

Bakersfield refinery to remain open until at least March, state confirms

[The Bakersfield Californian, Friday, Aug. 13, 2004](#)

Shell Oil executives have agreed to keep the company's Bakersfield refinery open until March 31, 2005, to give them more time to find a buyer for the Rosedale Highway plant, the California Attorney General's office confirmed this morning.

The refinery was scheduled to close Oct. 1.

Lynn Elsenhans, president of Shell Oil Products U.S., has also agreed to make a good faith effort to sell the refinery, according to the Attorney General's office, which has been investigating Shell's plans to shutter the refinery.

Lockyer said in a statement he was confident the refinery can be sold before the end of the year.

The Shell refinery employees about 250 people and uses an additional 150 contractors.

About 2 percent of the state's gasoline supply and 6 percent of the diesel comes out of this refinery. Industry analysts have said the refinery's closure would most likely lead to higher prices at the pump.

The Attorney General's office also confirmed today that a report on the refinery -- prepared by refining consultant Malcolm Turner of Dallas -- concluded that contrary to what Shell has said since announcing the plant closure last November, the refinery can be run profitably.

The Attorney General's office was planning to release the report to the public but will now keep it confidential, according to OPIS, an industry analyst.

[The following news release was issued by the Office of the California Attorney General:](#)

Attorney General Lockyer Announces Shell Will Delay Closure of Bakersfield Refinery for Six Months

Decision Comes On Heels Of Report That Finds Facility Should Be Sold, Not Closed

Friday, August 13, 2004

(SACRAMENTO) - Attorney General Bill Lockyer today announced that Shell Oil Company (Shell) has agreed to delay the planned closure of its Bakersfield refinery for six months to provide more time to find a qualified buyer and negotiate a sale.

"I'm extremely pleased with Shell's decision," said Lockyer. "It's a welcome show of cooperation with our effort to keep open this refinery, which is crucial to helping protect California drivers from even higher gas prices than they already pay. I appreciate the willingness of Shell executives to work constructively with my office toward a resolution that serves the public interest and Shell's interests. Clearly, it's possible to put together a deal that makes financial sense for Shell and a new operator and, in the process, benefits the consumers of this state."

Lockyer made the announcement after receiving a report that questioned Shell's decision to close the Bakersfield refinery. The report concluded the facility can be run profitably, and that a sale can be structured that is economically viable for Shell and the buyer.

During a conversation with Lockyer about the report, Shell President Lynn Laverty Elsenhans agreed to keep the refinery running through March 31, 2005 - six months later than the planned shutdown date of October 1, 2004. Additionally, Elsenhans said the company would continue making a good-faith effort to sell the facility to a qualified buyer.

Shell's ability to keep the refinery operating through March 31, 2005 may depend on whether it can obtain a modification of a consent decree that will subject it to financial penalties if it does not reduce air pollution emissions from the facility's heaters and boilers to a specified level by the end of 2004.

Shell may be able to meet the requirements with existing programs and others set to be implemented. If

not, Shell has expressed optimism it can obtain a modification of the consent decree. Regardless, Shell will keep the refinery operating at least through December 31, 2004.

Lockyer stressed that the sooner the refinery is sold to another operator, the sooner the facility can be modernized to further reduce its air pollution. He said he was confident a purchase and sale agreement can be completed before the end of the year. "A quick sale not only will benefit drivers throughout California, but also will expedite improvement of the air breathed by area residents," said Lockyer.

The report on the refinery's financial viability was prepared for the Attorney General's Office by the Dallas, Texas-based consulting firm of Turner, Mason & Company (TM&C). Lockyer retained TM&C - one of the nation's leading and most experienced appraisers of oil refineries - as part of his office's antitrust investigation of Shell's decision to close the refinery. That investigation continues, and Lockyer said his office is keeping its options open on how to respond should Shell fail to make a good-faith effort to sell the refinery.

California drivers have long paid the highest gasoline prices in the nation, and face constant peril of chronic price spikes because of defects in the state's market. Those problems include a supply-demand imbalance, low storage inventories, barriers to importation and high concentration of refining capacity ownership.

