

San Joaquin Valley officials fight with EPA over air quality

Local officials say that ozone has been reduced and hope to end fees they began three years ago to help pay for cleaning up the air. But the U.S. is skeptical and asks for more data.

By Tony Barboza

Los Angeles Times, Sunday, Dec. 22, 2013

After spending decades and hundreds of millions of dollars cleaning up stubbornly high levels of pollution, air quality officials in the San Joaquin Valley are telling federal regulators that enough is enough.

San Joaquin Valley officials say that the U.S. Environmental Protection Agency is unfairly blaming locals for air fouled by outside sources and is failing to take into account the pollution-trapping topography of the mountain-ringed basin.

"Once we've done everything we can, we should not be penalized," Seyed Sadredin, executive director of the San Joaquin Valley Air Pollution Control District, said in reference to fees his agency has imposed on local drivers and businesses in recent years after failing to meet federal deadlines to curb smog.

Sadredin and others want the federal government to ease off and not hold local officials responsible for pollution blowing in from the Bay Area and Asia and exhaust from traffic passing through the San Joaquin Valley on California's two major north-south highways. Those pollutants, they say, mix with emissions from the region's sprawl of farms, cities and oil fields. It all gets boxed in by mountains and an inversion layer, bakes in the sunlight and becomes more concentrated, giving the San Joaquin Valley's 3.9-million inhabitants some of the nation's dirtiest air.

The dispute boiled over last month, when Sadredin and other local leaders declared that smog no longer exceeds a federal health standard for ozone. They urged the EPA to approve the finding so they can end fees they began charging drivers three years ago.

But federal regulators are pushing back.

The EPA says that readings at two of the most polluted air quality monitoring sites are flawed and do not prove that the region's air has been cleaned up enough to reach the agency's 1979 standard for ozone. The EPA says that it will hold the San Joaquin Valley to the same standards as the rest of the nation and has asked the district for more data to back up its contention.

Community activists call the San Joaquin Valley's ozone declaration premature — a publicity stunt — and insist that the region needs more restrictions on emissions from farms, dairies and industrial sites. They accuse air quality officials of protecting business interests over residents' health.

"We hear that we need to get off industry's back and stop complaining because the air is so much better now," said Dolores Weller, interim director of the Central Valley Air Quality Coalition. "They only want to talk about the positive, even though our air is still very dirty."

The region's clean-air rules are already among the most stringent in the nation and enacting stricter ones would bring economic hardship to a poor region with double-digit unemployment, air quality officials say.

Since the early 1990s, local regulators have adopted more than 500 air quality regulations, and pollution from industrial sources has dropped more than 80%. Days when hourly ozone concentrations exceeded limits have plummeted from 37 a year in 2003 to three in 2011 — and zero this year.

Breathing ozone, the worst component of smog, can harm children's lungs, trigger respiratory problems like asthma and bronchitis and worsen heart and lung disease. In Fresno, children are diagnosed with asthma at twice the rate of California as a whole. On high ozone days, hospital visits for asthma rise nearly 50%, health studies show.

Businesses across the San Joaquin Valley's eight counties have spent an estimated \$40 billion over the last 25 years to comply with clean air rules, and industry groups say the return on investment is diminishing.

Air regulators could find ways to cut industrial and agricultural emissions even further, said Anthony Wexler, director of the Air Quality Research Center at UC Davis, "but they have to walk a line between the economy and air quality, and there's always push and pull."

The air district has instead focused campaigns on individual behavior, broadcasting "air alerts" that ask residents to carpool and avoid drive-through service when hot, stagnant weather puts the San Joaquin Valley at risk for high ozone levels. One initiative targets parents idling their vehicles as they wait to pick up their children from school.

Yet the San Joaquin Valley remains the most polluted region in the nation outside of Southern California. Like Los Angeles, the San Joaquin Valley still falls short of newer, tougher health standards for ozone and fine particles, or soot. San Joaquin Valley air exceeds those limits dozens of days a year.

When severely polluted basins fail to meet the EPA's deadlines, the Clean Air Act requires local regulators to cut smog-forming emissions 20% or impose fees on major polluters to pay for emissions reduction projects.

When the San Joaquin Valley missed a deadline for ozone reduction in 2010, the EPA approved an alternative plan by the district to assess most of the penalty through a \$12 increase on vehicle registration fees. The district has collected about \$64 million from drivers and an additional \$5 million from industrial facilities through the fees. It is using the money to replace school buses, diesel trucks and farm irrigation pumps with cleaner models.

