

Court: Valley Rules on Dairies Adequate

Valley Voice Newspaper, Tuesday, December 2, 2008

The 5th District Court of Appeal has ruled in favor of the Valley Air District's rule governing air pollution regulations on large dairies in two of three questions before the court.

A lawsuit filed by the Association of Irrigated Residents and the Center for Race, Poverty and the Environment said they believed the rule should cover air pollution other than ozone precursors like VOCs and should include ammonia, for example. The court ruled in favor of the district and against the environmental group in an order signed Nov. 19.

On a second matter, the environmental group argued that the air district's rule that allows dairies to pick from a menu of pollution-reducing practices was not supported by science. But the court again disagreed with the assertion.

Thirdly, the court agreed with a lower court decision that the district should do a health study related to the rule that has been in place since 2004. District counsel Phil Jay said the district will take up the issue of the health study with its board soon. "I don't think they want us to stop enforcing the rule. It is already paying good dividends reducing the Valley's air pollution."

Hybrid solar plant to reduce need for fossil fuel

By BRIAN SKOLOFF, Associated Press Writer

Modesto Bee and Tri-Valley Herald, Tuesday, December 2, 2008

INDIANTOWN, Fla. — Proclaiming green the new gold, Florida Power & Light executives on Tuesday marked the groundbreaking of the first of three new solar power projects that will eventually make the state No. 2 in the nation for energy from the sun.

FPL says the facility in southeast Florida will be the world's first hybrid solar plant to connect to an existing fossil fuel plant. It will use the sun's power to generate steam and offset the use of natural gas, making the facility more energy efficient, company officials said.

"When heat from the sun is available to produce electricity, we're going to use less natural gas," said Lewis Hay III, chairman and CEO of FPL Group, Inc., Florida Power & Light's parent company.

The \$476 million plant will produce 75 megawatts of solar capacity, enough to make electricity to power up to 11,000 homes.

The Martin County facility will use more than 180,000 mirrors on about 500 acres of land to capture the sun's power. It is set for completion in 2010.

Construction on two other FPL solar plants is planned for next year. Once complete, the three units will produce 110 megawatts, making Florida the United States' second leading producer of electricity from the sun behind California.

Hay compared solar technology to the advent of the Toyota Prius, first considered "experiments, at best."

He noted that sales of the hybrid car have risen from 15,000 in 2001 to more than 180,000 last year.

"That's what I hope for solar power, as well," Hay said.

FPL Group, which provides electricity in 27 states, is already the nation's top producer of wind and solar power.

The new facility will also be the nation's largest solar thermal plant outside of California, where FPL Group operates a 310-megawatt site in the Mojave Desert.

Solar thermal technology uses sunlight to produce steam, which is used to generate electricity. The public is more familiar with photovoltaic solar technology, smaller systems typically found on homes and office buildings that produce less power and use special panels to collect sunlight and convert it directly into electricity.

The nation's largest photovoltaic site is at Nellis Air Force Base in Nevada, producing about 14 megawatts.

"There is gold in green," said Florida's Lt. Gov. Jeff Kottkamp, noting the expansion of solar technology can bolster the economy by creating more high-paying jobs.

Audubon of Florida lauded FPL's solar projects as "a concrete step toward solving the great threats of climate change."

"This is not only good for Florida's birds and wildlife, it is important to sustain Florida's economy and our quality of life now and in the future," said Audubon of Florida President David Anderson. "All of us at Audubon applaud FPL."

EPA to Curb Medical Emissions Rule Would Sharply Cut Air Pollution From Incinerators

By Juliet Eilperin

Washington Post, Tuesday, December 2, 2008

The Environmental Protection Agency moved yesterday to curb pollution released by medical waste incinerators, ending an 11-year battle over how to best regulate the emissions.

Environmentalists hailed the move as an important precedent for controlling toxic releases into the air, saying EPA based its calculations on the availability of technologies to significantly clean up incinerator pollution. The facilities can install fabric filters to trap toxic particles or scrubbers to capture gaseous releases.

"This is the first time I've ever seen them do an air toxic rule right," said Jim Pew, a lawyer at Earthjustice, a Calif.-based environmental advocacy group that sued the agency over its initial proposal for regulating the incinerators more than a decade ago. "It's a big cut in emissions."

EPA spokesman Dale Kemery said no one from the agency was available to comment on the rule, which was technically promulgated Nov. 14 but published in the Federal Register yesterday. It is subject to public comment for 75 days before being finalized.

Medical incinerators account for a fraction of the country's air pollution, but the toxic emissions from some of the facilities can have a significant local effect on public health. The Curtis Bay Energy incinerator -- which serves the Baltimore area and the mid-Atlantic region -- is one of the nation's major such facilities and would not be in compliance with the new standards. The company could not be reached for comment yesterday.

When EPA first issued standards, in 1997, for medical incinerators -- which burn biological waste, needles, plastic gloves and batteries, among other items -- it estimated that there were 2,400 incinerators nationwide burning about 830,000 tons of medical waste per year. Most hospitals that were burning their own waste at the time decided to ship the waste to larger incinerators. Now, EPA estimates that 57 medical incinerators remain, burning 146,000 tons annually.

EPA estimates that the proposed rule would cut the amount of air pollution from medical incinerators by 468,000 pounds to 1,520,000 pounds per year, though it did not provide an estimate of current emissions. Mercury emissions, which cause neurological damage in children, would drop by 637 to 682 pounds annually, and cancer-causing dioxin emissions would drop by about 40 grams.

According to an agency fact sheet, "The proposed emission limits would require improvements in performance for all of the 57 currently operating" medical incinerators. It will cost these facilities \$21.1 million a year to comply with the new standards, though they could use alternative disposal methods to meet the rules at half the cost, the agency said.

