

First no-burn request today

Air quality level calls for voluntary compliance.

By Barbara Anderson

The Fresno Bee

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Residents in Fresno, Tulare and Madera counties and parts of Kern County are asked not to burn wood today and tonight.

The voluntary request is the first issued under the umbrella of a new wood-burning rule that gives air quality officials the authority to make residents stop burning if the air becomes unhealthy on the most-polluted nights of winter.

Today's voluntary curtailment of wood-burning is meant to avoid further air quality deterioration, necessitating a mandatory burn ban, said Josette Merced Bello, spokesman for the San Joaquin Valley Air Pollution Control District.

Air quality today in Fresno is expected to reach 120 on the Air Quality Index, which is a pollution level that is unhealthy for sensitive groups, including asthmatics and those with heart and lung conditions. The AQI is a rating system. Numbers range from zero for the healthiest air to a worst-air level of 300 or above.

Under the new wood-burning rule, the air district will order people to stop burning for a 24-hour period when the index is projected to reach 150 or above. Burning wood on such a no-burn day and night can result in citations from \$50 to \$1,000, depending on the number of infractions, Merced Bello said.

Field inspectors will enforce the rule, she said. The district also will respond to citizen complaints of wood burning.

The air district expects as many as 20 no-burn days during the winter for residents of Fresno and Kern counties. The wood-burning rule applies on a county-by-county basis.

In prior winters, the air district curtailed wood burning by relying on Please Don't Light Tonight, a public outreach and education campaign. People were asked not to burn, but the air district had no authority to order a shutdown of fireplaces and wood stoves.

The new wood-burning rule exempts residents whose sole source of heat is wood burning. It also allows wood burning for those who live above 3,000 feet in the mountains and those without access to natural gas.

The Valley is one of the worst air basins in the country for particulate pollution. Breathing the fine particles can trigger asthma attacks and has been linked to an increased risk of heart attacks and deaths.

Burning from fireplaces and wood stoves can account for 50% of the particulate pollution in the air on some nights, said air district supervising meteorologist Evan Shipp.

Winter pollution in the Valley worsens on days when there are inversions and warmer air above the surface traps particles close to the ground, Shipp said.

Merced Bello said people in Fresno, Tulare and Kern counties who opt to burn today and tonight are encouraged to use cleaner-burning pellet stoves, federally certified devices or manufactured fire logs.

Shipp encourages Valley residents to check air quality advisories before burning this winter.

Wood-burning restrictions are in effect

By Darla Welles, The Porterville Recorder

Nov. 13, 2003

With the advent of cooler weather and the return of the foggy season, worsening air quality has prompted the San Joaquin Valley Air Pollution Control District to issue its first restrictions on the use of wood-burning stoves and fireplaces under the new and more stringent regulations that took effect a little less than two weeks ago.

Josette Merced Bello, public education administrator for the Fresno-based district, said a proclamation calling for residents of Fresno, Madera, Tulare counties and those living on the Valley floor in Kern County to voluntarily refrain from firing up their wood-burning heating devices was issued late Wednesday afternoon, to be in effect for 24 hours beginning at midnight Wednesday.

"We have determined that the air quality on Thursday will be unhealthy for sensitive individuals and have called for voluntary curbs on burning," she said, adding that it was too early to say whether the restrictions would be extended or tightened in coming days.

"This is all pretty unpredictable," she said. "If the public cooperates or if Mother Nature brings on some wind or rain to clear the air, we may be able to avoid issuing a mandatory ban on burning."

She said the deteriorating air quality that triggered the first-stage limits on burning has come about both because of an increase in the use of wood-burning stoves and fireplaces in response to dropping temperatures and because of overcast weather that holds down the particulate - specks of soot, ash and other materials produced by burning wood.

"This is pretty typical for this time of year in this area," she said, "when the weather gets cooler and we get inversions. And, of course, when people burn more, they put more stuff into the air that gets trapped and held down by the inversions."

Under the first-stage warning in effect today, Merced Bello said, residents are asked to refrain from burning wood in order to prevent adding pollutants to the air that are hazardous to the health of the elderly, the very young and those with chronic respiratory difficulties.

