

California Rule Would Charge Developers for Air Pollution

by Tamara Keith

National Public Radio, Morning Edition, Wednesday, Dec. 28, 2005

December 28, 2005 -- Air quality regulators in California's Central Valley have become the first in the nation to pass a rule that links the two. Developers are being required to make major efforts to reduce air pollution by planning smarter communities or paying a fee.

(Go to the site and listen)

<http://www.npr.org/templates/story/story.php?storyId=5072064>

Shredders help reduce burning

By Janet Enquist, Features Editor

The Porterville Recorder, Friday, Dec. 30, 2005

For about \$150,000 farmers can purchase a REARS engine drive shredder that can assist them in complying with state law and district rules that prohibit the open burning of most field crops and pruning.

Thus far, Mike Garver, general manager of Farmers Tractor & Equipment Co., who sells these shredders, explained how they work.

The large red shredder has a 325 horsepower John Deere diesel engine and is pulled by a tractor, Garver said. It has two rolls of feeder teeth that pick up the brush that is piled in the center of the row. The brush is fed into a rotor that has 40 hammers and it breaks up the brush with a series of sheer bars and the brush is held in the machine by a screen. The screen has a certain size of holes and the shredded up brush stays in the chamber until it's small enough to exit the holes and be deposited onto the ground of the row.

"[REARS] developed this engine driver to have more horsepower to get the finished product finer, so it will decompose better," Garver said. "[They're] trying to find ways for [the] farmer to comply with no-burn regulations."

One farmer's experience

In November, two workers stood on a lift, controlled by their foot and busily pruned branches from walnut trees in an orchard in Visalia.

Pruning reinvigorates the tree, explained Pat Muller, an Exeter resident, who farms throughout Tulare County. Some limbs also crowd other limbs out from receiving sufficient sunlight and also dead wood is cut from the tree.

After the trees are pruned and the branches lay on the dirt on the rows in between the trees, something must be done with the branches.

That's where Muller and a REARS shredder comes in.

Muller uses the shredder to supplement his income by doing brush chipping/grinding for other farmers. He's owned his shredder for less than a year.

"I bought this to integrate into other types of commodities into pistachios and almond market due to the burning requirements," Muller said, while standing in a walnut orchard in Visalia as one of his employees used the shredder on pruned limbs.

Although the shredder is expensive to maintain, Muller said, it's worth it.

"We're putting organic [material] back into the soil and we're not polluting the air," he said. "We all live here and we don't want to pollute the air, water and everything else."

Before shredding limbs, Muller said he used to haul them over cogeneration plants in Delano, or Fresno where the limbs are burned for making electricity.

"But now we shred and use the limbs for our own benefit," he said.

San Joaquin Air Pollution Control District

A news release from the San Joaquin Valley Air Pollution Control District states, as of June 1, state law and district rules prohibit the open burning of most field crops and pruning, as well as burning for weed abatement.

"Smoke from fires rise into the atmosphere and is a significant source of air pollution in the San Joaquin Valley," wrote Brenda Turner, a public information representative for the district, in an e-mail. "Smog-forming chemicals from open burning create ozone pollution when combined with sunlight and heat."

"Ozone," she wrote. "Good up high [in the upper atmosphere], [but] bad nearby [at the ground level]."

Particulate matter, which is fine particles of dust, soot, ash, diesel exhaust and chemicals, are put into the air by burning, Turner wrote.

For the first time since the passage of the 1990 Clean Air Act amendments, the San Joaquin Valley air basin is closer to meeting the federal standard for airborne particulate matter, that is 10 microns and smaller, or PM10, states a news release from the district.

In a telephone interview, Turner said PM10 means the particulate matter is 10 microns, or less than 1/7th of the diameter of a human hair.

PM10 can bypass the body's natural defenses and lodge deep in the lungs, the news release states. Exposure to PM10 can trigger heart attacks, increase risk for lung cancer, aggravate conditions such as asthma and bronchitis and reduce lung function.