The rules represent a significant change from the EPA's 1997 proposal, which Earthjustice successfully challenged in court on behalf of the Sierra Club. In almost every instance, the agency has reduced the amount of allowable pollutants by at least a factor of 10: Acceptable hydrogen chloride levels will drop from 15 parts per million in the atmosphere to 0.75 per million.

"This is really remarkable," Pew said.

Activists blast US at climate change talks

By VANESSA GERA Associated Press Writer
Tri-Valley Herald, Tuesday, December 2, 2008

POZNAN, Poland—Environmentalists criticized the United States and other rich countries Tuesday for failing so far to make meaningful commitments at a U.N. conference on climate change.

Some 190 countries are meeting in Poznan, Poland, for talks that are part of the attempt to reach a new climate-change treaty in the Danish capital of Copenhagen next year.

But activists warned of failure at the Poznan talks, which last through Dec. 12, saying industrialized countries are resisting setting long-term targets for cutting the emission of greenhouse gases unless developing countries make a similar sacrifice.

"We were quite disappointed in the negotiations that went on" because negotiators were "splitting hairs" on whether to adopt long-term goals to reduce emissions, said Savio Carvalho of Oxfam International.

"We are discussing now if we should even reach these targets, and that's alarming," he said.

Carvalho said there was a general lack of trust between the developed and developing world at the talks. He called on the U.S., Japan, Australia and New Zealand to agree to policies that would lessen their dependence on fossil fuels and urged them to share technology with the developing world to help those nations do the same.

However, he praised Brazil, which he said has "been progressive and has been pushing the boundaries."

Brazil announced plans Monday to significantly slow the destruction of the Amazon rain forest by 2017.

Scientists say that would reduce global warming by slashing the amount of carbon dioxide emitted when trees are burned.

A goal of the Poznan talks is to produce a "shared vision" on 2050 targets on greenhouse gas emissions, to guide negotiations leading to the critical Copenhagen conference next December.

But Alden Meyer of the Union of Concerned Scientists said he doesn't believe a shared vision will emerge in Poznan because the Bush administration "refuses to put any target on the table for 2020."

Meyer said wealthy industrial countries need to slash emissions, transfer green technology to developing countries and provide funding to help them adapt now to the climate changes already under way, such as rising sea levels and harsher weather patterns.

"That's the shared vision," Meyer said. "The reason we can't get it is because the Bush administration has refused to put on the table any meaningful target and any meaningful financial package from the U.S."

Meyer said until a U.S. president is "willing to talk about doing that, you're not going to get consensus in this hall on a shared vision."

President-elect Barack Obama—who has vowed to make the United States a global leader on the environment—will be inaugurated Jan. 20, replacing President George W. Bush.

Harlan Watson, the chief U.S. delegate, said Monday he expected no agreement on specific global targets for emissions cuts by 2020 at Poznan.

[Fresno Bee column, Tuesday, Dec. 2, 2008:](#)

Valley's fog is both blessing and curse

By Bill McKewen

It breaks my heart to say it, but the poet was wrong.

Our fog doesn't come on little cat's feet, as Carl Sandburg wrote. Nor does it sit on silent haunches and move on.

The fog complicating San Joaquin Valley life is born of a violent atmospheric collision on calm, cool nights.

Rising warm air from wet ground runs head-on into chilled night air.

Boom.

Condensation clinging to unseen [airborne particles](#) shrouds the countryside -- until the sun literally burns it off or the wind chases it away.

We call it tule fog because the Valley's early settlers associated it with the swampy areas where bulrushes grew and thick fog formed.

Their word for both bulrushes and swamp land was the Spanish "tule," a derivation of the Native American "tollin."

In any language, tule fog is a blessing and a curse.

It adds mystery during the late fall and winter to a region scorched by high temperatures throughout summer.

Fog -- more reliable than rain in the Valley -- contributes to the harvest by cooling the air for long stretches. Chilly days and nights increase the production of apples, prunes, pistachios, walnuts and cling peaches.

The curses are many. Fog creates dangerous driving conditions, cover for criminals and a misty coagulant for [lung-shredding particulates](#).

I get lost in fog, especially driving at night in rural areas. No matter how hard I concentrate, I lose all sense of direction. Thank goodness for cell phones and car compasses.

The trick is balancing fog's trade-offs.

Leave for work earlier. Accept that you'll be home a little later. Slow down. Don't use high beams. Roll down the car window so you can see the center line. Cancel or delay your plans in really thick fog.

And don't ever be the idiot driving in the fog with his lights off.

You might think that you can see better without lights.

The problem is, no one can see you -- until it's too late.

We call it Killer Fog because of the deadly chain-reaction pile-ups that occur from Bakersfield to Red Bluff during times of limited visibility.

But fog doesn't kill by itself.

It needs help from the speeders, the distracted and the fools who think they're bulletproof.

Fog can be enjoyed.

The halo cast by an old-style streetlamp in fog is magical. It sparks the imagination and seemingly warms a cold night.

On Christmas Eve, when some Fresno streets are lit by candles in white paper bags placed on curbs, the sight is more spectacular with fog.

Is there anything more cozy than snuggling on the couch with fog outside your window?

The movies have shaped our perception of fog. We associate it with trench coats, private eyes, double agents, double crosses, ships in the night, lighthouses and intrigue.

But here in the Valley, we know fog's reality: moments of delight transcended by days and nights of frayed nerves, uncertainty and tragedy.

Borrowing from Jimmy Webb's song about how quickly things change, as reflected by the beauty and frigid coldness of the moon, I close with this:

The fog is a harsh mistress; it's hard to love her well.