Shell's Bakersfield refinery produces about two percent of California's gasoline and six percent of its diesel fuel. Those may seem like small numbers, but in the state's dysfunctional market, they are large. Any loss of supply drives up prices for California drivers.

Lockyer has made clear his view that the continued operation of the Bakersfield facility is critical to help protect consumers. "The drivers of this state need the gas produced by this refinery," he said. "I remain committed to doing everything I can to keep it open."

Plastic to diesel project attacked

By Eiji Yamashita, Sentinel Reporter
[Hanford Sentinel, Friday, Aug. 13, 2004](#)

HANFORD - Construction on a long-anticipated plan to turn discarded plastic into diesel fuel in Kings County is almost ready to begin.

But things aren't quite running smooth for this novel recycling project, which could put Kings County on the ecological map of the world. Just recently, it's hit some snags.

A handful of concerned citizens, backed by a Bay Area environmental watchdog group, are mobilizing to decry what they view as a project done with too little public knowledge and input.

Amid the emerging public concerns, last week Valley air regulators suspended a permit to build the facility after re-evaluating the proposal.

Such are the latest developments in the plastic-to-fuel recycling project by Plastic Energy LLC, of Newcastle, which has been in progress for more than three years. The company wants to set up the operation at the Kings Waste and Recycling Authority site on Hanford-Armona Road.

In a letter dated Aug. 4, the San Joaquin Valley Air Pollution Control District told the company to provide data assuring that only certain kinds of plastics are processed and emission levels will be kept at permitted levels.

Air pollution is one of the issues San Francisco-based Green Action for Health and Environmental Justice raises to attack the project. Bradley Angel, Greenaction's executive director, has called the project a "toxic scandal" and an "incinerator in disguise."

Plastic Energy officials say Angel's claims are baseless. Henry Dwyer, a manager for Plastic Energy, denied the allegations against the project and said he has been taken aback by such claims.

"We're quite surprised that we're hammered by this guy all of a sudden after three years," Dwyer said. "What he says about our project is 180 degrees from the truth."

The conversion facility will use a technology called "catalytic cracking" to transform plastics to synthetic fuel. Residents and Greenaction officials are particularly concerned about whether there will be emissions from the plant.

Dwyer said it will be a closed, looped system that produces no emission during the conversion process.

Angel doesn't quite buy it.

"There is going to be combustion, which is incineration," Angel said. "This stuff doesn't just mysteriously disappear."

According to county paperwork, the proposed plant consists of a recycling facility which converts discarded plastic into diesel fuel and a cogeneration facility which produces electricity and heat for the plant itself and the existing material recycling facility.

The technology uses a chemical reaction and involves no burning of wastes, Dwyer said. About 97 percent of all plastics brought in will be converted into ultra low-sulfur diesel.

"The only thing that we're burning is natural gas from the gas company, and we're not burning any plastic," Dwyer said.

Another expressed concern is whether the plant will process No. 3 plastic, polyvinylchloride (PVC), which could emit toxic fumes when burned. PVC is most commonly used for underground irrigation piping.

Dwyer said the company will turn away PVC as well as No. 1 plastic, polyethylene terephthalate (PET). PVC contains chloride, which is harmful to the system equipment, and PET will not be accepted because it makes no fuel, he said.

Others are worried that the plant could, ironically, draw increased diesel traffic to the area and add to air pollution in the area.

Mike Adams, Kings Waste Recycling Authority executive director, said this concern is based on a negligible traffic increase. The Material Recovery Facility currently receives an average of 55 trucks and 40 cars daily, and the new operation will add another six trucks a day at the most, Adams said.

Some residents and Greenaction are skeptical and nervous about the project for the same reason that supporters are enthusiastic. Angel criticizes the fact that the project was approved through an administrative process rather than environmental impact report process, which exposes the plan to more public scrutiny.

Another problem, Angel argues, is that the public has been left in the dark. "We don't want Hanford residents to be guinea pigs by being exposed to hazardous materials from a technology that is untested in the United States and was never subject to proper environmental review," Angel said. "People have the right to know, and we intend to make that happen."

Greenaction scheduled a press conference at the Kings County Government Center courtyard this morning.