At the same time, the district is paying to lobby federal lawmakers to repeal that provision of the Clean Air Act, calling it an "unfair federal mandate."

Sadredin, the air pollution district executive, has offered testimony to Congress that the government's air quality standards are impossible to meet. On a Fresno radio talk show over the summer, he described his agency's governing board as pro-business and conservative and said the ultimate solution would be for the EPA to "back off."

He and others note that about 80% of the San Joaquin Valley's air pollution comes from mobile sources, including cars, trucks and tractors that are regulated by the state and beyond the air district's reach. They also cite studies measuring polluted air drifting into the valley from Asia and argue that they should not be liable because it is from outside the United States.

The air district's latest disagreement with the EPA centers on air monitors in two of the San Joaquin Valley's smoggiest places. One in the Kern County community of Arvin was moved to a location with better readings after its lease expired in 2010 and another in Fresno was turned off nearly one-fifth of the time in 2011, according to the EPA.

San Joaquin Valley air regulators are now drafting a report to submit to state and federal regulators in support of their smog declaration. The document, they say, will explain that the Fresno air monitor was shut down for maintenance during the morning and in winter, when ozone is not a concern. It will also cite a study last summer that showed the new monitor in Arvin registers higher pollution levels than the old site.

"We may get bogged down on a technicality" Sadredin said, "but we believe we have solid scientific support."

CAL FIRE responds to fire near Crane Valley Road

Sierra Star, Thursday, Dec. 19, 2013

Cal Fire engines responded to reports of a burn pile that spread out of control for one Oakhurst resident on Wednesday, Dec. 18 near Crane Valley Road (Road 426).

Fire crews were able to extinguish the blaze, starting a little after 11:30 a.m., within a few minutes of arriving on the scene but continued a in-depth clean up of the site making sure no other hot spots remained active.

No homes in the surrounding area received any damage, however a junk pile and other debris was burned in the process.

Fire Crews remained on scene to clean-up and continued to dose the area with water to extinguish any smoldering ashes or remnants of the fire.

According to the San Joaquin Valley Air Pollution Control District (SJAPCD) website, burn permits are required for any open burn and are available through your local forestry or fire protection agency office.

“Hazard Reduction Burning is permitted when meteorological conditions are forecasted to be good for smoke dispersal. Such burning may be conducted on permissive “burn days” during daytime hours, generally from 9:00 a.m. and no material should be added to an existing fire after 4:00 p.m.”

Anyone planning to burn is required to have a permits regardless of the time of year. Permits can be picked up at local Cal Fire stations and information regarding burn days and safety information is available through the San Joaquin Valley Air Pollution.

According to the SJAPCD, hazard reduction burning is permitted only when conditions are good for smoke dispersal. In addition, CAL FIRE, MMU may impose fire restrictions and prohibit open burning due to elevated risks of fire danger.

For more information residents are encouraged to contact the SJAPCD (559) 230-6000 or visit them online at www.valleyair.org

Burn permits required by CAL FIRE

Sierra Star, Thursday, Dec. 19, 2013

The California Department of Forestry and Fire Protection (CAL FIRE), Madera-Mariposa-Merced Unit (MMU) has announced effective Friday December 6, 2013 hazard reduction burning in Eastern Madera County will be allowed with a valid San Joaquin Valley Air Pollution Control District permit.

The following guidelines are required when conducting a hazard reduction burn:

- Property owners conducting hazard reduction burning are responsible for checking the burn day status by calling the Air Pollution Control District prior to igniting their hazard reduction pile.
- Madera County Burn Information Line: 1-877-429-2876
- Do not burn material that is wet or damp, as this can cause excessive smoke. Excessive smoke is prohibited and will result in penalties.
- Provide adequate clearance (minimum of within 10 feet of the outer edge of the pile) around the burn pile to avoid its escape.
- Keep a water supply close to the burning site.
- An adult must be in attendance until the fire is extinguished.
- Do not burn on windy days.
- Do not use any flammable liquid (such as gasoline or diesel fuel) to ignite a fire.
- Make sure the burn pile is free of prohibited materials: No household trash, garbage or construction materials.
- Burn only natural vegetation removed while maintaining a defensible space.

Hazard reduction burning is permitted only when meteorological conditions are good for smoke dispersal. In addition, CAL FIRE, MMU may impose fire restrictions and prohibit open burning due to elevated risks of fire danger. Creating a nuisance can result in a violation subject to penalties. Please burn with caution.

Burning anything in a burn barrel is illegal.