"Like other industries in the Valley, agriculture is playing a key role in making our air cleaner for everyone," Turner wrote.

New rules

As of June 1, 2005, state law and district rules prohibit the open burning of most field crops and pruning, as well as burning for weed abatement.

The following crops are banned from open burning:

Field crops -- alfalfa, asparagus, barley stubble, beans, corn, cotton, flower straw, hay, lemon grass, oats stubble, pea vines, peanuts, safflower, sugar cane, vegetable crops and wheat stubble.

Pruning -- apricot, avocado, bushberry, cherry, Christmas trees, citrus, dates, eucalyptus, kiwi, nectarine, nursery pruning, olive pasture or corral trees, peach, persimmon, pistachio, plum, pluot, pomegranate, prune and roses.

General weed abatement -- berms, fence rows, pastures and grass.

Pruning from almonds, apples, chestnuts, feijoas, figs, grapevines, jujubes, pears, pecans, quince and walnuts may be burned until June 1, 2010 with a valid agricultural burn permit issued by the air district with approval on the day of the burn. Burning rice stubble is also allowed through June 1, 2010, but the amount of burning rice stubble will be reduced by 30 percent beginning June 1, 2008. Burning weeds along surface waterways is also allowed until June 1, 2010. Orchard removals and tree stumps may be burned through June 1, 2010. Orchard removals and tree stumps may be burned through June 1, 2007. Burning anything without a permit is a violation of air district rules and subject to a fine.

Open burning is a significant source of air pollution in the San Joaquin Valley, responsible for more than 10 tons per day of particulates and more than 15 tons per day of smog-forming chemicals.

Source: A news release from the San Joaquin Valley Air Pollution Control District

Firm finds future in ethanol

Pacific Ethanol proposes five plants, including one in Madera

By E.J. Schultz

Fresno Bee, Friday, Dec. 30, 2005

When the world's richest man invests in your company, it's sure to cause a stir. Doubly so if your company is in a politically charged industry such as ethanol.

So it should come as no surprise that Pacific Ethanol has gotten its fair share of national attention after the announcement in November that software mogul Bill Gates was investing \$84 million in the Fresno startup.

Bloomberg, Forbes.com and others have covered the story, bringing invaluable exposure to the fledgling public company. The news also caught the eye of the Bellwether Report, an online subscription financial newsletter read by investors in the United States and Europe.

"Before that, I hadn't even paid any attention to Pacific Ethanol," said Bellwether analyst Geraldine Mebesius, who has recently started covering the company.

But the investment itself -- not the short-term exposure -- will likely have a more lasting impact.

Pacific Ethanol plans to use the money to further its quest of bringing large-scale ethanol production to California.

Plans call for five plants -- including one under construction in Madera -- capable of annually pumping out at least 200 million gallons of ethanol, an additive proponents say makes for cleaner-burning fuel.

Gates will invest the money via Cascade Investment LLC, his personal investment vehicle. The deal calls for Cascade to buy 5.25 million shares of convertible preferred stock, which if converted would give it control of about a quarter of Pacific Ethanol's common stock.

Shareholders will vote on approval of the deal today at Pacific Ethanol's annual shareholders meeting in Fresno.

If approved by regulators and shareholders, the deal could close as soon as January, giving Pacific Ethanol momentum on its ambitious plans.

Ethanol is the "largest economic-development opportunity we've seen" in the state since the high-tech boom in the Silicon Valley, said CEO Neil Koehler. "We as a company are positioned to lead that charge."

In interviews this week, Pacific Ethanol officials gave only a few details on how the company caught Cascade's eye. Koehler said the two parties found each other through "mutual contacts."

Koehler has been in the ethanol business since 1984, when he co-founded a small plant in Rancho Cucamonga that turns liquid waste from beverage companies into ethanol.

Cascade "had an interest in ethanol, and they resonated with our business model," he said.

Bill Jones, company founder and former California secretary of state, noted that Pacific Ethanol is the only publicly traded company engaged solely in ethanol production.