Dwyer was not swayed by the attacks by Greenaction. "Take a look at the data and facts, because they don't have any," Dwyer said. "They are speaking untruth. We've got the real data."

Steve Banister, one of the few local residents expressing concerns about the project, said all he wants is more transparency in the process involving the project. "We're just concerned that it came in without enough public input," Banister said.

Banister said he wants to be sure that the project is really what the company says it is. "We just want to be convinced that it is a good project."

"If this is a good technology, there shouldn't be anything against it ... If it doesn't produce toxic gas, that's great," Banister said.

Construction set

Dwyer said he does not see the suspension of the permit as a drawback.

"It's not a serious issue. We're going to comply with all the district's regulations. We'll supply all the information they need," Dwyer said.

Dwyer said he intends to submit necessary paperwork within a week.

Construction of the facility was previously set to begin Aug. 23, but that will now be held off until late September, Dwyer said.

Necessary equipment for the conversion operation has been ordered and is being built off site, Dwyer said.

If everything goes well, the facility is expected to be on line by next April, Dwyer said.

Low-diesel fuel

The facility will produce about 3 million gallons of ultra low-sulfur diesel a year, Dwyer said. In the operation with a 97 percent conversion rate, 1 gallon of diesel fuel is made out of about every 7 pounds of discarded plastic, he said.

Plastic Energy will lease the site on the KWRA grounds for a rent of \$3,000 a month by contract. The company will also supply diesel, which will meet federal and state environmental standards, at below the market price to KWRA members, he said.

Members include Kings County and the cities of Hanford, Lemoore and Corcoran.

The company will help by recycling plastic that would otherwise go to the landfill. In California, only about a third of all discarded plastics get recycled, Adams said.

He said the company can recycle plastics No. 4 through No. 7.

The result will be an increased garbage diversion rate and significant savings in landfill disposal costs, which will translate to lower tipping fees for taxpayers, Adams said.

"How can anyone find fault or want to fight this project?" Adams said. "Anyone with any common sense will see right away that this is a win-win situation for everybody."

Adams said Kings County was chosen as the site for this pilot project in part because one of the company officials has a past connection with the KWRA. Also, the company was looking for an area where it can take a small step by working with a relatively small amount of material used in the recovery process.

Project will bring jobs

John Lehn, president of Kings County Economic Development Corp., a private nonprofit agency that helps attract and retain businesses in the area, says a company such as Plastic Energy setting up shop in Kings County is a plus from both economical and ecological standpoints.

"It will be good certainly from a job creation standpoint," Lehn said. "It will also increase the tax base. And what's critical with regard to this project is that it will put Kings County on the ecological map of California and creates commodities that can be sold, that is the low-sulfur diesel."

The recycling industry is one of the targets the Kings County CDC aims to attract, Lehn said. "What we attempt to do and continue to attempt to do is to search for businesses that access these benefits, and this one fits perfectly," Lehn said about Plastic Energy.

Lawsuit threatened

Angel said he now wants the Kings County Planning Agency, which has issued a site plan review permit, to revisit the project.

Agency officials said they don't see a point in doing so.

"There's no reason to revisit it," said Sandy Roper, assistant zoning administrator for Kings County. "The site plan review continues to be valid regardless of the action by the (air pollution control) district."

Angel said the planning agency faces the threat of a lawsuit unless it rescinds the site plan review approval.

"We hope it can be resolved without a protest or lawsuit, but I'm afraid we'll have to resort to that option," Angel said.

Planning Agency Director Bill Zumwalt was not available for comment Wednesday.

The statute of limitations to challenge the site plan review has expired, Roper said. The notice of exception was filed on Oct. 8, 2002. The public had 30 days after that to appeal the determination in court.

The project has been approved through site plan review. Site plan approved projects are categorically exempt from the California Environmental Quality Act review, because they satisfy the general plan and zoning ordinances that already meet the CEQA requirement.

Roper said a cogeneration facility that generates 50 megawatts or less of electricity is exempt from review. The Plastic Energy project, which will have three 400-kilowatt units with a total capacity of 1.2 megawatts, easily fits that criteria.