Although the restrictions are not mandatory and are not enforced through the imposition of fines, compliance is for the good of the community at large.

On days when the air quality worsens enough to be a threat to the health of all residents, Merced Bello said, the district can call for a ban on all wood-burning, except by those who are exempt from the controls - persons who have no alternative means of heating their homes other than the use of wood-burning stoves or fireplaces.

Mountain residents who live above the 3,000-foot elevation level are also exempt from the restrictions.

Merced Bello said the district will monitor air quality throughout the heating season - now through Feb. 28 - and issue daily status reports each afternoon to let residents know if they are free to use their wood-burning stoves and fireplaces, discouraged from using them or banned from using them.

The status reports will be published daily in The Porterville Recorder - at the bottom left corner of Page 3A - and other Valley newspapers and broadcast on area television and radio stations.

To check the burn status, call the district's 24-hour information line at 1-800-SMOG INFO; or the office at 230-5850; or visit the Web site at www.valleyair.org

Senate cuts state air authority

By DAVID WHITNEY, MODESTO BEE WASHINGTON BUREAU

Last Updated: November 13, 2003, 06:43:49 AM PST

California's attempt to cut pollution from small, gas-powered engines -- the kind that run lawn mowers, leaf blowers and weed whackers -- went up in smoke Wednesday in the U.S. Senate. For their size, the engines are big polluters, accounting for 10 percent of the pollution from mobile sources in California, according to state officials.

Such emissions are minimally regulated. In September, the California Air Resources Board put in motion tougher rules, including one requiring catalytic converters on newly manufactured small engines starting in five years.

Officials hoped to reduce pollution by an amount equivalent to removing 1.8 million cars from the road. That is a big number for California, where officials are running out of ways to cut air pollution.

The nation's leading small-engine manufacturer, Milwaukee-based Briggs & Stratton Corp., claimed that the cost to retool its plants -- if the California law was allowed to stand -- would force the company to move its operations out of the country.

"If the California rule was allowed, it would have cost Americans 22,000 manufacturing jobs in 23 states," said Tom Savage, senior vice president for manufacturing.

Sen. Christopher Bond, R-Mo., introduced what he called "the Missouri jobs provision" -- because Briggs & Stratton and its suppliers employ 5,100 people in the his state.

Bond at first proposed to terminate state regulation of emissions from engines of less than 175 horsepower used in nonroad equipment. That could have stopped state regulation of emissions from large generators, pumps and other equipment used extensively in agriculture.

Wednesday, the Senate approved Bond's modified proposal to give the Environmental Protection Agency authority to regulate emissions from nonroad engines with less than 50 horsepower and directing the EPA to craft a national emissions standard within a year.

Environmentalists lambasted the Bond amendment, which passed on a voice vote after being denounced by California's Sen. Dianne Feinstein, a Democrat.

The critics held out hope that the Bond provision will be yanked during House-Senate negotiations on the spending bill that includes the amendment.

After the Senate vote, Mark Boese of the San Joaquin Valley Air Pollution Control District said: "It's one more tool that we have that they've taken away from us."

Boese, a deputy air pollution control officer, said the valley will have a "very difficult time trying to meet (federal) health standards."

California Air Resources Board Chairman Alan Lloyd said: "It's outrageous that California is held hostage by special interests in Washington, D.C. It is very sad. To jeopardize children's health in California, it's a terrible precedent."

Lloyd decried the state's loss of regulatory authority: "The track record at the EPA has not been a good one."

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Bee staff writer Melanie Turner and The Associated Press contributed to this report.

Senate halts limits on small engines

By David Whitney

Bee Washington Bureau

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WASHINGTON -- The Senate on Wednesday effectively blocked California from proceeding with new regulations intended to reduce air pollution from small engines used in nonroad equipment, such as gasoline-powered lawn mowers, leaf blowers and weed whackers.

For their size, these engines are enormous polluters, amounting to 10% of the pollution from mobile sources in the state, and their emissions are only minimally regulated.