No one at Pacific Ethanol has personally met Gates, said Jones, noting that Kirkland, Wash.-based Cascade has "quite a few investments." For Gates, whose net worth is \$46.5 billion according to Forbes, the \$84 million Pacific Ethanol investment could be considered pocket change. But for Pacific Ethanol, it's a big deal.

With the equity, the company is in a better position to find lenders to help finance its five planned plants, which will cost an estimated \$70million each to build.

Construction is already under way in Madera, where the company is converting a former grain mill into a 35 million-gallon-a-year plant. Pacific Ethanol bought the mill out of bankruptcy from a grain company that built but never used it, Koehler said.

The four additional plants are planned to be operational by the end of 2008, including one in Visalia.

The Madera plant is expected to create about 50 good-paying jobs, plus related jobs for truck drivers, sales people and others.

"There's just a great, huge ripple effect," Jones said.

The Madera plant will not be the first large ethanol plant in California.

Phoenix Bio-Industries recently cut the ribbon on a plant in Goshen. Pacific Ethanol had plans to acquire the plant but backed out in November, saying the plant did not meet performance standards. Another company, Calgren Renewable Fuels LLC, has plans for plants in Hanford and Pixley.

To date, the Midwest has had a stranglehold on most ethanol production. Companies, including agricultural giant Archer Daniels Midland, take advantage of the bountiful corn supplies in the region, turning the crop into ethanol and shipping it nationwide, along with by-products that can be sold as cattle feed.

Pacific Ethanol and the other California producers plan to turn that process on its head.

Instead of making the ethanol where the corn is grown and shipping the feed and ethanol over long distances, the companies plan to ship in the corn from the Midwest and sell the feed and ethanol locally.

It's an idea Pacific Ethanol's Jones first began mulling over more than 30 years ago while working his family farm near Firebaugh. It was the late 1970s, and ethanol was gaining popularity at the time due to the energy crisis.

But "there were just a lot of elements that weren't right for California at the time," Jones said, including a lack of rail infrastructure to ship large amounts of corn.

Instead, Jones went into politics. A Republican, he served 12 years in the California Assembly and in 1994 was elected California secretary of state, serving until January 2003.

With his political life on hold - he lost a bid for the U.S. Senate last year to incumbent Barbara Boxer - Jones has once again embraced ethanol. And he believes now is the time to make the fuel additive in California.

Newer rail technology allows 110-car trains to dump 10,000 tons of corn in 15 hours, he said. And the Valley's growing dairy industry offers a great market for distillers grain, an ethanol byproduct used as feed, he said.

Always a politician, Jones also touts ethanol's public-policy benefits. By producing ethanol, California can reduce its dependence on foreign oil, create jobs and reduce air pollution, he said.

Ethanol reduces carbon monoxide and other toxic chemicals when small amounts are added to gasoline, according to the U.S. Energy Information Administration.

By making ethanol, "you positively affect all those other issues that are problems in California," said Jones, who serves as Pacific Ethanol's chairman of the board.

Ethanol is not without critics. A leading one is David Pimento, a professor of ecology and science at Cornell University.

"If ethanol is so great, why are we spending \$3 billion in subsidizing it?" said Pimento, who has been studying ethanol since 1980.

The subsidy comes in the form of a 51-cent tax credit that petroleum companies get for each gallon of ethanol blended with gasoline.

The credit helps keep ethanol competitive with gas prices.

Pimento believes that ethanol is a net energy loser, meaning the fertilizer, natural gas and other energy used to grow the corn and make the ethanol outweigh the energy benefits of the final product.

He also said ethanol is not a viable replacement for gasoline. To replace the nation's fuel supply with ethanol, he said, corn would have to be grown on every square inch of the United States. "It shows you how far off [the industry is] that ethanol is going to save us and make us oil independent."

Pacific Ethanol officials dismiss most of Pimento's arguments as based on outdated information and say the ethanol industry has no intent to replace gas totally.