But Angel accuses the planning agency of approving the site plan review without checking all the facts and by exempting the project from CEQA on a "very questionable basis."

Angel argues the agency has shown inconsistency in decisions regarding the project, citing county documents regarding the project.

In a letter to Dwyer dated Aug. 12, 2002, Zumwalt wrote he had to pull the project approval because the facility proposes to process material not just from the MRF but from other regions. Zumwalt then advised Plastic Energy to look into a public hearing and a further environmental study under CEQA if it wanted to pursue the project.

In a letter dated Oct. 8, 2002, Zumwalt gave a letter of approval for the revised plan through a site plan review and gave an exemption from CEQA. The revision was similar to the original but called for three cogeneration units instead of two.

Angel says he is puzzled by Zumwalt's decision.

At this point, the project is moving forward.

The company will still need a building permit before it can start construction.

Roper ascertained that a permit will be denied against any plan that deviates from the approved version of the project, let alone an incinerator.

Adams said the KWRA will ensure that the facility will be operating as expected.

"Let's say they lied to us and everything they told us was not factual," Adams said. "First of all, we're leasing them the facility. If this plant is up and running, and all of a sudden if we see all these emissions in the air, we'll shut them down in a heartbeat. My board ... will not be tolerant of a plant that is making all these emissions in the air.

"It's easy for somebody to complain when they know nothing about it."

Project progress

- July 17, 2001: Original plan submitted
- May, 8 2002: Site plan review approved on the plan
- Aug. 12, 2002: Site plan review rescinded
- Aug. 23, 2002: Another revised plan submitted
- Oct. 8, 2002: Site plan review approved on revised plan
- Oct. 20, 2003: Extension of site plan review
- June 1, 2004: Environmental assessment pertaining to CDBG loan application complete; public comment period later extended
- Aug. 3, 2004: Extended comment period closed
- September, 2004: Targeted groundbreaking
- April 2005: Targeted opening

Spare the Air continues today

[Hanford Sentinel, Friday, Aug. 13, 2004](#)

HANFORD - Unhealthy air quality was expected today for Kings County and other areas throughout the Central Valley.

With temperatures beyond 100 degrees Wednesday and today, Valley residents are asked to voluntarily reduce air emissions as much as possible.

Measures to reduce emissions that a person can take include cutting down automobile trips, not using lawnmowers or leaf blowers and avoiding the barbecue.

To find out more about the voluntary Spare the Air program, log on to www.ValleyAir.org.

Bill to add urban clout to air board fizzles out

By Jennifer M. Fitzenberger, Bee Capitol Bureau
[Fresno Bee, Friday, Aug. 13, 2004](#)

SACRAMENTO -- A plan to add four new members to the San Joaquin Valley Air Pollution Control District board, including two from Fresno, is dead this year because it doesn't have enough legislative support.

Senate Bill 999 would have given large cities more of a voice on the board and expand membership beyond elected officials. Supporters say it would have regionalized a board they criticize for being narrow-minded, beholden to local politics and underqualified to tackle complex air pollution issues.

Sen. Mike Machado ran out of time this year to address opponent concerns after his bill failed to get enough support to pass an Assembly funding committee. He plans to bring the bill back next year.

"There just weren't the votes at this point where people were comfortable going forward with these changes," said Machado, D-Linden.

But there is no guarantee Machado will have his Senate seat next year. He faces a tight race in the November election against Republican Stockton Mayor Gary Podesto, who has the backing of Gov. Schwarzenegger. "All in all, it was a tough year to do it, but we're optimistic that next year the conditions will be right to get this bill through," said Carolina Simunovic, a member of the Central Valley Air Quality Coalition.

Opponents of the bill, mostly agriculture and oil industries and county governments, say the board works well and shouldn't be changed. Some worry that the bill would set a bad precedent.

"We saw this as a solution for a problem that didn't exist," said Tom Jordan, an air-quality project adviser for the district, which is against the bill.

Debbie Jacobsen, president of the Fresno County Farm Bureau, said her group opposed the bill because it would have kept anyone who is regulated for air quality -- such as business owners and farmers -- from sitting on the board, and it would have cost money.

