

Power outage in refinery likely to blame for flare

BY STACEY SHEPARD, Californian staff writer
Bakersfield Californian, Friday, Nov. 2, 2007

A column of fire that shot out of a flare at the Big West of California refinery on Rosedale Highway last weekend was caused by a power outage in an area of the facility, local regulators said Thursday.

Several witnesses called the county's Environmental Health Services Department because they thought the refinery was on fire, said Matt Constantine, the department's director.

The county and the San Joaquin Valley Air Pollution Control District are investigating the situation. The refinery has 10 days to file a report with the air district.

Preliminary reports show the outage was caused by a bird that flew into a power line, causing a transformer to fault, said Brenda Turner, the air district's spokeswoman.

The outage caused product in the refinery to be routed to the flare system.

Big West officials could not be reached for comment.

"The problem with this is the loss of power (at the refinery) is not unusual and they've been plagued with this issue on numerous occasions, which has resulted in the venting of regulated substances," Constantine said.

Constantine said similar problems happened at the refinery eight times last year and about six times this year.

Developer gets his zoning change

BY JENNY SHEARER, Californian staff writer
Bakersfield Californian, Friday, Nov. 2, 2007

A proposed southwest shopping center received a requested zone change from the Bakersfield Planning Commission Thursday.

The vote was 5-2; Commissioners Murray Tragish and Jeffrey Tkac voted against the project, in part because of concerns about traffic and a desire to see the site retain its existing commercial zoning, which doesn't allow car washes and drive-through restaurants.

Developer Tom Carosella's Mustang Square would bring a neighborhood market, fresh & easy; a Walgreens; a car wash; and drive-through fast-food places or a Starbucks to the southeast corner of White Lane and Buena Vista Road.

The property is south of Stockdale High School. Principal Ramon Hendrix told commissioners he worried about the project's effect on traffic flow around the school.

Alcohol sales near the school concerned him, as did the possibility that some students may choose to go to the shopping center instead of class.

Several residents who live near the project site brought up traffic and [air-quality concerns](#).

Christy Burke lives in Seven Oaks, and her son attends Stockdale. She said the intersection was a "snarled nightmare as it is today with nothing on that corner, let alone something with drive-through access and student hangout areas."

She and others asked commissioners to consider the effect a larger commercial center would have on their neighborhood.

But planning commissioners said it was their duty to consider and protect all property owners' rights, including developers.

Tragish said the area had long been zoned for commercial space. A Castle & Cooke commercial project is planned for the intersection's southwest corner. That site's tenants are not yet known, but it, too, has the same zoning Carosella requested.

City planning staff and Carosella agreed on some conditions to address issues during an October meeting, when the project was first considered.

Tenants who wish to serve alcohol on site must apply for a conditional-use permit. Planners recommended Carosella reduce the number of drive-through businesses from three to two and restrict deliveries to 7 a.m. to 10 p.m.

Chair Ted Blockley praised Carosella and city staff for working together.

"I appreciate the efforts they've made to reduce the impact of the project on the neighborhood," he said. "I think they've made real strides to do exactly what everybody's asking for."

The shopping center proposal now heads for the Bakersfield City Council.

LA Harbor banning diesel-belching older big rigs at the port

In the Bakersfield Californian, Friday, Nov. 2, 2007

Harbor commissioners have approved a phased-in ban of diesel-belching older big rigs at the Port of Los Angeles.

The emission-controlling ban is expected to be adopted by the neighboring Port of Long Beach next week.

The Clean Trucks Program is designed to reduce 80 percent of harmful diesel emissions within five years. The Los Angeles City Council and Mayor Antonio Villaraigosa still must sign off on the program.

The Clean Trucks Program initially calls for a ban of some 16,000 rigs built before 1989 beginning Oct. 1, 2008. Stricter regulations will follow in an effort to meet 2007 federal emissions standards by Jan. 1, 2012.

Trucks not meeting program guidelines will be denied entry into the port.