They also point to other studies that show ethanol as a net energy gainer. Further, Pacific Ethanol executives believe the California ethanol model is more efficient than the Midwestern model.

A lot of Midwestern plants produce dry distillers grain as a byproduct, Jones said. The feed is dried so it can be shipped long distances.

Because Pacific Ethanol plans to sell feed locally, it can produce wet distillers grain, which takes less energy to make, Jones said. The company also already has contacts in the oil industry through its subsidiary Kinergy Marketing, which distributes Midwestern ethanol to Western states.

Pacific Ethanol's ultimate success could depend on attitudes within the oil industry.

California refineries have long maintained that they can meet state clean-air rules by blending gas without ethanol.

But as more attention is placed on the nation's foreign oil dependence - spurred in part by this year's hurricanes, which unveiled weaknesses in the delivery system - the oil industry appears to be reconsidering its view, said Mebesius, the financial analyst.

"They're caving in," she said. "I think they have to."

As of late, the ethanol industry is flush with optimism.

The nation's 94 ethanol plants are producing at a rate of more than 4 billion gallons annually. Demand in October grew to 278,000 barrels a day, the second-highest month on record, according to the Renewable Fuels Association. Thirty ethanol plants and nine expansions are under construction.

Boosting confidence is new energy legislation that would nearly double the amount of ethanol used nationwide, from 4 billion gallons in 2006 to 7.5 billion in 2012.

The new law removes a nationwide mandate requiring fuel in polluted areas to contain a percentage of oxygenates, and ethanol has emerged as the leading oxygenate. Most California gas contains 5.7% ethanol. Under the new law, oil companies can decide when and where to add ethanol as long as they meet the new yearly threshold.

With the new flexibility, "it's possible that the use of ethanol in California would go down, although unlikely," said David Hackett, an energy industry consultant at Stillwater Associates in Irvine.

Hackett believes the state's ethanol outlook is "probably pretty bullish."

The outlook would become even brighter if new state regulations are changed to encourage more ethanol use.

The California Air Resources Board is updating its emissions model, Hackett said, and "if that new model can accommodate more ethanol, then the refiners will use it as long as ethanol prices [are reasonable]."

Historically, the board has not been a friend of ethanol. The agency has even questioned ethanol's environmental benefits, especially in the summer, when the agency says ethanol can increase air pollution.

But Hackett said the agency could possibly decide that the problem is no longer an issue with modern cars, which are better at chewing up the ethanol-related smog-causing agents before emitting them into the air.

Pacific Ethanol officials would like to see California follow the lead of Minnesota, which mandates 10% ethanol, or E-10, gas.

Long term, ethanol proponents hope that E-85 gas, which contains 85% ethanol, takes hold.

To burn the fuel, you need to drive what is called a flexible fuel vehicle, or FFV.

And to fill up with the E-85 gas, you need to stop at special fueling stations. The vehicles are also capable of running on traditional gasoline or any mix up to 85% ethanol.

There are about 4.5 million FFVs on the road today, according to ethanol industry statistics.

Jones bought one about a month ago, a GMC sport utility vehicle.

He burns gasoline now but one day soon hopes to fill it with ethanol from the Madera plant - the same plant he believes will mark the beginning of a new day for the San Joaquin Valley.

"We spend all this time talking about how we need more jobs in the Valley and we need cleaner air, and here we have an industry that can accomplish both."

Berkeley steel factory agrees to settle odor emissions case

Company agrees to install \$2 million abatement system

By Kristin Bender, STAFF WRITER

Tri-Valley Herald, Friday, Dec. 30, 2005

BERKELEY — A West Berkeley steel factory has been ordered to install a \$2 million system to reduce odor emission and pay thousands of dollars in penalties following nine notices of violations this year from the Bay Area Air Quality Management District.

The air district and Pacific Steel Casting, a family-owned business that has operated in West Berkeley for 74 years, reached the settlement last week following years of complaints from residents about a smell of burning plastic in the air, headaches, nausea and a tightness in their chests because of the odor.