"We thought the dollars would be put to better use resolving air-quality issues rather than reconfiguring the board," Jacobsen said.

Air-quality advocates say the board cares more about cost to industry than about the health of Valley residents. "It has never paid attention to the concerns of well-respected groups like the American Lung Association," Simunovic said.

Fresno Sierra Club member Kevin Hall said the loss of SB 999 is a serious blow. He said the air board needs independent voices that are not beholden to local political interests.

"We don't have a science problem," he said. "We have a political problem. The board is our problem in the Valley -- it always has been."

Hall said the board lacks the capacity to act regionally to clean up the Valley's air: "That is the critical flaw."

The board, created in the early 1990s, is in charge of planning ways to meet state and federal air standards. It also develops regulations to cut down on stationary sources of pollution.

Since its inception, the board has reduced pollution from sources such as oil refineries and gas stations by 47%, Jordan said. He said the board has made about 500 rules and changes to rules that have bettered air quality.

The Air Pollution Control District board now has 11 members -- one from each of eight county boards of supervisors in the Valley and three from local cities of varying sizes.

Fresno, the largest city in the Valley, is not represented, but the San Joaquin County city of Ripon, with about 10,100 people, has a seat.

Under SB 999, the board would have had seven county members, five city members and three public members chosen by the board.

It would have changed the city formula, adding two members appointed by the city of Fresno and one each appointed by the cities of Bakersfield, Stockton and Modesto. Kings and Madera counties would have shared one position.

Simunovic said the current setup results in members who largely represent rural areas. "The attitudes of people in the urban centers [tend to be] be more favorable to air-quality regulations," she said.

This year's bill may be dead, but the effort to make the board better is not, regardless of whether Machado is re-elected, said John White, representing the Sierra Club in Sacramento.

"The challenge of cleaning up the air in the Valley is going to take longer than the term of any one member," White said. "The issue isn't going away."

Bee staff writer Mark Grossi contributed to this report.

Valley averts a health alert

After Wednesday's advisory, Thursday passes without one.

By Mark Grossi

[The Fresno Bee, Friday, Aug. 13, 2004](#)

After several hot, stagnant days, authorities are closely watching pollution monitors, poised to protect the health of schoolchildren if poor air quality declines further.

Air officials this week already called one state health advisory, which occurred Wednesday in Kern County after 5 p.m., when children are typically not in school. The law still required air authorities to notify Kern schools of the danger late that day.

Arvin spiked Wednesday's highest smog or ozone reading in the state at 155 parts per billion. The so-called one-hour standard is 125 parts per billion, and the state requires schools to keep children indoors at 145 parts per billion.

"The atmosphere was ripe for that event," said Evan Shipp, supervising meteorologist for the San Joaquin Valley Air Pollution Control District. "Friday will still be in the low triple digits."

Shipp and other meteorologists said the heat wave is beginning to subside after Fresno's high temperature of 104 Thursday. The National Weather Service predicted highs of 101 today and 99 Saturday. Though the temperature didn't back off very much Thursday, clouds drifted into the Valley. Sunlight is needed for the atmospheric reaction that makes ozone, the main ingredient in smog. The clouds obscured the sun enough to slow down the production of ozone.

Ozone is a corrosive gas that can trigger asthma, bronchitis and other lung problems.

Arvin, which is downwind of Bakersfield, came close to violating the one-hour standard Thursday, but a health advisory was not issued. Authorities hope the pattern holds today.

"It looks like we're winding down," Shipp said.

On Thursday, Clovis and northwest Fresno nearly violated the less-publicized eight-hour health standard, which indicates daylong exposure. Health experts believe daylong exposure to high levels of ozone can be more damaging in the long run than peak levels.

The Valley has violated the daylong standard more than any other place in the country during the past five years and leads the nation in such violations this year.

Trolley Trip to Lunch

Ride is hoped to tempt folks to travel from downtown for Tower District dining.

By Jim Davis

[The Fresno Bee, Friday, Aug. 13, 2004](#)

A trolley will soon run between downtown Fresno and the Tower District at lunchtime to lure office workers and others to Tower eateries and shops.

