

First fireplace-use ban issued for Tulare County

Visalia Times-Delta and Tulare Advance-Register, Wednesday, November 4, 2009

Fireplace and wood-stove burning is prohibited today, the San Joaquin Valley Air Pollution Control District announced.

The announcement is part of the agency's Check Before You Burn program, which limits burning when air quality is poor. Also affected by today's ban are Kings County and the San Joaquin Valley Air Basin portion of Kern County.

The prohibition applies to burning wood, pellets and manufactured firelogs, and is the first ban of the season. Particulate matter released by burning has been shown to cause bronchial infections and exacerbate respiratory and cardiac illness.

There are two levels of wood-burning forecast: "Wood burning prohibited" or "Please burn cleanly," depending on expected air quality. Exceptions to burning restrictions are made when:

- A residence does not have access to natural-gas service, even if propane is available.
- If burning solid fuel is the sole source of heat for the residence.

Daily wood-burning forecasts are available each day at 4:30 p.m. at www.valleyair.org/airinfo/WoodBurnPage.htm or by calling 800-766-4463.

Truckers scrambling after grant money dries up Port drivers can't afford filters after grants end

By Cecily Burt, Oakland Tribune

In the Contra Costa Times & Tri-Valley Herald, Wednesday, November 4, 2009

Ramon Cerdas makes a modest living for his family as a trucker hauling cargo in and out of the Port of Oakland. He sometimes waits hours in line to enter the gates, and hours at a terminal to pick up or drop off a load. After paying taxes, gas, insurance and other expenses, he's left with enough to pay the rent and necessities, but not much more.

But worse than that is the reality that on New Year's Day, Cerdas and about 1,000 other truckers — nearly a third of the drivers who serve the Port — could be out of work.

Cerdas, 38, got a piece of unwelcome news this week: a rejection letter from the Bay Area Air Quality Management District informing him that a \$22 million grant fund is depleted and there is no money to help him buy a \$21,000 diesel filter for his truck. Without the filter, Cerdas will be turned away at the gates.

Starting Jan. 1, all diesel drayage trucks serving the Port of Oakland — from 2,000 to 3,000 — must comply with strict air quality regulations enacted by the state Air Resources Board. Trucks with engines manufactured before 1994 are banned. Truck engines manufactured from 1994 through 2003 must have new filters installed to trap dangerous particulate emissions that put West Oakland residents, and the truck drivers themselves, at greater risk for asthma and cancer. Newer trucks have a few more years to comply.

The grant fund was established from local, state and federal sources to help drivers buy and install the filters, which cost from \$14,000 to \$21,000. The truck owners had to pay the sales tax, and the filters are only good for four years. The fund was also used to award \$50,000 grants toward the purchase of new rigs, which typically cost more than \$100,000 each.

The fund was not nearly enough. The air district stopped accepting applications Sept. 10, but as it turns out, two-thirds of the grant recipients submitted their applications last year. The applications submitted this year were granted on a first-come, first-serve basis, said Cynthia Marvin, assistant division chief for the Air Resources Board, and few applications turned in beyond May or June were successful.

As of Monday, 815 retrofit contracts had been awarded and 880 rejection letters had been sent to drivers who applied for the filter grants, with more letters on the way, said Ralph Borrmann, spokesman for the air district.

The agency was expected to fund 190 new truck replacement grants at \$50,000 each, from among 274 applications submitted last year. They must wait for final approval, expected soon, before they can order their new trucks from the dealer. That leaves about 80 truckers who will have to scramble to get loans or risk getting shut out Jan. 1.

Borrmann said it's unlikely additional funds will be identified this year.

"We're always looking for more funds to reduce air quality hazards, but we don't have any on the immediate horizon," Borrmann said.

Marvin said there is a possibility of more state funding for drayage trucks in the future, once money can be raised from state bond sales authorized by Proposition 1B, the Highway Safety, Traffic Reduction, Air Quality and Port Security Act of 2006. Given the state's financial picture, it was impossible to predict when that might happen, she said.