"This settlement agreement is significant and good for the community because it includes more than just civil monetary penalties — the company has agreed to reconfigure part of the facility and install state-of-the-art abatement equipment specially designed for it ..." said air district executive officer Jack Broadbent. "This should reduce or eliminate air quality problems now and in the future."

In addition to installing the new equipment, Pacific Steel Casting will pay the air district \$17,500 in penalties within 30 days of the settlement. The company also has agreed to pay a penalty of \$3,000 for any day the air district receives and confirms five odor complaints.

Earlier this year, West Berkeley residents formed the West Berkeley Alliance for Clean Air and Safe Jobs, a grass-roots group of about 150 people trying to preserve safe jobs and prevent noxious pollution.

Michele Pred, who worked with the group, said she is pleased Pacific Steel is working on behalf of the community.

"I'm thrilled about that (odor reduction plan) because we made some progress. The additional push from the community made a difference. However, my concern is still the possible health effects that we have experienced or the ones that are to come, which aren't being addressed."

Representatives from AJE Partners, a public relations firm representing Pacific Steel Casting, were not available for comment Tuesday. But earlier this year, AJE Partners issued a news release outlining proposed odor control plans.

Pacific Steel Casting, headquartered at 1333 Second St., has two other plants nearby. The company believes the source of the odors is coming from Plant 3, "which has been operating with greater frequency this year to meet the rising demand for high-quality steel castings," according to the news release.

To control the odor, the company will install a carbon absorption system in Plant 3. The company installed similar carbon filters in Plants 1 and 2 in 1991 and 1985, respectively, reducing odor complaints significantly, according to the news release.

In addition to the nine notices of violation this year, Pacific Steel has a long history of odor complaints.

There were a total of 330 odor complaints about Pacific Steel between January 1998 and March 2005, according to data from the air district.

Between 1985 and 2000 Pacific Steel had an "unconditional order of abatement" in place. That meant that complaints about foul odors could lead to a shut down. That order was lifted in 2000.

There will be a public meeting at 6 p.m. Jan. 31 to discuss the settlement agreement. The meeting will be held at the West Berkeley Senior Center, 1900 Sixth St.

A look back at 2005: Foster farms strife rules the roost

By Chris Collins

Merced Sun-Star, Friday, Dec. 30, 2005

Workers at Livingston's Foster Farms plant, which is Merced County's largest private employer and processes more chickens than any other facility in the world, finally went on strike in late October after contract talks stalled in May.

Leading the union charge is Ralph Meraz, a man who used to work for the company's human resources department and drafted plans to oppose union action while he was with Foster Farms.

The striking workers are asking for pay increases. They have varying views about whether the company mistreats employees or not.

The National Labor Relations Board has found merit in a handful of accusations the union has made about lower management at the plant harassing and unfairly demoting workers who supported the union.

Raceway debated

The proposed 1,200-acre Riverside Motorsports Park has generated plenty of debate, especially since the draft environmental impact report on the raceway was released in early November.

Riverside would be an eight-track park that could draw up to 50,000 people at a time and boost the local economy, says Riverside CEO John Condren.

The environmental report said traffic, [air pollution](#) and noise would all increase if the park is constructed.

A group that calls itself Citizens Against the Raceway has lobbied against the track and won a political battle this month when it convinced the Merced County Board of Supervisors to extend the comment period on the environmental report another 14 days.

City loop on the horizon

First discussed 15 years ago, a loop around the city of Merced is slowly beginning to come around.

The Mission Avenue interchange on Highway 99, a key part of the loop, began construction this month after it was nearly put in funding peril when Caltrans underestimated the cost of the project by \$24 million.

But the California Traffic Commission committed extra money to the \$68 million project in a split vote, saving the project from long delays. The interchange should open two years from now.

Citizens debated the Campus Parkway, which will connect to the interchange and will be part of the city loop, after the draft environmental impact report was released in the spring. Merced County supervisors will vote on which route to pursue in early January.

Also, the Merced County Association of Governments has narrowed down the Atwater-Merced Expressway, another part of the loop, to three possible routes.