The regulations approved in September by the California Air Resources Board were expected to reduce pollution in amounts equivalent to removing 1.8 million cars from the road by requiring new engines to be equipped with catalytic converters.

These are big numbers for the state, which is running out of ways to cut vehicle pollution in densely populated areas where clean air standards are regularly exceeded.

Even before the regulations were finalized, however, they were attacked by Sen. Christopher Bond, R-Mo. Missouri is the home state of Briggs & Stratton, the largest small-engine manufacturer in the country, and it claimed the cost of retooling its plants would be so great that it would have to move its operations out of the country.

"It's outrageous that California is held hostage by special interests in Washington, D.C.," Air Resources Board Chairman Alan Lloyd said. "It is very sad. To jeopardize children's health in California, it's a terrible precedent."

But Briggs & Stratton, the only manufacturer to attack the California regulations that were to go into effect in five years, said the Bond amendment will save American jobs.

"If the California rule was allowed, it would have cost Americans 22,000 manufacturing jobs in 23 states," said Tom Savage, Briggs & Stratton's senior vice president for manufacturing.

Bond initially had proposed to terminate state regulation of emissions from engines under 175 horsepower that were used in nonroad equipment. That could have stopped state emissions regulation of large generators, pumps and other equipment used extensively in agriculture.

Bond modified that Wednesday in an amendment. The amendment hands to the federal Environmental Protection Agency exclusive authority to regulate emissions from nonroad engines under 50 horsepower, and directs the agency to craft a national emissions standard within a year.

Environmentalists lambasted the Bond amendment, which passed on a voice vote after a spirited denunciation by Sen. Dianne Feinstein, D-Calif. They held out hope, however slim, that the Bond provision would be yanked in a House-Senate conference to iron out differences between the two chambers on the spending bill to which it was attached.

"California residents will be breathing dirtier air because of this plan, which was devised solely to placate engine maker Briggs & Stratton," said Frank O'Donnell of Clean Air Trust.

Frank Maisano, a lobbyist organizing support for the Bond amendment, said the provision finally enacted by the Senate would result in one national standard being established by the EPA that states can enact if they so choose.

"This amendment is not going to have the negative impact that Sen. Feinstein and others have claimed," he said.

But Lloyd decried the state's loss of regulatory authority to the federal agency.

"The track record at the EPA has not been a good one," he said. "Relying on the EPA has never worked in the past. It is unconscionable that progress in California is being jeopardized."

U.S. Senate Preempts California's Curbs on Small-Engine Smog

By Elizabeth Shogren and Gary Polakovic, Los Angeles Times Staff Writers

WASHINGTON — The Senate approved a measure Wednesday that would block efforts by California and other states to reduce the pollution spewed by small gasoline engines in machines such as lawn mowers, tractors, forklifts and chain saws.

The amendment, approved on a voice vote, represents a major setback for the state's strategy for fighting the smog that continues to plague Southern California despite half a century of pollution-control efforts, state officials say. It would mark only the second congressional decision since 1974 to preempt California's special authority under the Clean Air Act to set tougher pollution regulations than federal standards.

The amendment, attached to a spending bill for a variety of government agencies, would give the federal Environmental Protection Agency sole authority to regulate gasoline engines smaller than 50 horsepower and would direct the agency to propose new regulations for the engines by the end of next year.

The House, which has not addressed the issue, is likely to accept the Senate's provision, according to opponents and supporters of the amendment.

The measure is the latest in a series of actions by the Bush administration or the GOP-controlled Congress to challenge or curtail California's environmental laws on issues including offshore oil drilling and hybrid cars.

Sen. Christopher S. Bond (R-Mo.), the measure's sponsor, argued that California's regulation would drive 22,000 U.S. manufacturing jobs abroad.

"Today's passage of my job protection amendment is a victory for the thousands of families in Missouri, and across the nation, whose jobs were threatened by California's attempt to force-feed the nation dangerous new regulations without concern for job loss or safety," Bond said.