That is bad news for Cerdas, of Berkeley. His family owned a 1986 model truck that would have been banned starting Jan. 1. They could not afford to buy a new rig, even if they had qualified for a \$50,000 grant, so they scraped together enough money to buy a used truck, a 1995 model, which at least qualified for a filter grant. He applied in August, and just found out there is no money left to help him.

"They are telling us we can buy our own filter, they recommend that, but it's not possible," Cerdas said.

He and other drivers complained that the fund might have gone further if the vendors hadn't charged top dollar. The stress of it all, combined with the hours-long lines to pick up or drop off cargo, has him thinking it's not worth it.

"If the filter would have been good for longer, like 10 years, it might be OK, but it's risky to get a \$20,000 loan and not have enough work and then have to buy a new filter in four years," Cerdas said. "If there was a guarantee of work it would be different, but now, business is slow, and a lot of businesses are leaving."

Duc Ngoc Doan, 47, of Concord, supports his wife and two young children as an independent trucker hauling freight for the port, which he has been doing for 20 years. He paid \$7,000 for a 2000 year model truck to replace an older rig that will be banned Jan. 1 and applied for a filter grant for his newer purchase. He got the dreaded rejection letter instead, telling him the fund was dry.

"I agree with the air rules but this is a big problem for the family," he said Monday afternoon outside the OT-411 Trucker Information Center, where he had gone to seek help and inquire about a loan. "Everything depends on me. I'm really disappointed and depressed, and I don't know what to do. "... After buying that truck and paying insurance and registration and heavy duty tax, I cannot afford to get a loan."

Dung Tran, 35, of Berkeley, is in the same boat. He supports his mother and father and barely makes enough to pay the bills. He borrowed \$10,000 from his uncle to buy a newer used truck to replace his 1989 model because it wouldn't be allowed inside the port Jan. 1. He applied for a grant to buy a \$21,000 filter for his new used truck. He didn't get it because the fund ran out.

"I got my mom and dad to take care of," he said. "Loan? I'm barely able to pay the bills now. I don't know what I'm going to do; I'm very worried. I thought I would get the money."

As far as the Port of Oakland and regulatory agencies are concerned, the program is a success. Mike Miguel, manager of the ARB's project support section that wrote the truck regulation, said there was never going to be enough money to retrofit all the trucks. But based on the number of grants awarded and the number of truckers who registered their vehicles in a statewide drayage truck registry, there will be enough trucks to handle the cargo Jan. 1. Based on current cargo

volumes, which are down because of the economy, about 1,000 to 1,300 trucks are needed, he said.

Port spokesman Roberto Bernardo said he did not expect any disruptions in service at the terminals after Jan. 1. He also said there are "no attempts to secure additional funding at this time."

The new filters, combined with getting older, polluting trucks off the road, should reduce particulate emissions by 85 percent and will go a long way to making the air around the Port of Oakland cleaner and less deadly, said Gennet Paauwe, ARB's deputy communications director.

"Obviously we wish there was enough funding for all the retrofits to be done, however the money that was assembled has and will have a very beneficial impact on public health "... which is what our mission is."

Climate debate has rocky start for US Senate panel

By Dina Cappiello and H. Josef Hebert - Associated Press Writers
In the Merced sun-Star and Modesto Bee, Tuesday, November 3, 2009

WASHINGTON -- European leaders pressed Congress and the White House on Tuesday to unite on a plan to combat global warming, even as a Republican boycott forced a delay of votes in a key Senate committee, demonstrating the deep partisan rift.

An emotional plea for action by German Chancellor Angela Merkel in an address before Congress was met with silence from most Republicans, while Democrats stood and applauded.

The Europeans as well as the U.S. were pressured in turn by African nations to do more, at a conference in Spain leading up to next month's international climate summit in Copenhagen, Denmark.

In Washington, shortly before Merkel spoke in the House chamber, GOP senators on the Environment and Public Works Committee shunned the planned startup of voting on amendments to a 959-page Democratic bill that would curb greenhouse gases from power plants and large industrial facilities. They protested that the bill's cost to the economy - in the form of more expensive energy and the impact on jobs - had not been fully examined.