Sequoia Brewing Co. co-owner Michele Kendall hopes the new route will give downtown workers more dining options while linking older parts of the city and cutting air pollution.

"A lot of the customers I've spoken with thought it would be a great idea and more convenient for them," Kendall said.

Fresno Area Express will start the route Aug. 30 with natural-gas-powered trolleys operating between 11:30 a.m. to 1:30 p.m. on a three-month trial basis.

Council members Tom Boyajian and Cynthia Sterling are chipping in a total of \$12,000 from their district budgets to pay for the cost.

"I've always wanted to do something that would tie the downtown with the Tower District," Boyajian said. "I've always felt there was a close relationship between the downtown and the Tower District."

It's not the first time that rubber-tired trolleys have been tried in Fresno.

About five years ago, Golden Eagle Parking and Trolley Co. offered city-subsidized rides between downtown, the Tower and other parts of the city.

But the trolleys were derailed after only 291 riders used them between September 1998 and January 1999. FAX director Bruce Rudd said his agency hopes the trolleys will be successful this time, noting that FAX will offer a cheaper fare.

"I think the vehicles themselves are unique," Rudd said. "And I think that being able to help our air quality is something else that people will take into account."

The city started another trolley service a couple of years ago as a shuttle service between downtown parking lots and offices in the downtown core. Golden Eagle provided the service through a contract with the city until this spring.

The city purchased three trolleys with rubber tires for \$325,000 apiece and took over the route, Rudd said. The trolley cars come with leather hand-straps, wooden benches, gold-colored poles and air conditioning.

FAX will take a proposal to the City Council next week to charge trolley riders 75 cents each way. The normal FAX bus fare is \$1.

Some businesses in the Tower will offer 50 cents off on a meal or a drink to reduce the cost of a round trip to \$1. About a dozen restaurants are offering the discount, and many feature fast lunches.

Kendall said she's been thinking about a trolley service between downtown and the Tower since she did jury duty a year ago. She said many of her customers think it's a good idea because they lose their downtown parking spaces if they leave.

And less driving would help the environment. Said Kendall: "We definitely have a smog problem in Fresno, so every little bit helps."

Rudd said short trips in cars and trucks cause some of the worst air pollution because emission-control devices need to warm up to be effective.

Stanley Kooyumjian, executive director of the Downtown Association of Fresno, said he applauds the trolley route between downtown and the Tower.

Kooyumjian, who used to own a downtown restaurant, noted that the trolley would go both ways. He believes in the old adage that competition is good business.

"My business was the best when I had three other restaurants right around the corner from me," Kooyumjian said.

Several people who rode the trolley from the courthouse to downtown parking lots Thursday afternoon said they enjoyed the ride.

"These things look kind of rustic; they look a little better" than ordinary buses, said Eric Jorgensen, 29, of Lakeshore. "It's like something you would get in San Francisco."

Celine Stephen, 63, of Clovis, and Michael Derby, 59, of Fresno held onto the poles as the trolley bustled downtown.

"This has made the whole jury experience a lot better," Derby said.

Rudd said his agency will review ridership about midway through the trial period.

"It's got to make some money," Rudd said. "If not, then it will be something we just won't continue."

Governor names 5 to air quality board

[San Francisco Chronicle, Friday, Aug. 13, 2004](#)

SACRAMENTO / Gov. Arnold Schwarzenegger announced Thursday five new appointments to the California Air Resources Board, the organization responsible for ensuring healthy air quality.

"California has long led the nation in our efforts to control pollution and provide clear skies and clean air for its citizens," Schwarzenegger said. "I am confident that these individuals will maintain the state's high air quality standards and work diligently to build upon the significant strides already made."

The new appointments are:

- Sandra Berg, a Republican, who is the president and chief executive officer of Ellis Paint Co.
- Henry Gong, a Democrat, who is a physician at Rancho Los Amigos Medical Center.
- Lydia Kennard, a Democrat, who served as the executive director for the Los Angeles World Airports from 1999 to 2003.
- Ron Loveridge, a Democrat, who has served as the mayor of the City of Riverside since 1994 and is an associate professor in political science at UC Riverside.
- Patricia Pineda, a Democrat, who is vice president of New United Motor Manufacturing.