Briggs & Stratton Corp., the world's largest producer of these engines, contended that revamping its production facilities in response to California's regulations would be so expensive that it would close the facilities, two of which are in Missouri, and move production overseas. But in a submission to the Securities and Exchange Commission, Briggs & Stratton said California's regulations would not have a "material effect on its financial condition."

The company spent \$520,000 over the 18 months ending in June to lobby Congress, according to reports filed with the secretary of the Senate.

Sen. Dianne Feinstein (D-Calif.) argued that the amendment would deprive California and other states of an essential tool to meet air-quality standards. "Since the beginning ... the Clean Air Act has recognized that states with extraordinary or extreme pollution need flexibility to reduce pollution and protect public health," she said.

California, which started controlling air pollution before the rest of the country, still has the nation's dirtiest air. The Clean Air Act specifically gives California the right to make regulations tougher than federal rules. It also gives other states the option to adopt California's tougher rules, and they often do.

In the first instance since 1974 of Congress overriding California's authority to set tougher pollution controls, the Clean Air Act amendments in 1990 denied the state the right to set more stringent pollution standards for locomotives and large farm equipment.

At the California Air Resources Board, officials said the measure adopted by the Senate on Wednesday would nullify five state regulations, including one approved Sept. 25 to cut emissions from lawn and garden equipment by 35%.

The measure approved by the Senate would forbid California from regulating lawnmowers, edgers, off-road motorcycles, outboard boat engines, leaf blowers, chain saws and portable generators. The result could be 170 more tons of smog-forming emissions daily, a 4% increase in total emissions statewide, air-quality officials said.

"We are going backward. These engines are going to get dirtier next year," said Tom Cackette, deputy executive officer for the California Air Resources Board. "It will be equivalent to putting another 2.5 million cars on the road."

California air-quality officials are scrambling to meet a 2010 federal deadline to cut smog to safe levels. Yet the Los Angeles region suffered its worst air quality in six years this summer and posted its first first-stage ozone alert since 1998.

Some experts believe regulators are losing ground in the war on smog and warn of possibly worsening air pollution in coming years, in the absence of dramatic measures to cut emissions. Meanwhile, the San Joaquin Valley, by one important measure of ozone, is experiencing even worse smog than the Los Angeles region.

Air-quality officials said it would be much harder and more expensive to make the additional cuts in pollution from other sources, most of which are already much more aggressively regulated than small engines.

In Sacramento, advisors to Gov.-elect Arnold Schwarzenegger said that, if left unchecked, the Senate action could undermine his efforts to fulfill a campaign pledge to cut California smog in half by the end of the decade. "We oppose any efforts that would reduce our ability to improve air quality," said Terry Tamminen, incoming secretary for the California Environmental Protection Agency.

"This will make it extremely difficult for states to meet health-based air quality standards now and in the future," said S. William Becker, executive director of the State and Territorial Air Pollution Program Administrators and the Assn. of Local Air Pollution Control Officials.

State air-quality officials and environmental groups expressed disappointment with Feinstein, who led the opposition to the Bond amendment, because she failed to ask for a recorded vote to eliminate the measure.

Howard Gantman, Feinstein's spokesman, said she decided that her best chance to defeat the measure would come during a House-Senate conference to reconcile differences between the two chambers' versions of the bill. The senator believes it will be an "uphill battle," he said.

All the talk only clogs air more

By Bill McEwen
The Fresno Bee

(Published Thursday, November 13, 2003, 5:10 AM)

I went to an air pollution hearing last week, and for nearly all of the two hours, I was out of my league.

The experts used a lot of scientific words and acronyms and talked at length about particulates, ammonia and biogas digesters. But I hung in there, knowing that sooner or later state Sen. Dean Florez would pop the big question.

"When are we going to see significant reductions" in air pollution? Florez asked Dave Crow, executive director of the San Joaquin Valley Air Pollution Control District.

Crow was sitting at the time. But that didn't stop him from dancing to the left, dancing to the right and doing the Air Quality Two-Step with all of his might.

"That's still to be determined," Crow said.

When was the last time we saw the Sierra from the central San Joaquin Valley floor on a summer day?