Burn permits may be obtained at your nearest CAL FIRE or Madera County Fire Station:

CAL FIRE Ahwahnee, 43033 Highway 49 South, Ahwahnee CAL FIRE Raymond, 34951 Road 606, Raymond CAL FIRE Rancheria, 53488 Road 200, North Fork CAL FIRE Bass Lake 38333 Road 223, Oakhurst Madera County Station 12, 48355 Liberty Drive, Oakhurst Madera County Station 8, 47050 Road 417, Coarsegold

For more information you may call or stop by your nearest CAL FIRE or Madera County Fire Station or visit the CAL FIRE web site at www.fire.ca.gov.

Latest deadline looms for state's diesel truck rule

by Ben Keller

The Business Journal, Friday, Dec. 20, 2013

The state's truck emissions rule takes effect for thousands of diesel engines beginning next year, a wake-up call to some trucking companies still seeking compliance funding.

As part of the California Air Resources Board's Truck and Bus Rule, heavier trucks with 2005 or newer model year engines will be swept in on Jan. 1, requiring them to be retrofitted with particulate matter filters or else replaced with a 2010 vehicle.

The latest deadline is the last under the regulation's compliance schedule that first started in 2012 for engines dated 1996 to 1999. A year later, 2000 to 2004 model year engines fell subject to the rule.

Companies that took the phase-in option instead of the normal compliance schedule must have 90 percent of their fleets in compliance by January through new trucks or PM filters.

James Ganduglia, owner of Ganduglia Trucking in Fresno, started retrofitting his trucks as far back as 2006 — two years before the Truck and Bus Rule was adopted — earning credits that give him until 2016 to bring all 20 trucks in his fleet to compliance.

But with ten trucks still left to replace, Ganduglia wonders if assistance from the state's Goods Emission Reduction Program, funded by Proposition 1B, will still be available when his deadline approaches.

The 2006 voter-approved initiative promised \$1 billion to fund projects that reduce air pollution including up to half the cost of a replacement that meets 2010 emissions standards.

Although the San Joaquin Valley Air Pollution Control District is divvying up \$45 million this year in Prop. 1B's fourth round of funding, there's no guarantee that bonds will be sold next year to support the program.

"At this point, we're sitting here going 'if there's no more money, that means we have to swallow the price of an entire new truck and that could get really costly,'" Ganduglia said.

Currently costing anywhere from \$120,000 to \$150,000, 2010 trucks are getting pricier all the time since the Truck and Bus Rule has pushed them into such short supply, Ganduglia added.

It doesn't help, he said, that those with the oldest and worst polluting trucks get first priority for Prop. 1B funding. That bodes poorly for some of his 2006 models.

Quali-T-Ruck is hoping for enough funds to help replace nine more trucks after spending close to \$3 million in the last four years to buy up to 22.

The company also started saving and gearing up for grant money early on to bring the now 40 or so trucks in its fleet to compliance, something a lot of others weren't able to do.

"We're starting to see the smaller companies that are not able to afford to be in compliance starting to dissolve themselves," said Safety Director Bill Clyde. "The mom and pops out there, it's hard for them to be competitive with the standards going on. My heart goes out to them."

Besides Prop. 1B, the San Joaquin Valley Air Pollution Control District has made available \$10 million this year from its locally funded Truck Voucher Program to cover 35 percent — or \$50,000 — of the cost of a new truck. Money to help with retrofits can no longer be awarded as in years past and priority funding will be given to applicants of single-truck fleets, with only 2006 or older model year engines eligible.

According to the air district's Executive Director Seyed Sadredin, the air district has awarded \$101.8 million from Prop. 1B and \$17.6 million from the Truck Voucher Program over the last five years to help heavy-duty trucks operators replace or retrofit more than 2,600 trucks, cutting diesel emissions by 17,600 tons.

But even broadening the Truck Voucher Program's eligibility criteria for the Valley's 15,000-plus single-trucker owner/operators and small fleets, the mission has faced roadblocks.

"Part of the problem with owner operators with this January deadline is they are hard to reach," he said. "So even when the money was available, they have not been coming forward to take advantage of it because they had no association or connection to be able to be in the loop."

More information about the air district's grant programs for truckers can be found online at www.valleyair.org/grants or by calling 1-855-99-GRANT (7268). A broader overview of the Truck and Bus regulation as well as incentive money statewide is available at ARB's TruckStop website at arb.ca.gov/truckstop or by calling 1-866-6-DIESEL (634-3735).

California is home to around 200,000 trucking business and 450,000 registered heavy-duty diesel trucks. Another 500,000 or so drive in regularly from out of state.