

Changes proposed for rules on fireplaces in San Joaquin Valley

By BRIAN SKOLOFF, Associated Press Writer

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FRESNO, Calif. (AP) - Residents of California's San Joaquin Valley may face even more stringent air pollution standards for wood-burning fireplaces with new proposed rules released Monday.

The San Joaquin Valley Air Pollution Control District's current residential wood-burning fireplace restrictions were adopted in 1993, allowing for voluntary bans on burning wood.

"The only mandatory requirement was for the air district to say, 'Please don't light tonight'," said district spokeswoman Josette Merced Bello. "It's not good enough. The public wasn't complying voluntarily." Last year, the Environmental Protection Agency determined the rules did not comply with federal Clean Air Act requirements, so the district proposed changes to bring the area into compliance.

Under the new rules, most wood-burning fireplaces and stoves would be banned in new homes. Non-EPA certified fireplaces would have to be permanently disabled, converted to natural gas or upgraded to soot-containing models before homes could be sold.

On about 25 nights during winter, when the district determines air quality is bad, many in the valley would be prohibited from lighting up their existing wood-burning stoves and fireplaces.

Under the proposed changes released Monday, exemptions would no longer exist for EPA certified wood-burning devices. New rules would restrict the use of all wood-burning devices on the given nights.

The proposed rule would still exempt homes that rely solely on wood for heat, houses above 3,000 feet and buildings where no natural gas or propane service is available. Gas-burning devices also are exempt.

The changes also would not allow for wood-burning devices to be in any residential subdivisions with more than two houses per acre. Developments with one or two buildings per acre would be allowed one wood-burning device in each home.

Homeowners would also be required to permanently disable or remove wood-burning stoves that are not federally certified or convert to gas before selling the property.

Gas stoves can cost from \$1,500 to \$3,000, not including installation, and converting traditional brick fireplaces to natural gas can cost thousands of dollars. The pollution-controlling inserts can cost between \$2,200 and \$3,400.

The valley has for years failed to meet the federal standard for small particle pollution, and burning wood accounts for 30 percent of the problem. High concentrations of particles in the air can reduce lung function, triggering asthma and heart attacks.

Nationwide, only Los Angeles has dirtier air than the San Joaquin Valley.

Still, some members of the public are angered over the proposed rules.

"I really think the measure is nothing more than symbolism. It's reaching into our homes and drastically changing our lifestyles on nights we may be looking forward to a nice cozy fire," said Doug Vagim, a Fresno resident and former state Air Resources Board member who opposes the ban. "And it really won't have any significant impact at all."

The air district, which covers 23,000 square miles from Lodi to Bakersfield, will present to the public the latest proposed changes at a series of meetings beginning May 5.

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On the Net:

San Joaquin Valley Air Pollution Control District:

<http://www.valleyair.org/>

Former secretary of state heading ethanol effort

The Associated Press

The Bakersfield Californian, April 12, 2003

FRESNO, Calif. (AP) - Former Secretary of State Bill Jones is heading an effort to raise \$90 million to build two ethanol plants near his home in the San Joaquin Valley. Jones and investors have formed Pacific Ethanol Inc. to build plants in Madera and Visalia to produce the pollution-reducing gasoline additive that is replacing MTBE, which has contaminated ground water.

By the end of the year, all gas sold in the state must use ethanol, a colorless alcohol distilled from corn. Like MTBE, or methyl tertiary butyl ether, ethanol is supposed to reduce air pollution. The state needs 613 million gallons of ethanol this year and 1 billion gallons next year, said Rob Schlichting, a California Energy Commission spokesman.

Currently, most ethanol comes from the Midwest, with only two operations in California making a total of 8 million gallons a year.

State officials have warned that California's reliance on out-of-state supplies could leave it vulnerable to supply problems, which could send prices soaring. Demand for ethanol in the state could account for about half of the ethanol produced in America.

Jones' venture aims to become the biggest in the state with 35 million gallons of ethanol expected by the end of 2004 at its Madera plant, said Ryan Turner, Jones' son-in-law and vice president of Pacific Ethanol.

The company is completing plans to buy the former Coast Grain plant in Madera, which has a 110-car rail spur and 14-story silos to store corn shipped from the Midwest.

Pacific Ethanol has offered to buy the bankrupt plant for \$5 million. A federal bankruptcy court judge in Fresno will review the sale May 22 and the company wants to start construction this summer.