Schwarzenegger also reappointed five members: Alan Lloyd, the board's chairman, and members Dorene D'Adamo, Mark DeSaulnier, Barbara Riordan and Barbara Patrick.

Mayor Tells Port to Create New Air Plan

The move by Hahn comes after activists denounced a recently unveiled strategy to curb emissions from ships, equipment and trucks.

By Deborah Schoch, Times Staff Writer
[Los Angeles Times, Friday, Aug. 13, 2004](#)

Mayor James Hahn, in a testy letter, ordered the Port of Los Angeles to start from scratch to develop a new plan to curb emissions from the largest single air polluter in the region.

In the letter, released Thursday, the mayor rejects the port's current strategy to rein in pollution from ships, yard equipment and big-rig trucks.

Hahn instructed port Executive Director Larry A. Keller to establish a task force that will meet immediately and report to the mayor in 30 days on the status of a new plan and how to complete it by year's end.

The move comes after community clean-air activists denounced a plan unveiled by the port July 7. The activists said port administrators were intentionally manipulating numbers to minimize the amount of diesel fumes and emissions needed to be reduced to keep emissions at 2001 levels at the nation's largest port.

For instance, the plan predicted that emissions from trucks would start dropping sharply this year, return to 2001 levels by next year and keep plummeting until 2025 - a notion labeled as ludicrous by area residents.

Activists questioned whether Hahn had misled them with his 2001 pledge to force the port to keep port emissions to that year's levels.

Rapid growth at the Los Angeles-Long Beach port complex is triggering complaints over growing air pollution levels from San Pedro to Riverside and San Bernardino, where diesel-burning trucks from the ports transfer cargo to trains and warehouses.

Cargo passing through the port complex is expected to quadruple by 2025, and that has prompted community calls for strict controls on emissions from ships, trucks and other equipment.

The letter, dated Aug. 6 and released Thursday afternoon, is signed by Hahn and his sister, Councilwoman Janice Hahn, who represents the harbor area.

James and Janice Hahn wrote that they were "extremely disappointed" in the July 7 report, saying it failed to identify new ways to reduce emissions and that port officials did not seek input from regulatory agencies, tenants, other elected officials and surrounding communities. The Hahns promised to provide Keller with a list of recommended members for the task force.

The letter's stern tone provided an unusually public display of ongoing tensions between City Hall and the port.

At port headquarters, a spokeswoman for Keller said he was unaware of the letter until a Times reporter called seeking comment.

Keller later obtained a copy from the mayor's office, the spokeswoman said.

A spokesman for Hahn said the letter was sent to Keller Thursday by mail.

In a written statement Thursday night, Keller said, "Upon receiving their list of recommended task force members, we will establish a task force that will deliver a progress report in 30 days and a new plan timeline, as required."

Arly Baker, the port's director of public affairs, said the port believes it can produce a new plan by the Hahns' year-end deadline.

"This is an issue that everyone has to address, whether it's the Port of Los Angeles, our customers - it's a big operation," Baker said. "Whether it's ships or trucks or trains, there are a lot of options and a lot of things to explore."

Baker said the port welcomes help from the task force to prepare a new plan.

Todd Campbell, policy director of the Coalition for Clean Air, which had called on the mayor to reject the July 7 plan, expressed cautious optimism that the Hahns' letter could result in a better plan to cut emissions.

"If this is a call to action, and if it results in serious action, this is very good news," Campbell said.

Still, he added a caveat:

"I've been through the task force path before, and really, what's going to make or break this effort is how committed the administration is to the spirit of the letter."

Highway 99 bill approved

[Visalia Times-Delta, Friday, Aug. 13, 2004](#)

SACRAMENTO -- A once controversial measure to designate Highway 99 as an interstate highway quickly and quietly passed the Assembly on Thursday.

Assembly Joint Resolution 63 now goes to federal officials to demonstrate state support for the designation campaign being led by Rep. Devin Nunes, R-Visalia. It doesn't carry the weight of law.

