Fresno, then think how hot and miserable it could be if this place were all sidewalks and streets. We are very fortunate in the Fresno area to benefit from this. And people want to take that away from the Valley culture.

I will stand behind what I preach, "Save this rich farmland from the devastating effects of urban sprawl." Developers need to take a back seat in the Fresno area.

[Modesto Bee, Commentary, Thursday, April 26, 2007](#)

Global warming bill's feel-good time is ending

By DANIEL WEINTRAUB - THE SACRAMENTO BEE

California's landmark law to combat global warming by limiting greenhouse gas emissions is about to go from theory to practice, testing the political viability of regulations that could crimp the state's car-happy lifestyle and drive up costs for consumers.

The new rules could increase the cost of gasoline, add another step to annual smog-check inspections and make automobile air conditioning more expensive to repair. They also might

force farms to change the way they manage everything from engines on equipment to manure piles.

The concept behind the global warming law — Assembly Bill 32, which seeks to reduce greenhouse gas emissions 25 percent from projected levels by 2020 — is hugely popular in California.

But so far, most people know only that California is taking the lead among the states and the federal government in tackling the issue. Soon they will begin seeing how all of this might affect them.

Last week, the state Air Resources Board released a list of 36 proposed "early actions" to implement AB 32. These are the low-hanging fruit that regulators think can be achieved relatively quickly and relatively easily. The rules are supposed to be implemented by Jan. 1, 2010, two years before the rest of the regulations prompted by the bill are likely to take effect.

Only three measures fit the law's definition of early actions that can be implemented by then:

A low-carbon fuel standard requiring oil refineries and shippers to reduce by 10 percent the amount of carbon dioxide emissions released in the production and use of motor vehicle fuel. Gov. Schwarzenegger proposed this new standard earlier this year and the air board is already working to develop it.

Restricting hydrofluorocarbons produced by recharging leaky automotive air conditioning systems. HFCs, according to the board, are a major contributor to greenhouse gas emissions. The board wants to force motorists to have their air conditioning repaired by a licensed mechanic because sloppy home repairs are thought to release too many HFCs into the atmosphere.

Installing emission control systems at garbage landfills. Landfills produce methane gas, which is typically collected and burned on site, creating greenhouse gas emissions. The state wants landfill operators to install new equipment that would capture more of those emissions before they reach the atmosphere.

Those three rules, the air board says, would reduce the emissions of carbon dioxide or its equivalent by as much as 26 million metric tons by 2020, bringing the state about 15 percent toward its goal of a reduction of 174 million metric tons.

The board identified 23 more actions that together would reduce emissions by at least 20 million metric tons. These rules would be put on a fast track, but might not be ready by 2010.

They include better "manure management" on farms, using electricity to power stationary agricultural equipment, and requiring a new smog test to detect and repair leaking air conditioners. The state also might adopt new rules for road and parking lot paving, roofs and automobile paints.

The board also noted that it is considering 10 more regulations originally aimed at reducing smog, but which also might reduce greenhouse gas emissions.

Those rules, scheduled for consideration over the next three years, would involve limiting diesel emissions from ships, trucks and equipment and new standards for gasoline dispenser hoses and portable fuel tanks for outboard boat engines.

Each of these actions might have short-term costs, but regulators believe that many will save money in the long run, especially if they force people and businesses to use energy more efficiently.

One big pending regulation — a requirement that automobile manufacturers reduce the greenhouse gas emissions from the cars they sell in California — would save a potential 30 million metric tons of emissions annually by 2020, achieving about 17 percent of the state's goal in one swoop. State officials say the rule also would save consumers \$5 billion a year by reducing the cost of operating their cars.

But the auto industry is suing to try to block the new rule. We probably can expect that fight to be only the first among many.