Automakers press Bush administration on Calif. emission standards

By KEN THOMAS - Associated Press Writer

In the S.F. Chronicle and the Merced Sun-Star, Friday, November 2, 2007

WASHINGTON Automakers are lobbying the Bush administration to prevent California and 11 other states from implementing stricter standards on certain vehicle emissions, contending it would create chaos in the marketplace.

Industry officials have told the administration that it would force them to develop various vehicle plans for different states, creating a costly and cumbersome process for their industry and dealership network.

"Our worst fear is that the EPA grants the California waiver," said Mike Stanton, head of the Association of International Automobile Manufacturers, during a Thursday breakfast with reporters.

California has said it intends to sue the EPA to allow them to impose tougher regulations on the emissions of greenhouse gases from passenger cars, pickup trucks, sport utility vehicles and vans.

The state wants to implement a 2002 state law that would make automakers build vehicles that emit less greenhouse gas by the 2009 model year, cutting emissions by about a quarter by 2030.

California's law can only take effect if the EPA grants the state a waiver - requested two years ago - under the Clean Air Act. EPA Administrator Stephen Johnson has said he will make a decision by the end of the year.

The request comes as Congress is considering new fuel economy standards for the industry as part of an energy bill.

"If EPA rejects it, it will be based on politics and nothing but politics," said Frank O'Donnell, president of Clean Air Watch. O'Donnell and supporters of the waiver say its rejection would undermine the ability of states to protect residents from pollution.

The federal government sets national air pollution standards, but California has the right to ask EPA to let it enact its own regulations under the Clean Air Act. Other states can opt to follow the federal rules or the California standards if they are tougher.

Eleven other states - Connecticut, Maine, Maryland, Massachusetts, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington - plan to implement California's emissions standards if it gets the waiver. The governors of Arizona, Florida and New Mexico have said their states will adopt the standard.

Automakers have said the California approach would raise the cost of cars and require manufacturers to reduce their offering of SUVs and pickups. They have sought one federal standard for tailpipe emissions.

"We think there's a basis for them to write a stringent rule, a comprehensive rule, and one that can address a national issue," said Dave McCurdy, president and CEO of the Alliance of Automobile Manufacturers, which represents General Motors Corp., Ford Motor Co., Chrysler LLC, Toyota Motor Corp. and others.

Stanton and lobbyists representing Toyota, Nissan Motor Co., Honda Motor Co. and Hyundai Motor Co. met last week with Bush administration budget and environmental officials about pending rule-making on vehicle emissions and the waiver.

He estimated that several other states could adopt California's standards, eventually representing about two-thirds of the new vehicle market in the United States. The auto industry has said the standard is too aggressive.

"This screams for a national program," he said.

L.A. panel OKs cleanup plan for port trucks

The phased-in ban of old, more heavily polluting models used in short hauls aims to slash diesel soot. But the plan is expected to spark disputes.

By Louis Sahagun, Los Angeles Times Staff Writer
L.A. Times, Friday, November 2, 2007

The Los Angeles Harbor Commission on Thursday unanimously approved a phased ban of old-model trucks, a move that is expected to reduce harmful diesel emissions by 80% within five years but also ignite controversy among shippers, drivers, trucking companies and environmentalists.

The Clean Truck Program would require 16,500 aging short-haul trucks that move goods from wharves to warehouses and train yards to meet federal 2007 emission standards by 2012 through replacement or retrofitting, authorities said.

The \$1.8-billion plan would begin next October by prohibiting trucks manufactured before 1989 from entering port facilities. An estimated 15% to 20% of the current fleet, mostly driven by independent operators, fall into that category, port authorities said.

By 2012, no truck manufactured before 2007 would be allowed in port facilities.

The program is the most ambitious component of the landmark Clean Air Action Plan proposed

last year by the ports of Los Angeles and Long Beach, and would require the Los Angeles City Council's passage of an ordinance adopting the measure.