The plants could also provide a boost to the region's agricultural economy. Up to a fifth of the corn for the plants could come from the San Joaquin Valley. Because the process of making ethanol only uses starch, a byproduct called wet distiller's grain that is rich in protein, fat, minerals and vitamins can be fed to cattle.

Jones, a Fresno County rancher who lost the race to be the Republican gubernatorial candidate last year, said the company has financing to buy the Madera grain mill and is working on financing for another at Highway 198 and Highway 99 in Visalia.

"All the elements are coming together to make this work," said Jones, who is chairman of the company.

AIR POLLUTION VIOLATIONS

The Bakersfield Californian, April 07, 2003

Aera Energy LLC in Bakersfield was cited Feb. 26 in Belridge for a pilot flame detection device required by permit not being installed; records of corrective actions taken to maintain internal combustion engine emissions within the acceptable range were not maintained.

Duffy Sill -- Sill Property in Bakersfield was cited Jan. 22 in Shafter for smolder coming from two piles of almond brush.

Chevron USA in Bakersfield was cited Jan. 22 for submitting minor modification applications late and permittee operated the equipment not according to the permit conditions.

Equilon Enterprises LLC in Bakersfield was cited Jan. 22 for a H₂S fuel gas content exceeding the permitted limit.

Occidental of Elk Hills in Tupman was cited Jan. 23 for having more than two percent of all compressors leaking volatile organic compound.

Hakaprielian Company in Reedley was cited Jan. 23 for conducting a burn of primarily non-permitted material on a no-burn day, without prior call in to district ag burn.

Recot Inc. in Visalia was cited Jan. 27 for exceeding the permitted limits for nitrogen oxide and carbon monoxide during a compliance source test on a gas fired internal combustion engine.

Garcia's Auto Body Works in Bakersfield was cited Jan. 27 for not maintaining records from Jan. to Sept. 2002.

Vintage Nurseries in Wasco was cited Jan. 27 for a smoldering ag burn on a non-burn day.

Brett Tackett in Bakersfield was cited Jan. 28 for an illegal burn being conducted in the back yard of the residence.

Braeburn Company LLC in Bakersfield was cited Jan. 29 in Wasco for exceeding the 100 lb./day limit for material collected by the dust collectors. Facility needs to maintain these records daily instead of periodically. Facility failed to maintain usage records for coatings and solvents as required.

Turner Crane, Inc. in Bakersfield was cited Jan. 29 for nitrogen oxide emissions being greater than 500ppm.

AES Delano Inc. in Delano was cited Feb. 28 for operating in non-compliance with permitted emission limits for sulfur dioxide.

Aera Energy LLC in Bakersfield was cited Feb. 26 in Lost Hills for monitoring records did not include the sampling time or operating conditions; monthly inspections of loading and vapor collection equipment at each arm were not conducted; quarterly portable analyzer monitoring was required but not performed; quarterly fuel analysis was not performed using ASTM method specified in permit; documentation of required weekly monitoring not available; semi-annual leak check report was not submitted.

Warmth, romance of winter fire sullied by soot

By Michael G. Mooney, Modesto Bee staff writer, April 14, 2003

A new proposal that would prohibit use of all fireplaces and wood-burning stoves when valley air pollution reaches unhealthy levels is ready for review.

The original plan would have allowed some burning on some high-pollution nights.

Under the new plan, though, a ban would be imposed when particulate matter pollution exceeds U.S. Environmental Protection Agency limits. Officials estimate that that could happen 25 nights a winter.

"Our intention is to clean up the air," said Josette Merced Bello, spokeswoman for the San Joaquin Valley Air Pollution Control District. "We're not trying to penalize anybody. Breathing smoke isn't healthy and isn't pleasant. That's why you open your flue when you light a fire in your fireplace."

Particulate-matter pollution is primarily a wintertime problem in the air district, which stretches from Lodi to Bakersfield.

The airborne particles are composed of nitrates, microscopic pieces of fly ash, tiny drops of liquid, dust, smoke and soot.

In high concentrations, experts say, particulate matter can impair lung function and worsen bronchitis, as well as trigger asthma and heart attacks.

The existing rule, adopted in 1993, imposes a voluntary ban on lighting fireplaces, wood-burning stoves and fireplace inserts when air pollution is at its worse. That version also banned the sale of anything but the cleanest wood-burning devices.

In February 2002, however, the EPA determined that the rule didn't comply with the federal Clean Air Act.

Under the revised rule, lighting fireplaces, stoves and other wood-burning devices would be banned about 25 nights during the winter, Merced Bello said. On the worst winter nights, she said, wood smoke is responsible for up to one-third of the particulate air pollution in urban areas.