Housing voucher cuts

About 100 people had their housing vouchers revoked in April after the Merced County Housing Authority lost \$1.4 million in federal money because of budget cuts.

Those who lost the funds, which are meant to subsidize rent payments, were violating their contracts with the county.

But usually the housing authority only revokes 30 to 50 people a month from the rental vouchers, known as the Section 8 program. It had to take more people off the list because of the lost federal money.

Even with the cuts, the agency was losing about \$100,000 a month.

In June, a handful of people who lost their vouchers sued the housing authority. But a judge struck down their lawsuit in Merced County Superior Court in August.

Keene's legal battles

Former Merced County Supervisor Gloria Cortez Keene has been in hot legal waters this year.

She's battling a suit filed against her from David Corser, the former programs director for the Planada Community Development Corp., that says she tried to intimidate Corser because he was getting in the way of projects that would benefit Keene's friends.

The suit, which is in U.S. district court, alleges Keene promised Larry Gonzales, a community development board member, a \$50,000 grant if he could fire Corser.

Gonzales denies the charges and Keene said Corser's accusations don't make any sense.

Keene was also arrested in February on suspicion of two counts of felony insurance fraud for allegedly lying to her insurance company about her car being damaged. Her case is in Sacramento County Court.

It was also revealed earlier this year that Keene was investigated in late 2004 by a county-hired law firm for allegedly creating a hostile work environment for a county employee.

A report from the firm said Keene acted inappropriately but had not violated the county's anti-harassment policy.

SoCal Edison to close coal plant at center of pollution dispute

The Associated Press

Published in the SF Chronicle, Friday, Dec. 30, 2005

A large coal-fired power plant at the center of a dispute a few years ago will close at the end of the year rather than violate a court-ordered deadline to install an estimated \$1.1 billion in pollution-control measures.

Southern California Edison said Thursday the Mohave Generating Station near Laughlin would close. The plant has provided the utility with 7 percent of its electricity, but the company said its 13 million customers would not be immediately affected because of other power sources.

Under a 1999 consent decree won by environmental groups, the aging Mohave plant was required to upgrade its pollution controls or close by Jan. 1, 2006.

The groups had argued the 1,580-megawatt plant, about 100 miles south of Las Vegas, had repeatedly violated the Clean Air Act, emitting high amounts of sulfur dioxide, nitrogen oxide and fine particles and contributing to haze at the Grand Canyon.

The utility, majority owner and operator of the coal plant, had hoped to keep it open as natural gas prices have continued to rise.

In a filing Thursday with the California Public Utilities Commission, Edison said it planned to continue negotiations aimed at keeping the plant open but expected to close it for at least a few months. The environmental groups have said they would not agree to a deadline extension.

The plant is the only customer of the nearby Black Mesa mine, which provides about 160 jobs to members of the Navajo Nation. The mine, run by Peabody Energy Corp., will likely be forced to close.

"It was the environmental groups that helped bring this about - for altruistic reasons of course - but the result is that a lot of breadwinners are going to be out of work," said George Hardeen, a spokesman for the Navajo Nation.

"We will lose about 160 jobs, and these are some of the best jobs on the Navajo Nation, paying upwards of \$70,000. It will undoubtedly impact an already weak Navajo Nation economy."

Environmentalists said they sympathized with the tribes, but argued Edison had plenty of time to fix the plant's pollution problems. They suggested Edison invest in renewable energy sources on tribal land.

"It's a smart investment for California ratepayers to take income from a dirty power plant and reinvest it in clean energy, in a way that benefits the people who have been exploited all of these years by the greater metropolitan centers of the West," said Roger Clark, director of the Grand Canyon Trust's air and energy program.

Edison to Shut Down Polluting Coal Plant

By Miguel Bustillo, Times Staff Writer
Los Angeles Times, Friday, Dec. 30, 2005

A massive coal-fired power plant that has provided Southern California Edison with 7% of its electricity -- but emits vast quantities of air pollution that have clouded views of the Grand Canyon -- will close at year's end to comply with a court ordered deadline, the utility confirmed Thursday.