"This is only the first piece; there's a lot more we have to come to agreement on," Geraldine Knatz, executive director of the Port of Los Angeles, said. "But we're moving forward."

The board's action set the stage for a public dispute over who will pay for and operate thousands of new trucks to service the nation's busiest port complex, which handles more than 40% of the goods imported to the United States.

Although Knatz said the port is prepared to finance the fleet, she added that "we can't subsidize it forever." The truckers, whose average round trip is about 25 miles, are calling for a concession program that would force shipping companies to hire them as employee drivers. Shippers argue that such a system would be an invitation for the International Brotherhood of Teamsters to organize thousands of local drivers.

"Common sense suggests the people making the most money off this, the shippers, ought to be the ones paying those costs and making employees out of independent drivers," said Rafael Pizarro, senior consultant for the Coalition for Clean Air. "In any case, opponents and supporters alike will have to show their true colors on all of these issues."

Cecilia Ibarra, assistant operations manager for the trucking company Total Distribution Service of Wilmington, disagreed. "We want cleaner air as much as anyone, but the board's actions may drive us into litigation," she said. "A concession program is a step toward unionization. I can already hear the ka-chink, ka-chink, ka-chink in union coffers."

The five-member Harbor Commission plans to vote Dec. 14 on a concession program and other elements of the clean-air plan, including a cargo fee to fund the plan's requirements, a mechanism to fund replacements for banned trucks and a security system for transportation workers. On Monday, the Long Beach Board of Harbor Commissioners is scheduled to vote on a clean-truck program similar to the one approved Thursday.

The short-haul drivers, most of them Spanish speakers with low incomes, expressed mixed feelings about the truck ban. They said they supported efforts to improve air quality but worried about having to bear financial obligations that could force them out of their jobs and impair movement of imported goods. Most of their trips are to warehouses and train yards south of downtown Los Angeles.

"If the port makes me responsible for the costs of a new truck, I'll have to find a new line of work," Felipe Lopez, an independent owner-operator who contracts with companies to move containers, said in an interview.

Max Palma, a port trucker of 15 years, told the board: "If you leave it up to us owner-operators, your plan will fail. It would be difficult to buy and maintain a new truck without working seven days a week."

Calls to reduce port pollution have been driven in part by the increase in trade at the two ports.

The value of containerized trade there soared from \$74 billion in 1994 to \$305 billion in 2006, led by imports of automotive vehicles, computers and office machines, furniture, clothing and toys. Port trade is expected to double by 2020, officials said.

Port authorities are eager to reinforce their Pacific Rim dominance with long-delayed projects that would enlarge terminals and rail yards, widen roads and add a marine terminal for crude oil. The Port of Long Beach wants to replace an aging bridge at a cost of about \$864 million.

Unless port authorities can clean the air, however, they will probably face protracted legal challenges.

"The people of San Pedro and Wilmington have been subsidizing port growth with their lungs," said S. David Freeman, president of the L.A. Harbor Commission. "We absolutely have to get this plan done to justify the expansion of the port."

The port complex spews more soot and smog than half a million cars, a refinery and a power plant combined, port authorities said. Port trucks produce 30% to 40% of that pollution, which has been linked to global warming and to higher risks of cancer, bronchitis and other ailments. State air quality and health experts have linked 2,400 premature deaths a year to emissions produced by the ports.

The Clean Truck Program includes several new requirements for moving freight at the ports. Trucks would be granted access to terminals only if they were registered with the ports and had a radio frequency identification tag. In addition, truck owners would have to register their vehicles with a new San Pedro Bay Ports Drayage Truck Registry by June 30, 2008.

Elina Green, project manager for the Long Beach Alliance for Children with Asthma, was not impressed with Thursday's action.

"I don't understand why the board decided to vote on just the clean-truck portion of the clean-air plan," she said. "It's hard not to think they were pandering to the environmental community by throwing us a bone, as though we would be happy with just a progressive ban."