Chris Caron, vice president of marketing for Duraflame Inc., said he found that difficult to believe.

"We don't believe wood smoke is as significant a problem as portrayed by the air district," he said. "There's only one place where wood smoke accounts for as much of 30 percent of particulate matter -- one location in Fresno."

Duraflame's manufactured fireplace logs burn much cleaner than wood, and Caron said his company hoped the district would grant an exemption, allowing manufactured logs to be burned when particulate pollution exceeds healthy levels.

"I realize we have to do something," Caron said. "We'd like to see a regulation that's proportionate to the problem. Using a clean-burning (manufactured) fire log cuts emissions by two-thirds."

While Merced Bello agreed that manufactured fire logs do burn cleaner than wood, their effectiveness is limited to people who are lighting a short-duration ambience fire.

Such logs, she said, cannot be used as a heating source in wood-burning stove.

In 2001, Merced Bello said a study by the California Air Resources Board determined that wood-burning fires produced -- on the average -- 12 tons of particulate matter per day.

"We can't ignore a source producing 12 tons a day," she said, "when we're writing regulations for businesses and industries producing a half-ton a day."

Last year, when a first draft of the no-burn-day rule received public scrutiny, the air district envisioned a two-stage system.

In the first stage, those with wood-burning devices certified by the EPA still would be allowed to light fires. But officials decided that enforcement of such a system would not be practical.

The revised rule also would limit how many homes could be built with fireplaces and requires non-EPA certified stoves and fireplace inserts to be retrofitted when a property is sold.

Wood-burning devices would be banned in residential developments with more than two dwellings per acre.

Only one wood-burning device per acre would be allowed in new developments with one or two dwellings per acre.

Merced Bello said the revised rule would be available later today or Tuesday at the latest. Three public workshops on the revised rule -- at air district offices in Modesto, Fresno and Bakersfield -- are scheduled May 5, 6 and 7.

Fireplace restrictions revisited

S.J. Valley air district plan would limit residential wood burning

By Audrey Cooper, Record Staff Writer, April 14, 2003

Valley air regulators have resurrected a plan to restrict residential wood-burning fires on certain bad-air nights.

The new rules, if approved by the San Joaquin Valley Air Pollution Control District, would mean that residents with wood-burning stoves and fireplaces wouldn't be allowed to burn on an estimated 25 nights each winter.

That's how many nights the Valley's air quality is expected to approach federal pollution limits. On some heavily polluted nights, fireplaces can account for up to one-third of the area's pollution, air studies indicate.

Currently, the air district runs a voluntary no-light program that asks residents to do without their wood fireplaces on bad-air nights. The new rule would be mandatory and punishable by fines.

Residents who rely on wood-burning devices as a sole source of heat would be exempt. The rule also doesn't apply to people with natural-gas fireplaces.

Restrictions on fireplace use have been highly controversial over the past year. In previous workshops, residents complained that the air district was being intrusive. Others complained that the rules would be unenforceable.

The fireplace rule proposed last year had called for a two-tiered approach that drew a line between plain masonry fireplaces and wood-burning stoves or fireplace inserts certified by the U.S. Environmental Protection Agency. The certified devices limit the amount of particulate pollution emitted from a chimney.

Under the old plan, the certified devices would be outlawed on fewer nights than plain fireplaces. That idea was shelved because of concerns that the two-tier policy would be confusing and perhaps decrease the program's effectiveness, air district spokeswoman Josette Merced Bello said.

The proposed rule released today also will limit the number of wood-burning fireplaces allowed in new developments. The new rule says that new subdivisions with more than two homes per acre will not be allowed to have wood-burning fireplaces or stoves.

In new developments with just one or two homes per acre, only one wood-burning device would be allowed under the new proposed rule.

Among the most costly provisions of the new rule may be restrictions on sales of homes with wood-burning stoves or inserts that are not certified by the EPA. The new rule would order that those inserts be replaced with certified devices prior to the sale of a home. Home sellers also would be allowed to render the device inoperable or remove it altogether.

The proposed rule is an attempt to help cut the Valley's overwhelming problem with particulate pollution -- microscopic flecks of soot, vapor and dust. The pollution is blamed for increases in heart disease, severe breathing problems, premature deaths and cancer.

The Valley has never met federal limits for particulate pollution and is considered to have one of the country's worst problems with particulate pollution.

For more information, see www.valleyair.org.