The action underscored the difficulties Democratic leaders face in moving climate legislation this year - or even in showing significant momentum ahead of the Copenhagen conference. At that meeting, nations will try to forge an agreement on cutting heat-trapping pollution beyond levels established in 1997 in Kyoto, Japan.

"We all know we have no time to lose," Merkel said, arguing that at Copenhagen "the world will look to us, to the Europeans and to the Americans" for leadership on setting binding reductions of greenhouse gases. It's a matter "in the interest of our children and grandchildren and in the interest of sustainable development all over the world," she said.

"I liked her speech, but I disagree with her completely on the climate comments," said Sen. John Barrasso, R-Wyo., a sharp critic of the Senate bill.

Merkel made the same plea on climate action earlier in a meeting with President Barack Obama on a day of far-flung developments concerning the contentious climate change issue:

-European Union leaders, also meeting with Obama at the White House, pressed anew for U.S. action. European Commission President Jose Manuel Barroso told reporters that he was worried about the progress being made ahead of the Copenhagen conference and called a climate agreement "a defining moment" for this generation of world leaders.

-The European officials pressed for a larger U.S. contribution to an international aid fund to help developing countries adapt to a warmer world.

-In Barcelona, Spain, African delegates to a preliminary climate conference briefly boycotted the discussions over their concern that industrial nations will not have to make significant enough

reductions in greenhouse gases. They ended the boycott after assurances that the issue would be the subject of extended negotiations.

-Former Vice President Al Gore, a leading voice for action on global warming, said he expects Obama to visit the Copenhagen conference to reinforce the country's commitment.

After meeting with the Europeans, Obama said, "All of us agreed that it was imperative for us to redouble our efforts ... to assure that we create a framework for progress in dealing with what is a potential ecological disaster."

Swedish Prime Minister Fredrik Reinfeldt praised Obama for "real leadership on this issue."

The White House and Democratic leaders in Congress have essentially abandoned prospects of getting a climate bill to the president's desk before the two-week conference, which starts Dec. 7. But they hope a show of progress in the Senate - along with the House having passed a bill and Obama's call for more fuel efficient cars - will show the world the U.S. is taking climate change seriously.

But momentum shifted into reverse Tuesday in the Senate.

When Sen. Barbara Boxer of California convened her environment committee to start voting on the climate bill she and Sen. John Kerry, D-Mass., had fashioned, she was faced with a Republican boycott. Only Sen. George Voinovich, R-Ohio showed up and he stayed only for 15 minutes to lay out the reasons for the Republicans' absence.

The partisan rift in the Environment and Public Works Committee laid bear the sharp divisions in the Senate over how to address global warming, although a number of centrist Democrats also have expressed problems with the bill. Sen. Max Baucus, D-Mont., who said he had reservations about the bill, was also a no-show, but Baucus' staff said that was because of a scheduling conflict.

The Democratic bill calls for cutting greenhouse gas emissions from power plants and industrial facilities 20 percent by 2020 and 83 percent by mid-century. Polluters would be given pollution permits that they could trade among themselves to ease the economic effect of the transition from fossil fuels.

Republicans demanded a closer analysis of the bill's cost and impact on jobs. The Republicans for months have characterized the Democrats' effort on climate as the road to a massive energy tax because it would force a shift away from cheaper fossil fuels such as coal and raise electricity and other energy prices.

"This is not a ruse to prevent this committee from marking up a climate bill," insisted Voinovich. "Rather this is a genuine attempt ... to have the best information available as we debate and amend the bill that will have consequences for every person in the country." Voinovich's state of Ohio is especially vulnerable because of its reliance on coal and its manufacturing base.

He said an analysis by the EPA cited by Boxer falls far short of what is needed. He said it was based on a House-passed bill that he said is significantly different from the bill before the Senate.

But Boxer the Senate bill was "90 percent the same" as the House version and the EPA analysis provided to the committee took into account the differences. That EPA analysis estimates modest cost to households from higher energy prices of \$80 to \$111 a year.

[In the Merced Sun-Star and Modesto Bee, Commentary, Wednesday, November 4, 2009](#)

Tech group looking backward on efficiency rules

By Troy Wolverton - San Jose Mercury News

For an organization that prides itself on representing one of America's most forward-looking industries, the Consumer Electronics Association has sounded more like the stodgy old Chamber of Commerce lately.