The Mohave Generating Station near Laughlin, Nev., was required to upgrade its pollution controls or close by Jan. 1 under a consent decree won in 1999 by environmental groups. The groups had alleged the plant repeatedly violated the Clean Air Act.

Edison said it had adequate sources of other power, so its 13 million customers would not immediately be affected.

The biggest losers may be the Hopi Tribe and Navajo Nation, which provided natural resources and labor at the coal mine, which feeds the plant. The tribes may now be without a major source of jobs and royalty money.

The 1,580-megawatt Mohave plant, which also provides some electricity to the Los Angeles Department of Water and Power, releases an average of 19,000 tons of nitrogen oxide, 40,000 tons of sulfur dioxide and 2,000 tons of fine particles a year into the air above Laughlin. That plume of smog and soot pollution has contributed to the haze that has diminished visibility at the Grand Canyon.

The utility, which operates the plant and is its majority owner, had hoped to keep Mohave open because inexpensive coal power looked increasingly attractive as natural gas prices have risen.

But the utility did not secure an extension of the deadline to clean up or close and announced that the plant, which opened in 1971, would shut down by midnight Saturday.

In a filing Thursday with the California Public Utilities Commission, Edison said it planned to continue negotiations aimed at keeping the power plant open but expected to close it for at least a few months.

The cost of adding pollution controls to the power plant has been estimated at \$1 billion. Edison told California regulators that it hoped to negotiate a deal to keep the plant running while it installs the controls, a process that is expected to take several years.

Environmentalists claimed in their lawsuit that the plant had violated the Clean Air Act more than 40,000 times during the 1990s, making it liable for up to \$10 billion in fines. Even as it announced the closure of the facility, Edison continued to dispute those allegations Thursday, maintaining that the plant had complied with state and federal standards.

"This plant has been controversial for most of its life and has only gotten more so as more people have moved around it," said Rob Smith, southwest representative for the Sierra Club in Phoenix.

The club, along with the Grand Canyon Trust and the National Parks Conservation Assn., filed the suit that led to the plant's closure.

"It was built without virtually any pollution controls. They don't control one major pollutant - sulfur dioxide - at all, so it really stood out like a sore thumb as an exceptionally bad offender."

Spokesmen for the Indian tribes said the effect on them could be severe.

The coal to run the plant comes from the Black Mesa mine, run by Peabody Energy Corp., the world's largest coal company. The plant is the mine's sole customer, so the shutdown of one will close the other.

The loss of the mine will wipe out most of its 165 jobs, mainly held by Native Americans, Peabody representatives confirmed this week.

"It was the environmental groups that helped bring this about -- for altruistic reasons of course -- but the result is that a lot of breadwinners are going to be out of work," said George Hardeen, a spokesman for the Navajo Nation.

"It's going to have a \$90-million impact in the negative. We will lose about 160 jobs, and these are some of the best jobs on the Navajo Nation, paying upwards of \$70,000. It will undoubtedly impact an already weak Navajo Nation economy."

The 7,000-member Hopi Tribe, which has a 50% unemployment rate, has estimated the plant's closure could reduce its \$20-million operating budget for next year by as much as 40%.

Edison maintained that before agreeing to add the expensive pollution controls the utility needed to secure agreements with the Hopis, Navajos and Peabody for the long-term supplies of coal and water needed to operate the plant.

Environmentalists said they sympathized with the tribes' economic plight, but argued that Edison had plenty of time to fix the pollution problems and negotiate the deals needed to keep Mohave running.

Environmentalists argued that Edison may actually reap profits from shutting Mohave under an Environmental Protection Agency program to reduce acid rain. The program will allow Edison to receive pollution credits that it can sell to other businesses that exceed federal emissions limits.