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Turlock joins Riverbank in getting natural gas station

By JOHN HOLLAND, MODESTO BEE STAFF WRITER, April 14, 2003

TURLOCK -- Environmental concerns prompted the city to buy several trucks and buses that run on compressed natural gas, but the setup was not ideal. The vehicles had to be driven to Modesto daily for fueling because Turlock did not have a station dispensing the low-polluting alternative to diesel, bus driver Terry Means said Thursday.

But that has changed. A compressed natural gas station went into full operation April 7 near the corporation yard on South Walnut Road, allowing bus and truck drivers to spend their entire workdays in Turlock.

A federal grant covered most of the cost of this station and similar projects for the city of Riverbank and the Stanislaus County Public Works Department. W.M. Lyles Co. of Fresno built the stations after getting a \$1.1 million contract for the work.

Riverbank opened its station at its corporation yard in January. The county's station, on Morgan Road just west of Ceres, will open in about two weeks, Public Works Director George Stillman said.

From a distance, the stations look like conventional fueling sites, with pumps under canopies. The main differences are the array of natural gas pipes, fed by Pacific Gas & Electric Co., and the tight-fitting connections between the pumps and vehicle tanks to assure that none of the pressurized fuel escapes.

The city of Turlock uses compressed natural gas in seven buses, two dump trucks and 21 pickups.

"It's our goal to get more clean-air vehicles," said Roger Fall, city traffic engineer.

PG&E supplies the gas at prices that vary monthly, Fall said. Comparing its price with that of conventional vehicle fuel is tricky because the gas is measured in therms and the other fuel in gallons. Fall said the city is now paying PG&E 80 cents for the same amount of energy that would come from a gallon of gasoline.

Turlock had been getting its compressed natural gas at W.H. Breshears in Modesto.

Means, the driver for the Turlock transit system, said the buses running on compressed natural gas have worked out well.

"I don't think we've lost any power or anything," he said.

The federal Congestion Mitigation and Air Quality program provided a \$908,115 grant for the stations. The California Energy Commission contributed \$100,000. Turlock paid \$44,255, Riverbank \$15,118 and the county \$47,049.

Fall said Turlock officials will consider opening the city's station to the public, possibly within a year.

The Northern San Joaquin Valley has four compressed natural gas stations open to the public, according to the Energy Commission. They are at Breshears in Modesto, PG&E service centers in Merced and Stockton, and E.F. Kludt & Sons in Lodi.

Bee staff writer John Holland can be reached at 667-1227 or jholland@modbee.com.

[Modesto Bee Editorial, April 14, 2003:](#)

Should clean-air bond initiative subsidize ag?

State Sen. Dean Florez is seeking to place a \$4.5 billion statewide bond measure on the November ballot next year to help clean up the San Joaquin Valley's air pollution.

Florez, D-Shafter, said \$2 billion of the bond would help farms and dairies pay for air pollution reduction. About \$400 million would go to trucking companies to replace dirty diesel engines.

The bond would also include money for more aggressive asthma screening and prevention in schools, replacing dirty engines on school buses and buying monitoring equipment and hiring more personnel for local air districts. The measure would supplement a series of controversial air-quality bills Florez has drafted to crack down on air emissions from cars, farms and fireplaces.

"If we're going to be serious about cleaning the air, we need some money," Florez said. "Clean air isn't free and there's nothing in the state budget that is going to help us do this."

But farmers and clean-air activists question whether a statewide bond would be favored because it targets private industry in one area of California.

"Where I agree with Florez is the need to identify revenue sources that can help clean our air," Sierra Club member Kevin Hall said. "But how do you argue for a bond that is going to support private industry?"

Hall said fees could be placed on developers who build large subdivisions and distribution centers that later create traffic and air pollution.

"Before going to the taxpayers, I'd like to see an estimate of how much money could be generated from those sources," Hall said.

Both sides have a point.

[Letters to the Editor, The Bakersfield Californian, April 14, 2003:](#)

East side has foul air

Prior to the 58 freeway, the corner of east Brundage Lane and Cottonwood Road was occupied by feedlots and a tallow rendering plant.

I grew up on East Planz Road. During the summer months especially, the stench from the cattle, the dust their hooves made and the odor from the tallow plant could be seen and smelled by people as far away as Pacheco Road.

I'm not against cattle, farmers, dairymen, etc.; but I do think that these types of businesses should not be near or downwind from schools or communities.

Also the cotton gin that was on east California Avenue and Washington Street helped to create some really foul air on the east side of town.

BETTY McMILLON-GONZALES, Bakersfield