Knatz said the board was trying to meet the concerns of its constituents.

"We're between a rock and a hard place," she said. "Not everyone is going to be happy, but we have to move forward."

Coordinated cleanup plan taking shape

By Anne Krueger, UNION-TRIBUNE STAFF WRITER
San Diego Union-Tribune, Friday, Nov. 2, 2007

As officials put together a plan to clean up debris from properties destroyed in the wildfires, the National Weather Service predicted a return of the dry, windy weather that can stir up more blazes.

The weather service said a red-flag warning, meaning critical fire-weather conditions are expected, will be in effect tomorrow and Sunday.

But forecaster Phil Gonsalves said the winds this weekend should be weaker, less widespread and shorter in duration than the howling gales that spread the wildfires last week.

"People will find that this is a little anticlimactic," Gonsalves said. "Certainly by comparison, this will pale."

Both the Harris and Witch Creek fires that raged across the county last week are now contained and are expected to be out by Monday. On Palomar Mountain, firefighters are battling the Poomacha fire, which is 85 percent contained. Full containment is expected tomorrow.

Meanwhile, officials for the city and county of San Diego announced a plan to clean up fire debris. More than 360 properties in San Diego were destroyed by the infernos that started Oct. 21. Countywide, the toll reached nearly 1,700.

Officials want to streamline the debris-removal process by using a few contractors - or perhaps just one - to do the work. The arrangement will save money instead of having each resident hire a contractor, they said.

The state, county and city of San Diego would pay for the program's costs upfront, and homeowners and business owners would reimburse them with insurance money. The cleanup service would be free for uninsured residents.

The project is voluntary, but leaders urged people to participate.

"The program will make sure that homeowners are protected from scam artists and make sure that their properties are cleaned up in an environmentally proper way," San Diego Mayor Jerry Sanders said at a news conference yesterday.

San Diego is signing up homeowners who want to participate in the debris-removal effort. City officials have chosen the contractor for their segment of the program, and they hope to complete the cleanup by year's end. The county has not begun the sign-up phase. It is going through a bidding process, which county Supervisor Ron Roberts said would be expedited.

State transportation officials said the last two sections of major highways still closed or partially closed because of the fires should be reopened by next week.

Pedro Orso-Delgado, local district director for the California Department of Transportation, said state Route 78 from Bandy Canyon Road in San Pasqual to Horizon View Drive near Ramona will be open by Thursday.

State Route 94 from Barrett Junction to state Route 188 will be open by Monday. Only vehicles traveling in convoys are now allowed on the road.

Two organizations issued reports yesterday raising concerns about instances in which minorities faced a lack of access to fire aid or felt they were discriminated against. The reports were issued by the American Civil Liberties Union of San Diego and the Quaker-affiliated American Friends Services Committee.

[The reports also criticized several agricultural employers in North County for staying open while the fires were burning, with employees working outdoors doing strenuous labor in air that was considered unhealthy.](#)

After an extended Mexican family that had been staying at Qualcomm Stadium was detained and then removed to Mexico, a climate of unease pervaded the stadium shelter and led to several unpleasant incidents, ACLU spokeswoman Rebecca Rauber said. Police, who suspected the family of looting, had notified immigration authorities.

Red flag is raised on winds, fire danger

By Robert Krier, UNION-TRIBUNE STAFF WRITER
San Diego Union-Tribune, Friday, Nov. 2, 2007

The expected return of the Santa Ana winds has prompted the National Weather Service to issue a red-flag warning, meaning fire danger will be extremely high. But the National Weather Service does not expect a repeat of the conditions that spread the devastating wildfires last month.

"Be on guard and aware, but not alarmed," forecaster Miguel Miller said. "If this is a Santa Ana event, it's a 1 on a scale of 1 to 10. The winds won't be anything like what we experienced last week."

The weather service's red-flag warning will be in effect from 3 a.m. tomorrow until 8 p.m. Sunday.