The goal is to increase funding for improvements to Highway 99, a crucial but often congested and [polluted](#) corridor of the Valley.

The resolution by Assemblyman Bill Maze, R-Visalia, stalled in the Senate briefly when Sen. Dean Florez, D-Shafter, complained it could force the state to spend up to \$10 billion to upgrade the highway to federal interstate standards to get federal designation. The standoff ended when Maze agreed to accept amendments so the resolution only sought interstate designation if California is exempted from any upgrade requirements.

Other amendments also called for restoration of state funds for work on Highway 99 and for the additional designation of the highway as "Historic Route 99."

Gaseous emission

[Porterville Recorder, Editorial, Aug. 13, 2004](#)

The California Air Resources Board has issued a proposed regulation for limiting "greenhouse gas" emissions from cars and light trucks beginning in 2009. The regulations are absurd on numerous levels, but they come in response to the Legislature passing, two years ago, one of those feel-good symbolic laws that is all cost and no benefit.

The only sensible thing for the Legislature to do, when the regulation is presented for final approval, is to rescind the original bill.

A bit of background: Two years ago the Legislature passed and then-Gov. Gray Davis signed AB 1493 to reduce "climate change emissions" from cars, SUVs and trucks by 30 percent.

Given concern about climate change and the fashionable bigotry against SUVs, it sounded good at the time. But even proponents admitted at the time that reducing carbon dioxide emissions in California would do little or nothing to affect climate change on a global scale. But it "made a statement." It showed concern and sensitivity.

Unfortunately, the statement is useless and costly.

Although advocates have made some progress fudging the language, carbon dioxide, the greenhouse gas in question, is not a pollutant. It's a naturally occurring inert gas, which humans produce by breathing and plants need to grow. There is no catalytic converter or magic filter to reduce carbon dioxide emissions from vehicles. The only feasible way to do so is to mandate better mileage.

Second, the prestigious Max Planck Institute for Solar Research in Germany has just issued a report to the effect that the sun itself is brighter and hotter than it was a few hundred years ago. As director and lead research Sami Solanki put it, "this brightening started relatively recently - in the last 100 to 150 years." So insofar as global warming is a measurable phenomenon, it is impossible to say whether higher levels of greenhouse gases or a warmer sun are responsible.

We suspect even the California Legislature is not so arrogant as to pass a law requiring the sun to cool down.

CARB estimates its initial regulations will add "only" \$292 to \$308 to the cost of vehicles, which is undoubtedly a lowball figure. California motorists shouldn't have to pay that much for legislators to make a symbolic gesture. Better to repeal AB 1493

Growth is overrated

[Bakersfield Californian, Letter to the Editor, Friday, Aug. 13, 2004](#)

Why is growth naturally considered to be good?

I am constantly reading quotes from one policy-maker or another to the effect of "...and it will be good for our city -- it will bring growth, and with growth, much-needed jobs and tax revenue."

But then, doesn't that logic just lead to more needed growth "to feed the animal." Why don't we just say "stop?" We will learn to survive and strive as a city with the amount of population we have now.

Less [pollution](#), a more peaceful way of living, and an "eye on a better prize" would be just some of our rewards.

-- ALVIN GREGORIO, Bakersfield

Clean-Air Promise

[Los Angeles Times, Letter to the Editor, Thursday, Aug. 12, 2004](#)

Re " 'Reform' Imperils a Force for Clean Air," Opinion, Aug. 8: Marc Haefele's criticism of a proposal by the California Performance Review panel to abolish the state Air Resources Board is on target. However, he wrongly attributes to me a quote terming the proposal a "gubernatorial power grab." In fact, it reflects a grab for power by polluting industries. The governor has not adopted the panel's ill-conceived proposal, which would do away with one of the most effective environmental boards in the nation.

To the contrary, Gov. Arnold Schwarzenegger has pledged to cut California's air pollution by half by 2010. I fully expect the governor to reject this shortsighted recommendation and instead to retain the ARB, whose leadership has been so vital to California's battle for clean air.

Gail Ruderman Feuer
Senior Attorney, Natural Resources Defense Council
Santa Monica