How many more years until our asthma rates decline?

What will it take to get the air pollution board to do its job?

For more than a decade, the air district's refusal to enact aggressive air-cleansing measures largely has been overlooked in the pollution debate.

Environmentalists point fingers at agriculture. Agriculture blames diesel-belching big rigs. Ag and environmentalists unite in condemning urban sprawl. The air board tells homeowners not to light wood-burning fireplaces.

Now it's the air district's turn in the dunk tank.

Despite having the power to clean the air in eight counties, the district has walked the path of least resistance. Only now, after Florez pushed through a package of air bills, is it making efforts to regulate ag and impose air fees on developers.

When I say "the district," I don't mean Crow and the employees under him. Crow's job is to satisfy his bosses on the district board. And that board -- composed of 11 elected officials from the district's eight counties -- always has been more worried about keeping ag, oil and building interests happy than about whether we lead the nation in unhealthy air days.

What can be done to end the board's indifference and ineffectiveness?

A good place to start is state legislation requiring the board to have permanent representatives from the district's three biggest cities (Fresno, Stockton and Bakersfield). In addition, the governor and Legislature should be able to appoint board representatives with medical and environmental expertise.

As it stands, the board has three municipal spots, which are rotated among district cities. This has allowed the rural areas, with eight permanent county spots, to dominate policy and take care of their buddies.

State Sen. Michael Machado, whose district includes Stockton, is carrying legislation that would include at-large appointments, but environmental interests say they would be satisfied with a compromise that gives the big cities a greater say.

The district's Web site (www.valleyair.org <<http://www.valleyair.org>>) has a detailed explanation of why our air is filthy. Cited are the Valley's bowl shape, bordering mountain ranges, hot summers, foggy winters, 3 million residents and 2 million vehicles.

If the board wants to tell the whole story, it should add a sentence about its sorry performance. It also ought to set a target date for delivering the clean air we deserve.

[Fresno Bee editorial, Nov. 13, 2003:](#)

Better isn't good enough

Small improvements in Valley air quality are no excuse to let up now.

(Published Thursday, November 13, 2003, 5:10 AM)

The effort to clean up the Valley's dirty air has gained considerable momentum in recent months, which is about the best news we've had in this battered region in quite some time. Now, perhaps inevitably, we begin to see clear signs of a backlash.

It finds itself expressed in assertions that the air quality here isn't so bad, and is in fact improving, at the very least implying that we needn't go too far or too fast, in either the regulatory or behavioral changes being advocated by so many.

One such expression emerged recently from the local Building Industry Association, in a three-page news release extolling -- repeatedly -- the news that "Our air quality is improving."

The release draws heavily on the work of Joel Schwartz of the Public Policy Institute, in his article "Cleaning the Air," from the summer 2003 edition of Regulation magazine. Schwartz cites declines in all manner of air pollution across the nation, and scratches his figurative head over the fact that despite this information, most Americans think the air is getting worse. The BIA takes the same stance.

And it's true, for the most part. Pollutants are being removed from our air. There have been successes, and there will be more. But to suggest, even indirectly, that things aren't that bad, that we needn't continue to work hard to improve the air is nonsense.

Even Schwartz, in the article touted by BIA, says that "parts of the greater San Bernardino and Fresno-Bakersfield areas in California ... still frequently exceed the new eight-hour ozone benchmark." And that new ozone standard is the one by which we will be measured soon.

The BIA asks us to cheer because we're no longer drowning in 13 feet of water. We're concerned because the water's only down to 10 feet, and we're still drowning.

Some observers suspect the BIA has taken this tack in an effort to derail the imposition of impact fees on new development -- charges for the air pollution that new construction will add to the environment. BIA says, no, we don't oppose such fees -- but Jeff Harris, association president and chief executive officer, did say, "We think the fee should apply to all land uses, not just new homes. We also think the fee could be reduced or eliminated by developing a set of clean-air alternatives that the builder can use. We prefer to prevent the pollution, instead of paying for it."