Miller said the biggest concern this weekend will be hot, dry air. Humidity is expected to drop below 10 percent inland and stay low for at least 10 hours.

The winds, which are expected to peak tomorrow before noon, should be in the range of 15 to 25 mph, Miller said. The typically windy spots in the county, such as Campo, Descanso and Wynola, could see occasional gusts of 45 mph.

The winds should calm by tomorrow afternoon, but the humidity is expected to remain very low through Sunday afternoon. During the fires last week, many areas had sustained winds near 50 mph, and gusts near 70 mph were recorded.

The county Air Pollution Control District expects air quality to be good to moderate over the weekend, except near areas that burned. In those places, the air will likely be unhealthy for sensitive groups such as the very young, the elderly and people with respiratory conditions, said Adam Canter, an associate meteorologist with the district.

Coastal highs are expected to be in the low 70s today and the high 70s tomorrow. The inland valleys should hit the upper 70s to low 80s today, then climb to the upper 80s tomorrow.

Miller said there is not a "glimmer of hope" of rain for at least the next week.

Clinton, Wal-Mart push 'green' cities

By GENE JOHNSON , Associated Press Writer
in the Modesto Bee, Friday, November 1, 2007

SEATTLE — Former President Bill Clinton told more than 100 mayors Thursday that stopping global warming depends on them demonstrating that it makes economic sense. He said his foundation is teaming up with Wal-Mart Stores Inc. to save cities money on environmentally friendly supplies by buying in bulk.

"We will not get a global agreement on climate change unless you can prove this is not a burden," he said. "This is the greatest opportunity we have had in our lifetimes."

The Clinton Foundation has previously worked with 40 of the world's largest cities to create a buying pool to bring down prices for green supplies such as hybrid vehicles and more efficient street lights. It's the same approach the foundation used to dramatically cut the price of AIDS drugs in Africa.

In addressing a climate summit organized by the U.S. Conference of Mayors, Clinton announced that the 1,100 cities represented by that organization will become part of the purchasing group. Wal-Mart, the nation's largest retailer, said it would work with Clinton's foundation and the cities to bundle orders and product specifications for green technology.

Clinton and many of the mayors present criticized the White House, saying it has done little about global warming and has missed a chance to boost the nascent "green collar" economy - the jobs created by making the U.S. more sustainable, from the people who install solar panels to scientists who develop new technologies.

Wal-Mart, which has embarked on a broad environmental drive to cut costs and burnish its reputation, is offering to help the mayors as it has met resistance in some big cities, including New York and Chicago, to its plans to expand into metro areas from its rural and suburban base.

Wal-Mart has set targets for reducing energy use and packaging waste and selling more environmentally friendly products. Steps include switching to only concentrated liquid laundry detergent that reduces packaging and water use, converting its truck fleet to use less fuel, and asking suppliers to provide data on their greenhouse gas emissions.

But the company isn't the only one whose reputation is at stake. Clinton asked the mayors to think about their legacy and to keep score from an environmental standpoint. "The only way to keep score in public life is whether people are better off when you quit than when you started," he said, telling them the challenge is "your kind of deal."

Cities cover just 2 percent of the planet's land but are responsible for three-quarters of its greenhouse gas emissions - and therefore present the greatest opportunity for reducing those emissions, Clinton said. Much of that progress can be made by picking the low-hanging fruit: replacing wasteful light bulbs with high-efficiency ones, finding the leaks in the water-supply system, capturing the harmful methane produced by landfills and turning it into electricity.

The big orders from cities for more efficient heating and cooling systems for public buildings, ultra-efficient LED lights, or hybrid buses guarantee income for the companies that make them, help bring prices down and create jobs, Clinton said. They also save the cities money on energy.

Earlier in the day, former Vice President Al Gore, winner of this year's Nobel Peace Prize for his climate work, spoke to the mayors by satellite from Tennessee and urged them to continue their work. He told them that his audiences around the world are heartened to learn that while the White House refused to support the Kyoto Treaty, 710 U.S. mayors - led by Seattle's Greg Nickels - have signed an agreement to abide by the treaty's call to reduce carbon emissions.