A case in point is the tech trade group's response to California's proposal to make televisions more energy-efficient, scheduled for final approval this week.

It's not just that the CEA, whose membership includes a broad spectrum of tech companies, such as Intel, Microsoft and Apple, has challenged the regulations with dubious claims that they'll raise TV prices by hundreds of dollars, lead to thousands of job losses and millions of dollars in lost tax revenue.

It's not just that the organization has been on a fear-mongering crusade that the rules will curtail the number and kind of TVs that Californians can choose from, and potentially stymie new technologies such as 3-D television.

No, the organization's rear-guard action goes much further by challenging the very idea that California and its Energy Commission should be putting a cap on energy use by TVs.

As Doug Johnson, the CEA's senior director of technology policy, put it, the proposed regulations are "an egregious action. They're neither justified nor necessary."

Such a hard-line stance resembles the one taken lately by the Chamber of Commerce, which has a history of opposing regulation, in resisting legislation that would attempt to curb global warming through establishing a cap-and-trade system for carbon emissions. And it's similarly out of touch with reality.

Because here's the thing: Attempts to curb energy usage didn't begin with TVs - and they're not going to stop there.

Already, the federal government has set efficiency standards for light bulbs that will effectively ban standard incandescent bulbs by 2014. The state Energy Commission, which has been at the forefront of demanding improved energy efficiency, has already set standards for everything from air conditioners to refrigerators. In recent years, it's begun to eye the consumer-electronics industry, setting rules for how much electricity can be consumed by power plugs and by devices in standby mode.

The growing concerns about both global warming and foreign fuel imports inevitably mean that there will be more standards to come. And tech gadgets are a fat target because they represent a big and growing portion of consumer electricity use.

Not only do we have more gadgets than ever in our homes and use them more often, but many of those gadgets aren't particularly efficient. Desktop PCs, digital video recorders and video game consoles can all consume 100 or more watts, which is in the same neighborhood as the televisions that the energy commission is considering regulating. Making them more energy-efficient will be great for consumers, who will see lower power bills.

What's more, just as is the case with the Chamber of Commerce and global warming, some of the CEA's own members are questioning its stance. California-based TV manufacturer Vizio supports the new regulations, as does the LCD TV Association, which is composed of TV manufacturers and TV part makers such as Dolby, Corning and Westinghouse.

Despite this, the CEA has repeatedly fought against efficiency standards for tech products. It opposed the standby power regulations, it opposed efficiency standards for digital television converter boxes and it opposed the efficiency rules for power adapters. Employing similar language as it has used in the TV debate, the organization argued the measures would stifle innovation and limit consumer choice. That didn't happen before and almost certainly won't this time.

By opposing nearly all mandatory efficiency standards, the CEA runs the risk of being ignored in the policymaking processes-and as a result, seeing even stiffer regulations that its members would have even more difficulty meeting.

Some resistance should be expected, of course. No business or industry likes the government telling them what to do.

But with more efforts to spur energy conservation clearly coming, you'd hope that the CEA would take a less confrontational, more cooperative stance. Instead of fighting the notion that there should even be any rules, it should be working with regulators to make sure the ones they impose are reasonable for both consumers and the industry.

Johnson said the CEA has been attempting to do just that. The group isn't opposed to all regulation and it supports the goal of energy efficiency, he said. But he also charged that the state energy commission's regulatory process is "incredibly unbalanced and biased against our industry" and that the commission has "no interest in responding to legitimate concerns."

The fact is that regulators at both the state and federal level have shown they can be flexible. The federal law on lighting efficiency, for example, exempted three-way bulbs and set lower efficiency standards for incandescents than for fluorescents. Similarly, the state Energy Commission recently decided to exempt TVs larger than 58 inches from its initial efficiency requirements and has incorporated several of CEA's suggestions into its draft rules on TV energy use.

It's time for the CEA to show similar flexibility. If not, the organization risks looking as out of touch and irrelevant as the chamber.

And that's not something you'd want from a group that's supposed to have its eyes on the future.