To some, that sounds like killing with kindness -- defeat the fees by wrangling them to death. We shall see.

LASTGASP

"We can't go on living this way.

And we won't."

Another in a series of Thursday editorials on the Valley's air quality. Today: The sky may not be falling, but the air is still dirty.

[Turlock Journal Editorial:](#)

So...Our question is this

Wednesday, November 12, 2003

By Editorial Board - Turlock Journal

It's been just under two weeks, and already people are upset.

We're talking about the new wood-burning regulations that went into effect Nov. 1 which mandate a handful of "no burn" days over a four-month period.

Within 24 hours of launching this week's Journal online poll question, the responses came in loud and clear: 59 percent said they think the new regulations are too strict, while 27 percent said they're just fine. A mere 13.6 percent said they're not strict enough.

And that has us scratching our heads, and thinking about the different kinds of air pollution.

Smog - which occurs in the summer - and wood smoke - which is prevalent in the winter - are kind of like apples and oranges.

Smog and wood smoke are both air pollutants, and apples and oranges are both fruit. But yet each one in the two different categories is distinctly different from the other.

Here's our version of "Air Pollution 101." Add to this the fact that we're located in a valley that traps stagnant air 12 months of the year, and we've got a problem.

Smog occurs when the heat of the summer sun interacts with vehicle emissions.

Wood smoke - which obviously is prevalent in the colder months - is a different matter. It doesn't need temperature as a catalyst. Wood smoke is... well, wood smoke.

It's been called the "other second hand smoke" and is in fact more carcinogenic than equal volumes from tobacco. For people with sensitive airways, it's like tiny daggers piercing tissue in the deepest recesses of the lungs.

The particulate matter, which emanates from residential chimneys, is known as PM10. It's microscopic and 100 times smaller than a single grain of table salt. It's made up of carbon monoxide (the poisonous stuff that comes out of a car's exhaust) and formaldehyde (the stuff funeral directors use in embalming). Then there's an unhealthy dose of organic gases and nitrogen oxides.

Now there are plenty of people who use a wood-burning stove as their only source of heat, or who live in an area that isn't fed by natural gas as an alternative fuel. These folks are exempt from the regulations.

We'll be the first to acknowledge that we sometimes do our own part when it comes to contributing to air pollution. We all drive vehicles, probably use an aerosol can every now and then, and have been known to use harsh chemicals that emit noxious fumes.

The way we look at it, it comes down to freedom of choice. Some people chose to light their wood-burning stoves, and others chose to breathe relatively particle-free air.

Non-smokers can always find a place to avoid breathing in second-hand smoke - and that's especially true in California. However, when it comes to the outdoor air we all breathe, there's little choice.

So... our question is this.

Why do nearly 60 percent of our online poll-takers think that the regulations - which could be mandated as few as four days out of 120 - are too strict?

We invite everyone who has access to a computer to log on to www.turlockjournal.com and answer the poll question. (Remember, there's only one vote allowed per computer.) Then we invite you to send an e-mail - in 50 words or less, with your reasons for voting the way you did - to news@turlockjournal.com. Please put "online poll" in the subject line.

We'll print some of your responses in an upcoming issue.

Don't forget, for those who don't have access to a computer - and we know there are many of you faithful readers out there - you can still call in on The Red Phone at 634-2574; drop off a letter to the editor at the Journal office, 138 S. Center St., between 8 a.m. and 5 p.m. weekdays; or mail your letter to P.O. Box 800, Turlock, CA 95381.

We're listening.

[Letter to the Editor](#)

End of argument

By Bill Simon, Fresno

(Published in Fresno Bee - Thursday, November 13, 2003, 5:23 AM)

On page A3 of the Nov. 9 Bee, I see that New York, New Jersey and Connecticut still plan to sue polluting power plants despite the fact that the Bush regime has abandoned enforcement of the Clean Air Act.

You can argue about Iraq. You can argue about tax cuts. You can argue about recall elections. You can argue about unemployment and workers' rights. With the Bush regime's trashing of the country's environmental regulations, pretty soon you can't breathe. And then you can't argue.