The two-day summit is designed to allow mayors from around the country to share ideas about how to combat climate change locally. New York Mayor Michael Bloomberg was scheduled to deliver Friday's keynote address.

[Bakersfield Californian, Commentary, Friday, Nov. 2, 2007:](#)

Dairies produce milk and jobs

How many Kern County residents does it take to pour a glass of fresh milk?

The clever answer is none. It tastes better straight from the carton.

But this question warrants more than that.

This question highlights the far-reaching economic impacts of creating something simple: a fresh glass of milk. While most people never think about it, dairies and agriculture longtime foundations of Kern County's economy create thousands of jobs, from the fields to the dinner table.

If you've been to a dairy, you've seen the work that goes into feeding and milking cows everyday. Their diet consists of alfalfa, corn silage and other locally grown feeds, all of which require extensive manpower to plant and harvest. Dairies also need a wide array of service-oriented businesses: welders, mechanics, nutritionists, engineers, agronomists, accountants and bankers.

Milk is picked up by trucking companies that support their own army of truckers and personnel. Workers transport milk to a plant where hundreds of employees are needed to process the milk into whole milk, skim milk, cheese, butter, ice cream and other delicious dairy foods.

Next, products must be sold and distributed, all of which means more jobs. I could go on about all the jobs created, salaries earned, houses and cars purchased, and taxes paid all ultimately made possible by dairy farms here in Kern County.

So it begs the question: Why does there seem to be so much controversy when it comes to the issue of dairy farms and Kern County? I've heard the arguments and read the objections. The reality is that a small minority of the population (anti-dairy activists) yell the loudest. They use words like "polluters" and blame cows for all the health problems in the world. The reality is much different.

Dairies have been at the forefront of efforts to improve agriculture's stewardship of our air and water resources. As evidence, look no further than the strict air and water quality regulations facing Central Valley dairy families today. Dairies have invested millions of dollars to ensure that air and water quality impacts are minimized, and as more research and technology is developed, dairies will continue to be active in implementing those improvements.

The key is balance. Dairy families want the same as everyone else. They drink the same water, breath the same air and send their kids to the same schools. They also pay substantial taxes. Have you ever thought about the property tax bill for the average new Kern County dairy? It costs

about \$5,000 per milking cow to build a modern dairy, in addition to the value of the raw land. A 4,000-cow dairy will have an annual property tax bill in excess of \$200,000 per year!

Who needs dairies? I get my milk at the store.

It sounds ridiculous, doesn't it? The reality is that we rarely consider the massive economic activity that is poured into every gallon of milk on the store shelves. Kern County is fortunate to have a vibrant dairy industry. It is the dairies' hope that with responsible planning and cooperation, Kern County can continue to be a welcoming community for dairy families to live.

Rob VandenHeuvel has spent a majority of his life on dairies, growing up and working on a family dairy farm in Chino. He currently manages the Milk Producers Council, a trade association representing a number of Kern County dairy families.

[Sacramento Bee, Letter to the Editor, Thursday, November 1, 2007](#)

Crack down on vehicles, too

Re "Wood-burning limits set," Oct. 26: While setting limits on burning wood for heat seems like a good idea, it doesn't go far enough.

The automobile is the source of more air pollutants than any other item within the control of individuals. Since the Sacramento Metropolitan Air Quality Management District has developed a tiered approach to the use of home fireplaces, I suggest a tiered approach for the use of automobiles. On high pollution days, only vehicles with four cylinders or less should be allowed on the roads.

On medium days, four- and six-cylinder vehicles can be driven. On low days, use of eight-cylinder cars could be allowed, but discouraged.

On really bad days, only electric or hybrid vehicles should be allowed. This should stimulate the need for and use of public transportation and carpools.

- J. Steve Bennett, Newcastle