Some environmental groups were working with Native American representatives on a "just transition" plan that they planned to present to California utility regulators. It seeks to help the tribes adjust economically, perhaps by requiring that the power plant's owners, which in addition to Edison include DWP and several other Western utilities, invest in renewable energy sources such as wind and solar power on tribal land.

"California ratepayers since 1971 have been enjoying some of the lowest [electricity] prices in the grid, and that is due in part to underpayment of the tribes for water and coal and virtually unchecked pollution," said Roger Clark, director of the Grand Canyon Trust's air and energy program.

"It's a smart investment for California ratepayers to take income from a dirty power plant and reinvest it in clean energy in a way that benefits the people who have been exploited all of these years by the greater metropolitan centers of the West."

L.A., Long Beach ports will monitor pollutants

By Felix Sanchez, Staff Writer

LA Daily News, Thursday, Dec. 29, 2005

LONG BEACH -- The ports of Long Beach and Los Angeles have tentatively agreed to set up a coordinated air-quality monitoring system to measure pollutants above Southern California's massive port complex, officials at the two agencies said Thursday.

Calling it a milestone pact, officials said the system will aid future air-quality improvement efforts and provide a snapshot of the dirty air that moves into neighboring residential areas.

The project will gather air samples and data from four monitoring stations already at the Port of Los Angeles, and two stations to be designed and located at the Port of Long Beach.

International trade has been booming at both ports, contributing to concerns about emissions from a growing number of trucks, ships and trains.

Results will be shared between the ports and environmental regulatory agencies, including the South Coast Air Quality Management District. The public also will be able to review pollution data on the Web sites of both ports.

"We need to know the good and bad news around the harbor district," said Robert Kanter, planning and environmental affairs director with the Port of Long Beach.

Historically, the pollution data gathered for the region has been from AQMD monitoring stations close to Long Beach Airport, Kanter said.

The data are important, he said, but were not presented in real time.

The air quality monitoring network and a memorandum of understanding to set it up are scheduled for final approval by the L.A. Harbor Commission on Thursday and the Long Beach Board of Harbor Commissioners on Jan. 9.

"A collaborative air quality monitoring program will provide the clearest picture of the extent that port-related operations impact the quality of the air we breathe," said Ralph Appy, environmental management director at the Port of L.A.

The monitoring stations in Long Beach are being designed and, after commission approval, likely will be ordered and then installed in four to five months.

"We want the monitors to be in a good location," Kanter said. "We'll spread them out so that there's good geographic coverage."

Long Beach will spend \$1 million. Commissioners in November approved the money to contract with San Diego-based Science Applications International Corporation to build the monitors.

Ports May Share Air Quality Monitoring Data

From Times Staff and Wire Reports
Los Angeles Times, Friday, Dec. 30, 2005

The ports of Long Beach and Los Angeles have tentatively agreed to share air quality monitoring information, officials said Thursday.

The agreement would have the ports coordinate monitoring from four existing stations in and around the Port of Los Angeles and at least two under development in Long Beach.

The agreement is to be considered Thursday by the Los Angeles Harbor Commission and Jan. 9 by the Long Beach Harbor Commission.

DWP Criticizes Plan to Cut Dust in Wider Area

From Times Staff and Wire Reports
Los Angeles Times, Friday, Dec. 30, 2005

The Department of Water and Power on Thursday questioned a regulatory agency's decision to expand by 9.3 square miles the 29-square-mile area in the Owens Valley where the city is spending \$415 million to reduce dust.

DWP Board President Mary Nichols said it is premature for the air pollution district to expand the area for dust reduction before her agency has completed work in the existing target area.

Governor Shuts Plant, Says It's Fouling the Air

News Brief, from Times Wire Reports
Los Angeles Times, Friday, Dec. 30, 2005

A foul-smelling plant that turns turkey byproducts into fuel oil was ordered closed by Missouri Gov. Matt Blunt until the company finds a way to clear the air.

Renewable Environmental Solutions Inc. in Carthage had agreed in May to improve its odor-control systems after state and city officials sued, alleging the smell posed a public nuisance.

But the stink has continued.